

UNIVERSITY OF GLASGOW

THE BALTIC PROVINCES AND THE RUSSIAN EMPIRE:  
PROVINCIAL PRIVILEGE AND IMPERIAL PREROGATIVE  
IN THE PROCESS OF  
AGRARIAN REFORM  
IN LIVLAND, ESTLAND AND KURLAND  
1765-1849

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THE FACULTY OF ARTS  
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BY

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## ABSTRACT

The dissertation examines the process of agrarian reform in Livland, Estland and Kurland in the period 1765 to 1849 from a provincial/imperial perspective. The interaction of provincial privilege and imperial prerogative is seen as a major catalyst in the reform process. The perspective not only sheds light on the development of agrarian reform in the Baltic provinces but illuminates the nature of the Baltic/Russian relationship in the period under study.

The research is interpretative and analytical within a chronological framework with thematic emphases in each chapter. It attempts to remove both the reform initiatives and the historical Baltic/Russian relationship from traditional interpretation and provide fresh perspectives.

There are no notable works of synthesis on Baltic/Russian relations in the era of reform. This research is a step towards filling that gap. In addition, the reappraisal of Baltic/Russian historical relations as well as the comprehensive and detailed survey of agrarian legislation in the Baltic provinces from 1765 to 1849 should be of particular use to British scholars since there is a significant lack of writing in Baltic history of the period in English. The major literature used in the research was predominantly German and Russian.

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To  
Jan, Christina, Mark  
and  
my parents

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# BALTISCHE LANDE DIE „DEUTSCHEN OSTSEEPROVINZEN“ RUSSLANDS 1888 \*

Zeichenerklärung:

- Grenzen der Kreise und Oberhauptmannschaften
- Grenzen der Malenrichterbezirke, Ordnungsgerichtsbezirke und Hauptmannschaften
- Hauptorte der Kreise und Oberhauptmannschaften
- Hauptorte der Ordnungsgerichtsbezirke und Hauptmannschaften
- ▬ Gouvernementsgrenzen



Apart from the 1783-1796 Statthalterschaft period, these divisions were valid from 1694 to 1888 with very few changes. After H. Laakmann, Die Baltischen Lande in Staats- und Verwaltungsgrenzen in Ostmitteleuropa. Historisches Kartenwerk (Munich, 1954)

## INTRODUCTION

### General Orientation

On 23 March 1816, the serfs in Estland were emancipated. The following year, on 25 August 1817, emancipation was declared in Kurland and on 26 March 1819 the last of the Baltic serfs were emancipated under the Livland emancipation reform. These emancipation reforms were granted to the Baltic provinces, as part of the Russian Empire, by imperial decree, at a time when public discussion of emancipation in Russia itself was considered dangerous to public security.

Traditional Baltic German historiography<sup>1</sup> views the emancipation reforms as proof that the Baltic German barons were more enlightened than their Russian overlords. Where Russia is accorded a role in the Baltic reform process, for example in illustrating the liberal nature of Alexander I, it is to underline the fact that Russia was too backward for Alexander to carry out such reforms in Russia proper. Liberal imperial policies could only be realized in the more enlightened atmosphere of the Baltic. Imperial or Russian participation in the Baltic agrarian reforms is dealt with only peripherally by Baltic research. Its main emphasis has always been the "German" nation. Coloured by the Russification process in the

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<sup>1</sup> Of which Alexander Tobien is the main representative. His viewpoints have not been seriously challenged by more recent research. His Die Agrargesetzgebung Livlands im 19. Jahrhundert 2 vols. (Riga, 1899-1911) is a detailed chronology of agrarian reform legislation from the mid-eighteenth century to 1866. Despite its apologist standpoint, the work provides useful information, particularly on the structure of administration in Livland, and contains documentary sources throughout the text as well as in the appendices. It is the only comprehensive survey of agrarian legislation in Livland in the period under study. Its counterpart for Estland is Axel von Gernet, Geschichte und System des bauerlichen Agrarrechts in Estland (Reval, 1901). For Kurland, there is little, comprehensive or otherwise, but the traditional viewpoint is represented by Ernst von Rechenberg-Linten, Zustände Kurlands im vorigen und diesen Jahrhundert (Mitau, 1858) although it precedes the era of Russification and, therefore, re-interpretation. Tobien's later work Die livländische Ritterschaft in ihrem Verhältnis zum Zarismus und russischen Nationalismus (Riga, 1925) is in essence and substance polemical.

latter half of the nineteenth century, Baltic historiography examines the Russian side of the relationship mainly in terms of imperial ambition eventually overrunning an independent and superior culture. The first half of the nineteenth century proves the superior culture, the second half its destruction.

Soviet historiography has conformed to a different formula. The Baltic area was simply further along the economic development scale.<sup>2</sup> The barons, if not explicitly more enlightened, were more bourgeois. The objective laws of economic development forced them to adopt reforms, but only to the degree necessitated by economic pressure. While the protection of privilege is also acknowledged as a prime motivator in Ritter conservative policy, political motivation is generally neglected in favour of the economic factor.<sup>3</sup>

The relationship between the Russian Empire and its Baltic provinces in the eighteenth and nineteenth centuries has not been covered by Soviet historians. An article in a recent Soviet publication, describing the necessity of applying *perestroika* to the study of history, admits deficiencies in past historical methodology, amongst which is clearly the lack of attention paid to the history of the individual parts of the Russian Empire in their relationship to the whole: "... [H]istorians must take part in drawing up new forms of coexistence among the different nationalities. They are at the moment badly prepared for this. ... [T]he languages and histories of foreign countries have been studied. Everything has

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<sup>2</sup> A.V.Predtechensky, Ocherki obshchestvenno-politicheskoy istorii Rossii v pervoy chetverti XIX veka, (Moscow-Leningrad, 1957). Predtechensky predictably emphasizes the class struggle of the peasantry and the development of capitalist relations as the necessary prerequisites of reform in the Baltic. p.365.

<sup>3</sup> See, for example, M.M.Dukhanov, Ostzeitsy. Politika ostzeiskogo dvoryanstva v 50-70 gg. XIX v. i kritika ee apologeticheskoi istoriografii (Riga, 1978), 457-459. Dukhanov's comprehensive survey of Baltic "apologists" (Carl Schirren, Reinhard Wittram, Hans Rothfels, Georg von Rauch, Alexander Tobien amongst others) is a useful critical assessment from the Soviet point of view. *Ibid.*, Chapter Two, 53-100.

been studied except the history of the peoples of our own country. No-one has studied the Union or the Russian Empire as a whole. Kazakhs have studied Kazakhstan, Uzbekis Uzbekistan, Lithuanians Lithuania and Latvians Latvia ...".<sup>4</sup>

Baltic Soviet historians have naturally concerned themselves with reforms in their own area. Their main point of focus has been to determine what influence reforms had on social-economic development in the provinces. There is no attempt to place them in the larger context of the Russian Empire. Yuhan Kahk, however, does recognize the need to do so. "The question as to why a comparatively early start was made on agrarian reform in the Baltic can be resolved only within the framework of a wider investigation, involving questions of social-economic development and the agrarian policy in the whole Russian Empire at that time."<sup>5</sup> Kahk's conclusion is a valid one. The question is indeed part of a larger framework and involves political, social, economic, cultural, ethical and agricultural contexts. Not only does a study of agrarian reform require this comprehensive approach but it must also involve the details of legislation. It is thus an effective focal point for examining Baltic/Russian interaction. Agrarian reform necessitated an official and documented interchange between province and empire. The attempt to answer Kahk's question provides a history of the impulses of the reform process and inevitably leads to a re-assessment of Baltic/Russian relations, of which the reform process was an integral part.

There are no notable works of synthesis on Baltic/Russian relations in the

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<sup>4</sup> "Istoricheskoe Soznanie Obshchestva - Na Uroven' Zadach Perestroika," Voprosi Istorii, no.1, (January, 1990), 16.

<sup>5</sup> Yuhan Kahk, "K voprosu ob agrarnoy politike tsarizma v Lifyandii v nachale XIX stoletiya," Istoriya SSSR, no.2 (1962), 127.

era of reform. As Georg von Rauch noted some decades ago, "Baltic relations with Russia from 1700 to 1917 is an area of research on the whole not yet covered."<sup>6</sup> There have been recent attempts to view the Baltic provinces in the broader context of the Russian Empire, but the motivating impulse of such research is the Russification era of the second half of the nineteenth century, which has been well covered by Baltic historians anxious to describe the problems of belonging to the Russian Empire.<sup>7</sup> Russian policies and attitudes are dealt with from this point of view. The preceding era, the age of agrarian reform, is the missing first chapter.

The limited amount of research in the area of Baltic/Russian relations in the period of agrarian reform has been recognized not only by Soviet writers and Soviet Baltic writers but also by German Baltic historians. Georg von Rauch calls for continued interest in the agrarian question, its initiatives, its reforms and their execution, in both East and West "perhaps even cooperatively." What is missing, he continues, is a "comprehensive and comparative survey, which would clarify reciprocal effects and influences".<sup>8</sup>

While the aim of this dissertation cannot be to assume this task, it does provide a first step in that direction. It examines the process of agrarian reform in the context of provincial/imperial interaction, identifies the different roles

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<sup>6</sup> Georg von Rauch, "Der russische Reichsgedanke im Spiegel des politischen Bewußtseins der baltischen Provinzen," in Ostdeutsche Wissenschaft vol I (Munich, 1954), 183.

<sup>7</sup> Edward Thaden is particularly representative of this trend. E.Thaden ed., Russification in the Baltic Provinces and Finland, 1855-1914 (Princeton, 1981) contains other examples of historians, mainly American, of this school of thought.

<sup>8</sup> Georg von Rauch, "Politische Voraussetzungen für westöstliche Kulturbeziehungen im 18.Jahrhundert," in Russen und Rußland aus deutscher Sicht, 18.Jahrhundert:Aufklärung, ed. Mechthild Keller, (Munich, 1987), 53.

played by the provinces and the Empire in reform motivation and legislation<sup>9</sup> and clarifies the complicated dynamics of the interaction.

### Description of Chapters

The provincial/imperial framework is clarified in Chapter I in terms of the definition of status and rights, of attitudes and expectations, of provincial privilege and imperial prerogative. The perspective of provincial privilege, incorporated in the *Privilegium Sigismundi Augusti* of 1561, within imperial parameters is dealt with in detail since the maintenance of this provincial privilege within the Empire on the one hand and the imperial management of provincial privilege on the other was a major pivot in the history of Baltic/Russian relations in the period of agrarian reform.

The relationship involved aspects of potential confrontation. Chapter II examines the basic German/Russian dichotomy in the eighteenth century context, particularly with regard to cultural affinity and political loyalty. The relevant aspects of enlightenment, especially the German one, as a background to reform are examined as well as the influence of humanitarian Christian ideals and practice. Imperial interest in reform in the Baltic is identified and clarified.

Chapter III emphasizes the pragmatics of imperial statecraft in the government's attitude to agrarian reform in the Baltic provinces and the provincial response to imperial pressure. Other catalysts, mainly economic considerations and agricultural realities, are described. The chapter clarifies the impulses and the complicated interdependence of cause and effect behind the 1802-1804 reform

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<sup>9</sup> Identifying the actual decision-makers corrects a deficiency already noted in German Baltic research. See Gert von Pistohlkors, "Regionalismus als Konzept der baltischen Geschichte: Überlegungen zum Stand der Geschichtsschreibung über die baltischen Provinzen Russlands im 19. Jahrhundert," in Journal of Baltic Studies vol XV, no.2/3 (Summer-Fall 1984):111.

period.

Chapter IV sets the contemporary theoretical background to emancipation and examines the contradictions in actual practice, with reference to other Northern European reforms. The dichotomy of theory and practice, and the reasons for it, are explored particularly in the Livland emancipation reform debate. The significant role of the Empire in the reform process is clearly indicated as is the interdependence of events in each of the three provinces.

The fate of the Baltic emancipation reforms is dealt with in the final chapter. Their inherent inconsistencies are examined and their practical application assessed. A major focus of the chapter is the development of a firm agrarian policy on the imperial side, how it differed from the Baltic emancipation reforms and what effect it had on them.

## CHAPTER I PROVINCE AND EMPIRE

### PART ONE: PERSPECTIVES ON PRIVILEGE

#### Dominium Maris Baltici

In 1710 Peter the Great fulfilled Russia's long ambition to gain access to the Baltic Sea. One hundred and fifty years earlier, Ivan IV had recognized the economic and political significance of the Baltic coast but had failed against stronger contenders in his attempts to establish a link with Europe. Through their successive control of the Baltic, Poland and Sweden had isolated Russia from Europe until a reformed military under Peter was eventually able to overcome the power of Sweden.

As *dominium maris Baltici*, Russia had extended its empire strategically to gain the all important window on the West. The port cities of Narva, Reval, Pernau and Riga were also significant strategic gains for immediate war aims.<sup>1</sup>

Although they could not be used as naval ports as such since the Bay of Kronstadt was frozen over for half the year,<sup>2</sup> these cities could be used as deployment centres for military campaigns against Sweden, Poland, Prussia and Kurland. From the point of view of Peter's military needs, new territories would also provide a source of replenishing his army.<sup>3</sup> The new provinces would eventually prove to be a source of fiscal revenue, army recruits, bureaucratic expertise, and landed estates to give in acknowledgment of services rendered to

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<sup>1</sup> Reinhard Wittram, Peter der Große: Der Eintritt Rußlands in die Neuzeit (Berlin, 1954), 107.

<sup>2</sup> Peter did attempt to build a naval port, first at Reval in 1713, but the construction sank into the sea. A second attempt was not completed. *Ibid.*, 107-108.

<sup>3</sup> The economic situation in the Baltic area, however, had been devastated by war and was hardly capable of supporting this new burden.



the Empire, but of immediate importance was their role in Russia's ability to maintain its position as *dominium maris Baltici*.

### Das Schicksalsland

The "window on the West" was not only a geographically, militarily and economically advantageous coastal position, however. It consisted of the inhabited Baltic lands of Livland and Estland.<sup>4</sup> The thirteenth century tribes of these lands had succumbed to the papally sanctioned crusade of the Knights of the Sword from northern Germany "driven by visions of gaining in Livland a heavenly kingdom for the Virgin Mary and an earthly one for themselves."<sup>5</sup> The Knights later joined forces with the powerful German Order and together they ruled the area as part of the Holy Roman Empire until the sixteenth century. The eventual disintegration of the Order, undermined by the influence of the Reformation, created a power vacuum and subjected the Baltic lands to wars fought over their possession by Poland, Lithuania, Sweden, Denmark and Russia. Whichever power ruled the Baltic -- the *dominium maris Baltici* --ruled the Baltic lands. This historical perspective of the Baltic or Livland ruled by fate rather than by choice -- *das Schicksalsland* -- is one favoured by Baltic historiography<sup>6</sup> and

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<sup>4</sup> From the thirteenth to the seventeenth century, under the Teutonic Order, the Baltic area was known as Livland. It embraced those areas later known as Estland and Kurland. In the mid-seventeenth century the name was used for the central area only, the northern part was called Estland while Kurland and Semigallia south of the Daugava (Dvina) River were collectively known as Kurland. Livland, however, was inhabited by both *Letten* and *Esthen*, the original inhabitants of the area. The latter belonged to the Finno-Ugrian group. The name Livland is derived from the first tribe encountered by the Germans, the Livs, later assimilated into the Letts.

<sup>5</sup> Alexander von Hueck, Darstellung der landwirtschaftlichen Verhältnisse in Esth-, Liv- und Curland (Leipzig, 1845), 59.

<sup>6</sup> For example, Reinhard Wittram, Baltische Geschichte: Die Ostseeländer Livland, Estland, Kurland 1180-1918 (Munich, 1954), 88. A similar perspective describes the Baltic as *das Schlachtfeld der höchsten Politik*, literally, the battleground of the highest politics. Hans Rothfels, its main proponent, would translate it as " a battleground of fundamental ideas in politics." See Hans Rothfels, "The Baltic

defines the relationship between the Baltic provinces and the Russian Empire as one of unavoidable dependence. This dependence, however, contained a strong element of independence in the privileges the nobles had established and maintained, regardless of their fate otherwise.

### Privilege established under Poland

Although the feudal Teutonic Order in Livland eventually failed to match its neighbours militarily, it was still very much a presence in the Baltic lands, mainly in the form of the *Ritter*.<sup>7</sup> They had gradually assumed political power over the medieval ecclesiastical estates and free towns, which had shared the ruling of the lands in a loose and ultimately ineffective confederation as part of the Holy Roman Empire. The maintenance of this privileged position was dependent not only on internal manipulation but also on external tolerance, on the *dominium maris Baltici*. In the mid-sixteenth century the Order sought Poland's protection against Russia's attempted conquest of the area and in 1561 a treaty of union was effected between the Order and Sigismund Augustus of Poland.<sup>8</sup> The terms of the union would bring not just military protection but would consolidate

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Provinces: Some Historic Aspects and Perspectives," Journal of Central European Affairs vol.4, no.2 (July, 1944): 117. Although it was the fate of the Baltic lands to be the *Schlachtfeld*, literally and metaphorically, for greater powers, Rothfels' emphasis leads to a different perspective, namely that the Baltic was the battlefield for the Europeanization of the Russian Empire. See Hans Rothfels, "Reich, Staat und Nation im deutsch-baltischen Denken," Schriften der Königsberger Gelehrten Gesellschaft Heft 4 (Halle, 1930): 220. The phrase is attributed to Count Peter Shuvalov, the Russian Governor General in 1870, who used it in a wider context than Rothfels. See Georg von Rauch, "Der russische Reichsgedanke im Spiegel des politischen Bewußtseins der baltischen Provinzen," Ostdeutsche Wissenschaft Band 1 (Munich, 1954): 201.

<sup>7</sup> Knights. The nobility of the Baltic provinces, remnants of the original Knights of the Order of the Sword, referred to themselves as the *Ritterschaft*. The appellation is significant in its feudal associations, very much kept alive by the *Ritter*. The word is the same in singular and plural; from now on it will not be italicised.

<sup>8</sup> Estland did not become part of Poland but of Sweden. Kurland and Semigallia, as part of the union agreement, were given to the last Grand Master of the Order, Gotthard von Kettler, as a duchy under Polish fiefdom. This division of the lands into three entities would remain until 1917.

and strengthen the privileged position of the Ritter in their own country. The Baltic Ritter had stated their wishes very clearly before agreeing to subject themselves to the Polish king. A letter to Sigismund Augustus from his delegate in Livland on 8 September 1561 described the Ritter's terms, which included recognition of the authority of the Archbishop of Riga in all religious matters and the authority of the feudal power of the lord over his vassals, all subject to the general dominion of the Polish king. Explicitly, the right to declare and wage war is mentioned as part of the imperial domain as well as judicial matters and procedures. The Livland demands include recognition of all the nobility's previous holdings, laws, privileges and immunities and an insistence on the continuance of those offices which would ensure the German language, customs and laws, as well as the right to follow the Protestant faith.<sup>9</sup> The petition was not out of the ordinary. First, Poland's own nobility enjoyed extensive legal and economic privileges and rights and dominated the legislative process.<sup>10</sup> Secondly, it was almost a copy of the Prussian submissions to Poland in 1525.<sup>11</sup> On 28 November 1561, King Sigismund Augustus of Poland granted a charter of rights to the nobility of Livland. These rights, the *Privilegium Sigismundi Augusti*, would assume the utmost importance for the Ritter, forming not only the justification for their status within the Swedish and later Russian Empire, but also the very basis of their existence, the cornerstone of their historical presence.

It was the threat of Russia which had brought the Ritter to Poland and the

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<sup>9</sup> Carl Schirren, ed., Neue Quellen zur Geschichte des Untergangs livländischer Selbständigkeit vol III (Reval, 1883), letter 281, pp.233-234. This letter is in Latin and the translation is my own.

<sup>10</sup> For a summary of the rights conceded by the Polish sovereign from the fifteenth century on, see Norman Davies, God's Playground. A History of Poland: The Origins to 1795 (New York, 1982), 211-215.

<sup>11</sup> The Prussian Order sought protection from Poland against the undermining of its power in the face of mass conversions to Lutheranism. *Ibid.*, 143, 147.

Privilegium did guarantee defence against external enemies, a task which the Holy Roman Empire had failed to fulfil. It also promised aid to those rendered poor by the years of war, a burden the Ritter were not willing and often not able to assume. These immediate aims were, however, not priorities on the list.<sup>12</sup> The first two articles guaranteed the freedom to remain Protestant, with Polish support for the maintenance and improvement of churches. The Ritter's political and administrative power was guaranteed by the right to continue with their German laws (Article IV), by the right to have only local persons of wealth<sup>13</sup> appointed to higher offices, as was the case in Prussia (Article V), and by the confirmation of the estates, rights, freedoms and prerogatives as enjoyed by the Polish nobility (Article IX). A step towards judicial independence was made in the concession to allow courts to be set up in Riga and its members to be chosen by the nobility, subject to the King's approval (Article VI). The majority of the articles dealt with the economic situation of the Ritter. In order to enjoy political privileges, economic well-being and security were essential. Conversely, political privilege guaranteed economic rights and security. The interdependence of the

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<sup>12</sup> Although immediate economic aid to overcome the hardships inflicted by war was the third article of the agreement, defence was not dealt with until Articles XI, XII, and XXIV.

I have used the text of the Privilegium as reproduced by Carl Schirren, ed., Die Capitulationen der livländischen Ritter- und Landschaft (Dorpat, 1865), 3-23. Schirren points out, as others do, (see, for example, Wittram, Baltische Geschichte, 89) that the original of the Privilegium was destroyed. He claims the text he uses is the one on which the capitulation to the Russians was based. ("Aus Ceumerns Theatridium Livonicum. Riga 1690." Wittram [Baltische Geschichte, 90] describes Caspar von Ceumern as a lawyer who had come to Livland from Thüringen via Sweden, was ennobled and held the office of Secretary to the Ritterschaft from 1657 to 1677, during which time he compiled the handbook of Ritter rights, which Schirren uses as his source.) A Latin text, taken from an earlier source, is also reproduced. The Roman numerals used refer to the Latin text which is more clearly divided into articles than the German text.

Only one source (Latin, 1593) earlier than those used by Schirren is given in Eduard Winkelmann, Bibliotheca Livoniae Historica. Systematisches Verzeichniss der Quellen und Hülfsmittel zur Geschichte Estlands, Livlands und Kurlands (Berlin, 1878), 158.

The articles of the Privilegium are also summarized in Geschichtliche Übersicht der Grundlagen und der Entwicklung des Provinzialrechts in den Ostseegouvernements (St Petersburg, 1845), 40-43.

<sup>13</sup> In German: nur allein den Einheimischen und Wolbesitzlichen (sic). In Latin: Ut solis indigenis, et bene possessionatis.

political and economic rights of the Ritter would be an important perspective in their future history. In sixteenth century Europe, land was the basis of economic power and the Privilegium guaranteed the Ritter their right to their estates, no matter how they were acquired and without written proof of ownership (Article VIII). The size of these estates would not be reduced (Article XIII) and nobles were allowed to dispose of their property as they wished (Article VII). Property could be inherited on the female as well as the male side (Article X) thus ensuring continued noble ownership of the land even in the absence of a male heir. Violations of property were punishable by death (Article XIX). Without the necessary labour force, landed estates were not a source of economic power and the Privilegium regulated the landowner's control over his peasants, granting him complete jurisdiction over them "because it had often been the case in Livland before that nobles were killed by their own peasants" (Article XXVI). The peasants, as before, were bound by corvée and other services to their lords (Article XXIII). The Privilegium did not restrict economic advantages to land and labour. The Ritter complained about merchants, most of them foreigners, trading in animal pelts, grain and other goods to the detriment of the Ritter and the cities, i.e. to the detriment of the German population. Article XX of the agreement forbade such trading, thus affording the Ritter and the German merchants trade protection. The Ritter, but not the merchants, were exempt from custom and other dues on commerce (Article XIV). The Privilegium also affirmed the Ritter monopoly on the brewing and selling, tax exempt, of beer, as well as the usufruct of uncultivated land, such as fields, meadows and woods and any profit from this use such as the sale of animal skins (from hunting) or wood (Article XXI). A further economic advantage was the use of the same coinage as in Poland and

Lithuania.

Three centuries later the Privilegium Sigismundi Augusti would still be cited as a valid and legal support to the Ritter's claims to privileged status.<sup>14</sup> What the barons could not defend with might, they would with right, defending their privileges "with instinctive terror ... to cling to the ramparts which have defended them for six centuries."<sup>15</sup> Although the use of the Privilegium to defend their status would cast the Ritter in a feudal mould, an anachronism after the sixteenth century, the Privilegium is an important leitmotif in the history of the Baltic barons in their relation to those governments whose subjects they theoretically were. The Ritter considered the maintenance of these rights, anachronistic or not, with or without the support of their overlords, their main historical task.

The Privilegium was perceived by others as the key to German privileged status. Russia accepted it, confirmed and reaffirmed it, limiting commentary to questions of interpretation rather than substance. Russia divided the articles, for example, into those which were binding for all parts and cities of the Baltic area and those which had been granted to specific sections; and into those which were permanently binding and those of only temporary validity.<sup>16</sup> The absence of original documents, however, allowed more severe critics to question the authenticity of the Privilegium, thereby questioning the validity of German rights in the Baltic. Samarin notes in one of his letters to Baroness Rahden in 1864 that

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<sup>14</sup> Carl Schirren in Livländische Antwort an Herrn Juri Samarin (Leipzig, 1869) bases his arguments for the maintenance of provincial rights on the Privilegium.

<sup>15</sup> Baroness Rahden (of Kurland) in a letter to Iuri Samarin in 1864. Loren Calder, ed., The Correspondence of Iu. Samarin and Baroness Rahden 1861-1876, (1974), 54.

<sup>16</sup> F.Bunge, Geschichtliche Übersicht der Grundlagen und der Entwicklung des Provinzialrechts in den Ostseegouvernements (St Petersburg 1845), Allgemeiner Theil, 86-87. This historical overview was prepared in the department of the Imperial Chancery and translated into German.

"the Swedish government (which knows something about it) has never been willing to recognize [its authenticity]."<sup>17</sup> In the preceding century, articles were written to defend the authenticity of the Privilegium.<sup>18</sup> Even in this century, questions as to its authenticity were raised in the Latvian press (most notably on the occasion of the 375th anniversary of the Privilegium), giving rise to a debate which continued for some time.<sup>19</sup> While the historical motives of those interested in invalidating the Privilegium are obvious, the possibility that later copies of the original added or subtracted in the interests of the Ritter cannot be definitively ruled out.<sup>20</sup> The historical authenticity of the demands is less important, however, than the demands themselves. Whether completely authentic in the documentary sense or not, they were formulated by and in the interests of the Baltic Ritter and as such authentically represent the Baltic nobility for as long as the Privilegium was used as a historical justification.

### **Privilege defended under Sweden**

The union with Poland did not protect Livland from further wars. In 1592 Sweden began another attempt to gain a foothold on the Baltic coast. Another perspective was added to the military struggle in the form of religion: Catholic Poland versus Protestant Sweden. In Livland the teachings of Martin Luther had gained ground amongst the Germans in the course of the century and the Ritter

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<sup>17</sup> The Correspondence of Iu. Samarin and Baroness Rahden, 41.

<sup>18</sup> See E.Winkelmann, Bibliotheca Livoniae Historica, 159.

<sup>19</sup> Erwin E. Aidnik, "Zur Geschichte des Privilegiums Sigismundi Augusti für die Livländische Ritterschaft vom 28. November 1561," in Historische Zeitschrift vol.157 (1937): 69-74. See also Ludwig Karstens-Hamburg, "Die Echtheit des Privilegiums Sigismundi Augusti," in Jomsburg. Völker und Staaten im Osten und Norden Europas, vol.2 (1938): 247-251.

<sup>20</sup> Despite concordance in, for example, the Latin copy of 1593 and the German one of 1690 used by Schirren.

had converted to Protestantism. Theoretically, Poland, although strongly Catholic, upheld freedom of religious belief and had formally declared toleration in the Confederation of Warsaw on 28 January 1573.<sup>21</sup> In practice, Catholic supremacy in political and social fields in Poland was the order of the day.<sup>22</sup> The Protestant faith of the Ritter, however, had been formally upheld<sup>23</sup> and safely passed over into Protestant Swedish hands.<sup>24</sup> Under Orthodox Russia, the Ritter would also ensure that the freedom to be Protestant was part of their recognized provincial rights.

In 1629, Poland ceded its Baltic possessions to Sweden and a new era of accommodation to a foreign power began for the barons.<sup>25</sup> Although Sweden first confirmed their acquired privileges only provisionally,<sup>26</sup> the Ritter were still able to further consolidate their privileged position considerably. Many of the key structures of their self-government have their origins in Swedish times.<sup>27</sup> The

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<sup>21</sup> "We swear... that we who differ in matters of religion will keep the peace among ourselves, and neither shed blood on account of differences of Faith, or kinds of church, nor punish one another by confiscation of goods, deprivation of honour, imprisonment, or exile ..." Cited in Davies, God's Playground, 160.

<sup>22</sup> There was more than implicit religious discrimination to contend with. The Polish era in the Baltic has been described as a merciless reign of "robbery, murder, dissipation, and injustice against the hated Germans," compounded by the ravages of war. See Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 69-70.

<sup>23</sup> Religious toleration was not the rule in the sixteenth century. In May, 1561 King Frederick II of Denmark, for example, warned Oesel and Reval against continuing "papish ceremonies" which would bring down the wrath of the Almighty. He ordered adherence to the Augsburg Confession (Lutheranism). Carl Schirren, ed. Neue Quellen vol.III (Reval, 1885), letter 246, p.124.

<sup>24</sup> Under Sweden, the Augsburg Confession was the official religion. Catholics, Calvinists and others were deprived of civil rights. Wittram, Baltische Geschichte, 91.

<sup>25</sup> Estland had been under Swedish rule since 1561. Described as a "privileged colony," it kept its autonomous administration. When taken over by Sweden, the wish of the Livland Ritter to be incorporated with the Ritter of Estland was not granted. See Wittram, Baltische Geschichte, 89.

<sup>26</sup> Ibid.

<sup>27</sup> "Zur Geschichte der livländischen Privilegien III", Baltische Monatsschrift, Band 49 (1900): 396. The institutions will be discussed in the second part of the chapter, with indications of which stemmed from Swedish times.



political power of the Ritter was firmly established but their economic position worsened as Sweden faced economic difficulties. Decades of war had allowed the Swedish nobility to amass and keep large amounts of crown land. Unwilling to pay taxes on these huge properties in times of peace, they were forced to reduce their holdings voluntarily. When war broke out again in the middle of the century,<sup>28</sup> the reductions of property halted but by the end of the century reducing the landholdings of the Swedish nobility was a firm policy. The Baltic lands were subjected to the same policy. Not only would new crown land in the Baltic area provide an additional source of revenue for Sweden but the Swedish nobility would not be given cause to complain about preferential treatment for the Baltic nobility. Sweden began a review of the titles to the landed estates in its new provinces and confiscated the land from those landowners who had acquired their estates improperly in times of war, in this case mainly Poles. These estates went to Swedish families, not the Crown itself. By 1641 two-fifths of cultivated land was owned by Swedes,<sup>29</sup> and by 1680 almost half of all estates in Livland belonged to sixteen Swedish families.<sup>30</sup>

Sweden's growing commitment to the reduction policy gradually forced the Ritter into confrontation with the Swedish king. Although it was the newer landowners who were affected by the reductions, such a policy might eventually threaten the existence of the traditional Ritter families. It was, they claimed, a violation of their confirmed privileges. In 1678, Charles XI was persuaded not only to reconfirm their privileges in general but to revoke the next planned

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<sup>28</sup> With Poland and with Denmark-Norway 1654-60.

<sup>29</sup> Wittram, Baltische Geschichte, 93.

<sup>30</sup> *Ibid.*, 99.

reduction of property and promise not to act in future without the agreement of the Ritter. These were generous concessions and lead to speculation as to what the Ritter promised in return, especially in light of the fact that the Swedish king proceeded to do exactly what the Ritter wanted. The Swedish estates in Livland were confiscated, an obvious economic advantage to the Ritter. One-third of cultivated land in Livland was acquired by the Swedish Crown in this way.<sup>31</sup> A decade later, the Ritter again felt threatened by Sweden's commitment to reduction as an expedient fiscal policy and refused to consider the king's demands, viewing them once more as a violation of their privileges. This time the confrontation did not go well for the Ritter. The King ordered all estates acquired after 1561 to be confiscated. In Livland, the number of estates declared confiscable was over eighty percent.<sup>32</sup>

The policy of reduction was in essence a fiscal policy, but disagreement over it focused eventually on the political issue of provincial privilege. The initial intention of the Swedish Crown may have been to introduce reduction on a small scale in Livland to keep it in line with the rest of Sweden but faced with increasing resistance from the Ritter, the Crown was forced to take more drastic steps.<sup>33</sup> From this viewpoint, the confrontation was as much about the possession of provincial privilege by a dependency as it was about the loss of land. The Swedish Crown's subsequent attempts to curtail self-government in

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<sup>31</sup> *Ibid.*, 100.

<sup>32</sup> The proportion generally quoted is five-sixths. See, for example, Walther Freiherr von Ungern Sternberg, Geschichte der baltischen Ritterschaften (Limburg, 1960), 20.

In the case of Estland where there had been more continuity since the days of the Order, at least thirty-seven percent of private landholdings were declared confiscable. Wittram, Baltische Geschichte, 100.

<sup>33</sup> This view is represented in: Juhan Vasar, Die große Livländische Güterreduktion (Tartu, 1931). It is cited in: N.Wihksninsch, Die Aufklärung und die Agrarfrage in Livland (Riga, 1933), 251.

Livland as a means of dealing with the recalcitrant Ritter place the issue of land reduction in the centre of the conflict between Swedish absolutism and Baltic autonomy.<sup>34</sup> This may be a valid perspective in light of the fact that there were other issues of disagreement between the Swedish Crown and its Baltic provinces, most importantly the agrarian reforms introduced by Sweden to better the lot of the serfs.<sup>35</sup>

In 1690, the issue became clearly one of provincial privilege versus sovereign authority. The Swedish King asked for a Baltic delegation to come to Stockholm to furnish proof of provincial rights. The ensuing discussions sought to define the position of Livland as part of the Swedish Empire and assert the legality of provincial rights. After a year imperial agreement had not been secured. The Ritter then became more insistent, a stance to which their overlord reacted swiftly. The Landtag, the political representative body of the Ritter, was closed and the main drafters of the petition were sentenced to death.<sup>36</sup> In 1693, the unlimited power of the Swedish monarch was confirmed and at the end of the

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<sup>34</sup> Wittram, Baltische Geschichte, 99.

<sup>35</sup> The agrarian situation will be dealt with separately in the second part of the chapter. It is relevant here to mention one historical perspective which views the endeavours of the Swedes to improve the material and legal situation of the serfs in the Baltic in the seventeenth century as a method of undermining and opposing the German landowners. See K.I.Lander, "Pribaltiskiy kray v pervoy polovine XIX veka," in Istoriya Rossii v XIX veke (Moscow 1909), 329.

<sup>36</sup> The episode of Baltic resistance to Swedish absolutism contains one of "Livland's historically most effective characters." (Wittram, Baltische Geschichte, 101.) Johann Reinhold von Patkul was one of the Livland delegates and the main drafter of the second petition. He was ordered to Stockholm to stand trial and his plea for mercy being refused, he fled in October 1694. Six weeks later, he was sentenced to forfeit his honour, life and possessions. Three others - Vietinghoff, Budberg and Mengden - received the death sentence which was commuted to imprisonment. After the death of Charles XI, they were freed. In exile, Patkul worked for an alliance against Sweden with the aim of freeing the Baltic lands into the rule of the Ritter, under Polish protection. By 1703, he was in the service of Peter the Great and sent as envoy to Warsaw. He was then handed over by Poland as part of a peace agreement (1706 Altranstaedt) to Charles XII of Sweden, who had him broken on the wheel and beheaded in October 1707. Wittram, Baltische Geschichte, 101-103; Ungern-Sternberg, Geschichte der baltischen Ritterschaften, 20-21.

following year self-governing status in Livland was abolished.<sup>37</sup> In effect, the institutions of self-governement introduced earlier in the century were cancelled. The Ritter were forbidden to assemble as a body except by express command of the Swedish sovereign and then only under the chairmanship of the General Governor, the Swedish plenipotentiary in Livland. The Ritter were forbidden to bring complaints against the government and could only do so individually and through the General Governor, even when the complaints were against him.<sup>38</sup> The drastic reductions in landholdings had rendered the economic status of the Livland Ritter most precarious and now many of their political privileges were abrogated.<sup>39</sup> The Ritter had overestimated the strength of their position against an absolute monarch.

The existence of the Ritter as a privileged corps might have ended there but for the untimely death of Charles XI in 1697, who was succeeded by his fifteen year old son, Charles XII. Russia, Poland and Denmark in coalition now saw a chance to break Swedish dominion in the North. The campaign, however, did not run as easily as expected and suffered several defeats at the outset from Swedish troops led by their young king,<sup>40</sup> but by 1710 Peter the Great had broken Swedish dominion in the Baltic.

Although Sweden had almost destroyed the Ritter as a corps by the removal of many of their rights and much of their land, the Ritter fought on the

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<sup>37</sup> Wittram, Baltische Geschichte, 103.

<sup>38</sup> Ungern-Sternberg, Geschichte der baltischen Ritterschaften, 20.

<sup>39</sup> The institutions of self-government in Estland were not affected. Ungern-Sternberg, Geschichte der baltischen Ritterschaften, 20. Since the extent of the reductions had been much less in Estland, the Ritter were not as resistant. Estland also benefited by having been under Swedish rule since 1561.

<sup>40</sup> Notably, the defeat of the Russian forces at Narva in November 1700 and of the Saxons at Riga in 1701.

side of Sweden against Russia. Not less than three-fifths of the Swedish army was under the leadership of Baltic-German officers<sup>41</sup> and a quarter of these officers died in battle.<sup>42</sup> This was a fight for their privileges, for their *Stand*, as much as for Sweden, since the alternative to Swedish dominion seemed to be a much more unlimited absolutism. Absolutism in Russia, as the Baltic Ritter knew, was totally unlimited and still wielded with terror. Peter the Great may have been on the road to reform but more evident to the Ritter were the reports in the German press about the terrible executions he had ordered on his return from Europe to deal with the *streltsy* conspirators.<sup>43</sup> Russian barbarism had also been experienced first hand in the strategy of devastation employed by the Russian troops.<sup>44</sup> Since the time of Ivan the Terrible, Russia had been the arch enemy. The Ritter would stand more chance of regaining their rights under Sweden than establishing them under a more extreme and barbaric absolutism. Their loyalty to Sweden was a sign of their determination to fight for their privileges, for their survival.

In the face of military catastrophe, however, the Ritter had no alternative but to succumb to the Russians. Riga, Pernau and Reval capitulated only after long sieges made impossible by plague. It was a move of some political

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<sup>41</sup> Wittram, Baltische Geschichte, 104. Ungern-Sternberg, Geschichte der baltischen Ritterschaften, 21.

<sup>42</sup> Wittram, Baltische Geschichte, 104.

<sup>43</sup> Peter, in order to make an example of opponents of reform, ordered hundreds of executions a day, many of them preceded by torture. The German press carried reports that the tsar had chopped off heads with his own hands and had ordered the rebels to be hanged, or skewered, boiled in oil and water or buried alive. Emily Moepps, "Christian Stieffs 'Relation von dem gegenwärtigen zustande des Moscovitischen Reichs' und ihr Platz im Umfeld von Presse und Propaganda," in Mechthild Keller, Russen und Rußland aus deutscher Sicht 18.Jahrhundert: Aufklärung (Munich, 1987), 64.

<sup>44</sup> In 1704 Patkul wrote to the tsar protesting the destruction of the land and the barbaric massacres of innocent men, women and children by Russian troops. His letter is reproduced in Schirren, Livländische Antwort, 123-124.

shrewdness that the Ritter negotiated for their privileges and rights. Their expectations of Russian absolutism were not high, but they nevertheless sought a reaffirmation of their rights as well as a restoration of those which Sweden had abrogated. The story of their relations with Russia would be the story of the protection of the rights they had almost lost under Sweden.

### Privilege confirmed under Russia

Peter confirmed the rights and privileges of the Livland barons,<sup>45</sup> re-establishing the Ritter as a German political and economic power in their own lands, with a privileged position within the Russian Empire. The terms of confirmation were much the same as those of the Swedish confirmation of 1678. In fact, the Swedish decree of 10 May 1678 and the Russian one of 30 September 1710 are remarkably similar in structure and language. They both confirm in general all previous privileges, rights, statutes, freedoms, immunities, as well as legally acquired property.<sup>46</sup> The essential difference is that the Russian agreement was not a confirmation of the status quo but rather a restoration of all rights including those revoked under the Swedes. There is explicit reaffirmation of the *Privilegium Sigismundi Augusti*<sup>47</sup> and an explicit restoration of property unrightfully taken from the Ritter.<sup>48</sup> What the Russian confirmation effectively

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<sup>45</sup> As in the Swedish period, it is the Ritterschaft of Livland which present the historical interest for this topic. The Ritterschaft of Estland would have their privileges confirmed by the Russians in 1712, but since they had not been part of the *Privilegium Sigismundi Augusti* nor had they lost as much in land or status under the Swedes, they had less to defend against Russian dominion.

<sup>46</sup> The texts of both are given in German in Carl Schirren, *Livländische Antwort*, 147-149.

<sup>47</sup> *Ibid.*, 147. The Swedish agreement had confirmed the *Corpus Privilegiorum*, which Schirren claims (*Ibid.*, 154-155) included the *Privilegium Sigismundi Augusti*, but made no mention of the *Privilegium Sigismundi Augusti* as such.

<sup>48</sup> *Ibid.*, 147.

did was to return to the barons in the eighteenth century those feudal rights which they had been granted in the sixteenth century as well as those, mainly of self-administration, gained under Swedish rule. The barons were once more secure in their religious freedom (Protestant), their self-administration (German), control of the judiciary and ownership of the land. These were the essentials of a privileged status which was more a way of life than a countable list of rights. By the early nineteenth century, when the barons once more sought imperial reaffirmation of their privileged status, their privileges and rights are reported to have run to twenty-three volumes, mostly in German, Latin, and Swedish and would have kept four translators occupied for six to eight years.<sup>49</sup> Some of these rights were gained under Russian rule, as part of the rights normally accorded to the nobility,<sup>50</sup> but since Russian law lacked codification this only made a definitive summary, already elusive due to the historical origins of the majority of the rights, most complicated.<sup>51</sup>

### Privilege limited

Despite most of their wishes being granted by the Russians, the Ritter of Livland were not satisfied. Their objections, which were not accepted by Russia, were to the two reservations contained in the general confirmation.<sup>52</sup> The

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<sup>49</sup> Schirren, Livländische Antwort, 45. The results of years of committee work on the part of the Germans and Russians on these many volumes are no longer available for examination having been destroyed in the great fire of 1862. *Ibid.*, 46.

<sup>50</sup> For example, the rights of petition and of deputation and freedom from arrest and imprisonment. "Zur livländischen Privilegien III," 396.

<sup>51</sup> Schirren describes the long process, which ended in the fire of 1862, which tried to codify the rights of the provinces. Schirren, Livländische Antwort, 45-46.

<sup>52</sup> Michael A. Haltzel, "Baltic Particularism and the Beginnings of Russification," in Edward Thaden ed., Russification in the Baltic Provinces and Finland, 1855-1914 (Princeton, 1981), 112.

privileges and rights of the Ritter were confirmed only "as far as they are appropriate to the current government and time"<sup>53</sup> and were granted by Peter "without prejudice and detriment to ours, our state, highness and law".<sup>54</sup> It would seem a basic of statecraft that Russia, caught up in military campaigns and considerations with little time to study the rights and privileges of the barons as gathered in various languages over the centuries, would add a conditional clause to ensure that any element not found to be in keeping with its own interests or contrary to them could be revoked at any time. Had he agreed unconditionally to the historical privileges of the Livland Ritter, Peter the Great thenceforth, for example, could not have conducted war without the agreement of the Ritter and would have had to sanction union with Lithuania.<sup>55</sup> It is the condition which sets the parameters of the relationship and it is in the condition that an essential characteristic of the relationship is reflected: that of province within, and subject

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<sup>53</sup> In the German text given by Schirren in Livländische Antwort 148, and in Die Capitulationen 47, the reservation appears as "so weit sich dieselben auf jetzige Herrschaft und Zeiten applicirin lassen." The text is also given in Russian in Die Capitulationen 49-50, and the reservation, given in brackets, corresponds. Haltzel (for reference see previous note) uses a different Russian translation but in essence the same. Another source quotes the German as "so weit sie mit den allgemeinen Gesetzen und Instituten unseres Reiches in Einklang stehen" (in so far as they are in accordance with the general laws and institutions of our Empire). N. Wihksninsch, Die Aufklärung und die Agrarfrage in Livland (Riga, 1933). This, however, is more the definite formulation which Alexander I would give nearly one hundred years later. Wihksninsch's source is: Wysockij, Aufsätze zur Geschichte der Vereinigung des Baltikums mit Rußland (1710-1910), Teil I. "Russkaja Gosudarstwennostij" (Riga, 1910). Wihksninsch also introduces some confusion over dates, attributing this first reservation to 30 September 1712 and the second to 1 March 1712. The confusion is understandable since several agreements were signed between 4 July 1710 and March 1712 separately with the cities of Riga, Reval and Pernau and with the Ritterschaft of both Livland and Estland. There were capitulation agreements and separate imperial confirmations of these agreements. A comprehensive list with a summary of the articles each agreement contained is available in Geschichtliche Übersicht, Allgemeiner Theil, 83-107. Schirren documents several of these in Die Capitulationen but his dates do not always correspond with the former source.

Peter himself visited the area almost every year between capitulation and peace, eleven times in Reval and five times in Riga (Wittram, Peter der Große, 108) which occasioned more imperial pronouncements.

<sup>54</sup> Schirren's version reads, "Doch Uns und Unserer Reiche Hoheit und Recht in allen vorbehaltenlich und sonder Nachtheil und Praejudice."

<sup>55</sup> Schirren, Livländische Antwort, 154.



to, an empire. Under Peter, Russia was already an empire and thought of itself as such. In 1710, Peter used the titles of Tsar and Emperor to the Ritter of the Baltic.<sup>56</sup> While the latter may be viewed as no more than a translation of the former for a Western audience, it is more likely that Peter was aware of the significance of its use in Western terms. An emperor was more than a tsar as the Holy Roman Emperor proved.<sup>57</sup>

The conditional clause was, so to speak, appropriate imperial style. The Swedes had also used a reservation clause in their confirmation of 1678 and the Russian clause used almost the same words.<sup>58</sup> The Russian plenipotentiary's answer to the Ritter's protests underlines the almost automatic nature of the clause: "It was a *terminus generalis* and a reservatum customary in such cases and which almost all rulers were unwilling to relinquish."<sup>59</sup> A significant argument against the "automatic" nature of the reservation is that the privileges of the Ritterschaft in Estland, who had neither benefited from the Polish Privilegium Sigismundi Augusti nor lost so much under Sweden, were granted without any

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<sup>56</sup> Peter opens the general confirmation with this title. Schirren, Die Capitulationen, 47. Wittram (Peter der Große, 110) points out the significance of this.

<sup>57</sup> The semantic perplexities of Russian political terms are dealt with in Isabel de Madariaga, "Autocracy and Sovereignty" in Canadian-American Slavic Studies vol.16, nos.3-4 (Fall-Winter 1982). See page 371 in particular for the tsar/emperor aspect.

<sup>58</sup> The Russian version:

Doch Uns und Unserer Reiche Hoheit und Recht in allen vorbehaltenlich und sonder Nachteil und Praejudice.

The Swedish formulation:

jedoch hienächst Unser und des Reiches Hoheit in allen vorbehalten und ohne dessen Praejudice oder Schaden.

Schirren, Livländische Antwort, 147-149.

For several examples of the use of the same clause by previous overlords (for example: Charles V, 30 October 1527; the Danish king Frederick II 14 March 1562; Queen Christina 17 August 1648) see Geschichtliche Übersicht, Allgemeiner Theil, 101.

<sup>59</sup> Cited in *Ibid.*, 153.

conditions on 1 March 1712.<sup>60</sup> This does indicate an imperial awareness of the dangers to empire posed by the privileges of the Ritterschaft of Livland. The condition, whether automatic or deliberate, however, ensured that German self-administration in Livland would be subject at any time to the greater Empire. The maintenance of German baronial privilege, therefore, was in effect dependent on Russian imperial will, just as it had been dependent on Swedish monarchs in the previous century. The privileged status of the Baltic Ritter was temporary and conditional against the seemingly permanent and absolute power of the Empire. The barons, fresh from their experience of conditional approvals from Sweden, feared an imperial loophole for future imperial intervention rather than a natural imperial safeguard. One hundred and fifty years later, the Ritter would still be trying to convince the Russians that the capitulation agreement was valid in perpetuity while the conditions were only valid for the term of the government which dictated them.<sup>61</sup> Peter was prepared to grant administrative autonomy but not at the expense of his hard won empire, no matter how badly he needed the co-operation of the Baltic provinces for the maintenance of that very empire. At the time of the capitulation, Russia was still at war with Sweden<sup>62</sup> and Peter knew it would be difficult to defend an extended coastline, as Charles XII had discovered, and still hope to defeat Sweden overall. To secure the fealty of the Baltic lands was a clear military advantage. It would also, as mentioned previously,<sup>63</sup> provide quartering and deployment possibilities for future

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<sup>60</sup> M. Haltzel, "Baltic Particularism and the Beginnings of Russification," in Thaden ed., Russification in the Baltic Provinces, 113. Schirren, Livländische Antwort, 153.

<sup>61</sup> This view is represented at its most uncategorical by Schirren, Livländische Antwort, 154-157.

<sup>62</sup> The Peace of Nystadt was not signed until 1721.

<sup>63</sup> See page 15 above.

campaigns, as well as deprive Sweden not only of a strategic stronghold but also of up to three-fifths of its Baltic officers.<sup>64</sup> These must have been primary considerations. The preferential treatment accorded the Baltic provinces has been explained by the high opinion Peter had of their political institutions, by Russia's hunger for European expertise, by the need for dependable support in foreign policy in the West, but this perspective stems more from retrospective hindsight.<sup>65</sup> The Baltic barons may have contributed to the Empire in such ways but not in 1710. Peter's concessions were dictated by more pragmatic considerations of the moment. In a later justification of his war against Sweden, Peter validated his annexation of the Baltic provinces by the right of conquest in a just war and even added historical and legal grounds. No reference was made to the rights and privileges of the provinces themselves while much was said about the rights and powers of the Russian monarch.<sup>66</sup>

### **The relationship in eighteenth century terms**

#### Empire

When the relationship between the Baltic provinces and the Russian Empire formally began at the beginning of the eighteenth century, the reality of political terms was different from present assumptions of them. The Russia of Peter the Great had come a long way from the Grand Duchy of Muscovy, extending territorially to embrace non-Slav elements. In recognition of this, from 1712 on

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<sup>64</sup> See page 28 above.

<sup>65</sup> See Edward Thaden, "Estland, Livland, and the Ukraine: Reflections on Eighteenth-Century Regional Autonomy," in Journal of Baltic Studies vol. XII, No.4 (Winter 1981). This article forms the basis, partly verbatim, of Chapter I of Thaden's later published work: Russia's Western Borderlands 1710-1870 (Princeton, 1984).

<sup>66</sup> James Cracraft, "Empire Versus Nation: Russian Political Theory under Peter I," in Harvard Ukrainian Studies vol.10 no.3/4 (December 1986): 537.

Peter officially used the term Russia rather than Muscovy.<sup>67</sup> In addition to the extent of empire, the awareness of empire was established. Russia's envoys abroad were instructed to refer to the Russian Empire rather than to the Great Duchy of Muscovy and Peter himself, as already mentioned,<sup>68</sup> referred to himself as "Tsar i Imperator vserossiiskiy".<sup>69</sup> The concept and reality of empire, however, in the eighteenth century was one of a territorially rather than a politically united state: "...cessions and unions did not take place with any idea of regional individuality being submerged in that of a larger unit. In cases of conquest a sense of justice and the limitation of the political instruments of power worked together, if not to guarantee completely the constitution and legal system of the conquered territory, then at least in allowing them to persist to a large degree. (T)he repercussions within an area of a change in sovereignty were only very limited."<sup>70</sup> The most widely extended empire of the eighteenth century was still the Holy Roman Empire, of which the Livonian Order had been a member state before its fate as the pawn of greater powers. The Holy Roman Empire belonged to a "historical world in which nationality had no political meaning and states did not command total sovereignty ... Its goal was not to ... dominate but

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<sup>67</sup> Wittram, Peter der Große, 135. Peter had already referred to Russia rather than Muscovy in the 1710 confirmation. Schirren, Die Capitulationen, 47.

<sup>68</sup> Page 32 above.

<sup>69</sup> Schirren, Die Capitulationen, 49. See also Georg von Rauch, "Der russische Reichsgedanke im Spiegel des politischen Bewusstseins der baltischen Provinzen," in Ostdeutsche Wissenschaft Band 1 (Munich, 1954): 187. In addition, Wittram points out that the Russian ruler had a right to the title. It was bestowed on the Grand Duke of Muscovy as long ago as 1514. Wittram, Peter der Große, 135.

<sup>70</sup> Dietrich Gerhard, "Regionalism and Corporate Order as a Basic Theme of European History," in R.Hatton and M.S.Anderson, eds., Studies in Diplomatic History (London 1970), 158-159. Gerhard does go on to say that, with the exception of the Baltic provinces and Finland, "the whole course of (Russian) expansion from the days of the Moscow tsars, i.e. from the fifteenth century, followed the path of ruthless integration."

rather to order and balance fragmented institutions and multiple loyalties."<sup>71</sup> There was not just an absence of political power over its sovereign members but imperial power was held in check by various representative bodies of princes, nobility, and cities. This is the practice of empire with which the Baltic barons were familiar.<sup>72</sup> Thus, when the Baltic provinces became part of the Russian Empire, their expectations were formed by the experience of this other Empire, expectations perhaps incompatible with the Russian model of empire. The Russian practice of empire was based firmly on the absolute power of the monarch, a power without limitations of any kind. This was clearly expressed by a treatise, most certainly ordered by Peter I, published in 1722 to refute "contradictions of certain enemies learned in political thought."

"Among the peoples, Slavic and others, the title of majesty (*maestat, ili velichestvo*) is used to designate the highest and unsurpassable honor; it is applied to supreme rulers alone. The title signifies not only their transcending dignity, than which, after God's, there is no higher on earth, but also [their] supreme legislative power -- the power to judge without appeal and to issue incontrovertible orders while not being itself subject to any laws whatever;"

The treatise uses Western sources to support the validity of unlimited absolutism, quoting, for example Hugo Grotius: "The highest power (termed majesty) is one whose actions are not subject to the control of another power, so that they cannot be rendered void by any other human will save his own."<sup>73</sup> As the Russian

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<sup>71</sup> James J. Sheehan, German History 1770-1866, vol. in The Oxford History of Modern Europe, (Oxford, 1989), 14.

<sup>72</sup> Since the Empire was in reality almost synonymous with Germany (*Ibid.*, 15), it was especially familiar to the German barons in the Baltic.

<sup>73</sup> The treatise was entitled Pravda voli monarshei vo opredelenii naslednika derzhavy svoei (The right of the monarch's will in designating the heir to his power) and was occasioned by Peter's decrees concerning succession. Cited in J. Cracraft, "Empire Versus Nation: Russian Political Theory under Peter I," 531. The political absolutism expressed was a departure from the Russian concept of the tsar. In Russia of the sixteenth and seventeenth centuries, "the political realm was inseparable from the religious-moral realm" and the tsar was a just judge of his subjects rather than a "secularized absolutist." The ideal of harmony between tsar and boyars, not a political ideal but a religious and moral one, was the essence of Russian polity. See Paul Bushkovitch, "The Formation of a National

Empire developed in the eighteenth century, the notion of unlimited absolutism was strengthened. In the middle of the century, Catherine added a new perspective: "The sovereign is absolute; for no other authority except that which is concentrated in his person can act appropriately in a state whose expanse is so vast. The expanse of the state requires that absolute power be vested in the person who rules over it..."<sup>74</sup> Thus, the geographical reality of the Empire demanded absolute rule. By the end of the century, absolutism as the basis of imperial rule was firmly formulated: "Russia is an autocratic state. Its size, the variety of its inhabitants and customs ... make it the only natural form of government for Russia."<sup>75</sup>

Russia's actual practice of empire does reveal a seeming lack of consistency, some areas being accorded more independence than others. Its treatment of the Baltic provinces was preferential in comparison to that of the Left Bank Ukraine, which had become part of the Empire some fifty years before. Finland, which was incorporated into the Empire at the beginning of the nineteenth century, retained its independence. These discrepancies are perhaps explained less by the degree of usefulness of the new areas to the central government<sup>76</sup> than by the pragmatic reaction of a still developing central power to its various parts. The underlying principle of autocratic, unlimited power, however, was consistent and remained the guiding force. It would eventually lead, sooner or later, to an

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Consciousness in Early Modern Russia," in Harvard Ukrainian Studies vol.10, nos. 3/4 (December 1986).

<sup>74</sup> From Catherine's "Instructions" to the Legislative Commission, cited in J.Cracraft, "Empire Versus Nation: Russian Political Theory under Peter I," 539.

<sup>75</sup> From a 1799 memorandum of Prince Bezborodko to Paul I. Cited in *Ibid.*, 540.

<sup>76</sup> Edward Thaden ascribes the preferential treatment of the Baltic provinces to their usefulness to Russia and contrasts this treatment with the supposedly less useful Left Bank Ukraine. E.Thaden, Russia's Western Borderlands, Chapter 1.

insistence on uniformity and per se "Russification."<sup>77</sup>

The reality of the Holy Roman Empire with its limited central power was soon to become an anachronism. By the end of the century, as power had gradually shifted to its member states and new political values and forms had developed, the Holy Roman Empire no longer existed. The Russian Empire was not founded on the old order and belonged more to the next era when empires firmly wielded political power. Thus, the decline of the old order was paralleled by the development of the Russian Empire into a political power. This was a development which the Baltic Ritter had to adapt to.

If Russia's imperial character was from the outset more political than that of the Holy Roman Empire, it was limited by pragmatic considerations to the territorial character of the old concept of empire, the concept familiar to the Baltic barons. Russia was not capable of providing administration on an imperial scale. Its own administrative capacity was just beginning to develop<sup>78</sup> and the presence of a local administration in the Baltic provinces was a very useful gain for Russia. Once the immediate necessity for military expediency had been removed by the Peace of Nystadt, Russia was still willing to confirm the privileged status of the

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<sup>77</sup> The term is used here in the sense of administrative, legal, bureaucratic uniformity rather than in the cultural sense. The use of the term often implies, perhaps inaccurately, the existence of a broad policy of forced Russian assimilation in all spheres for all parts of the Empire. See similar comments in Gert von Pistohlkors, "Regionalismus als Konzept der baltischen Geschichte: Überlegungen zum Stand der Geschichtsschreibung über die baltischen Provinzen Russlands im 19. Jahrhundert," in Journal of Baltic Studies Vol.XV, No.2/3 (Summer-Fall 1984): 111.

<sup>78</sup> Peter did introduce reforms of centralization and rationalization, mainly for fiscal reasons. In 1707-1708, for example, the Empire was divided into eight *Gouvernements*. In 1711, Peter founded a Senate and in 1722 the office of the General Procurator to oversee the Senate. His many administrative reforms were not always able to be put into practice due to, as one foreign observer remarked in 1715, "the Russians not having the necessary knowledge about the newly created offices, totally unknown to them before this, and the qualities which such offices demanded." Wittram, Peter der Große, 114-118. In 1724, the situation was still deemed deficient by the Prussian envoy who reported from Russia, "There are no words strong enough to give an accurate idea of the intolerable negligence and confusion, in which the most important affairs are conducted, so that foreign and interior ministers no longer know where to turn." *Ibid.*, 138.

provinces. The ten years between the capitulation and the Peace of Nystadt had shown that the local administration functioned.<sup>79</sup>

Although Peter welcomed a local administration in lieu of the administrative personnel Russia did not yet have, there were Russian administrators in Livland in 1721. Peter's temporary plenipotentiary was a Baltic German, J.G.Löwenwolde, but the General Governor as well as the governors and commanders of Riga and Reval were Russian. The town council of Riga was subjected to Russian control for some ten years.<sup>80</sup> In Reval, the town council repeatedly refused to answer or consider the requests of the Russian commander since they were not written in German.<sup>81</sup> Offices and positions had to be won from Russians, allegedly with shrewd bribery.<sup>82</sup>

Administrative necessity as a regulator of the Baltic/Russian relationship is another leitmotif in the history of the Baltic provinces and the Russian Empire. As Russia developed, it would increase its capacity to administer on an imperial level, to replace local authorities with central authorities. To view the relationship between the Baltic provinces and the Russian Empire solely in terms of local government, however, in terms of Russian interference in the political life of the province increasing in proportion to its administrative capabilities, would impose a narrow perspective however neatly it leads to the ultimate expression of

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<sup>79</sup> The *Landtag*, the political representative body in Livland, met six times between the capitulation and the Peace of Nystadt. Schirren, *Livländische Antwort*, 131.

<sup>80</sup> Wittram, *Peter der Große*, 108. Also *Baltische Geschichte*, 127-128.

<sup>81</sup> Gotthard von Hansen, ed., *Aus baltischer Vergangenheit. Miscellaneen aus dem Revaler Stadtarchiv* (Reval, 1894), 90-91.

<sup>82</sup> Wittram, *Peter der Große*, 108; *Baltische Geschichte*, 127.



uniform administration in the form of Russification.<sup>83</sup> It also presumes that capability implies intention.

The eighteenth century territorial concept of empire was more acceptable to the Baltic Ritter than the developing state concept. Russia's development as an empire coincided with its development as a state, as the Russian nation. The former encompassed non-Russian elements, the latter emphasized the Russian element.<sup>84</sup> Once the Russian Empire was perceived to be becoming more Russian than empire, to emphasize national rather than imperial interests, the Baltic German presence within the Empire felt threatened. There was a difference between loyalty to the Russian Empire and loyalty to the nation of Russia.<sup>85</sup> "In so far as the Baltic nobility fought for its privileges... it fought for a definite idea of empire, for the thought that it (Russia) should remain an empire and not become a state."<sup>86</sup> Even on the Russian side, the perception of Russia as an empire was an issue still raised in the twentieth century. In 1913, the Minister President Sergei Witte informed the Senate that one should not speak of a Russian *tsarstvo* but rather of a Russian empire (*imperiya*) since a third of the population were not Russian.<sup>87</sup>

The use of the word empire is perhaps significantly anachronistic. The more contemporary concept of federalism might have been applied.

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<sup>83</sup> "Essentially, the Russian government's relations with the empire's borderlands is to be seen as an aspect of local government." is the opening sentence and central thesis of Thaden, ed., Russification in the Baltic Provinces, 15.

<sup>84</sup> This parallel development and the tensions inherent in it are also suggested in Paul Bushkovitch, "The Formation of National Consciousness in Early Modern Russia," 375.

<sup>85</sup> Rauch describes the conflict between *Nationalpatriotismus* and *Reichspatriotismus*. Georg von Rauch, "Der russische Reichsgedanke," 204-205.

<sup>86</sup> Hans Rothfels, "Reich, Staat und Nation im deutsch-baltischen Denken," in Schriften der Königsberger Gelehrten Gesellschaft 7.Jahr Heft 4, (1930): 230.

<sup>87</sup> Cited in Georg von Rauch, "Der russische Reichsgedanke," 207.

Federalism, however, based firmly on the sharing of political power among its members, cannot coexist with unchecked political absolutism. As long as Russia was committed to political absolutism, one cannot speak of Russian federalism. The claim that "Russian federalism is an essential part of the history of political ideas in Russia" can only be accepted if federalism is viewed in opposition to absolutism rather than as an alternative to the *Nationalstaat*.<sup>88</sup> Interpretative attempts to reconcile federalism and absolutism (in which the person of the tsar is viewed as the binding factor) or to merge the concepts of empire and federalism (in which the concept of "federal empire" or *Föderativimperium* emerges)<sup>89</sup> may be based more on wishful thinking than on past reality.

### Province

The term "province" also has different historical connotations. This seemingly neutral term was deemed not accurate enough by a nineteenth century observer, who pointed out that the Baltic lands, because of their superior culture, were not provinces of the Russian Empire in the Roman sense of the word and were better understood as dependencies or foreign elements.<sup>90</sup> The objection is not in contradiction with the eighteenth century imperial practice of allowing "foreign elements" to continue to be foreign. The Baltic provinces were indeed foreign not only in origin and language, but in all aspects.<sup>91</sup> That the provinces

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<sup>88</sup> Georg von Rauch, Rußland: Staatliche Einheit und nationale Vielfalt (Munich, 1953), 7.

<sup>89</sup> *Ibid.*, 59.

<sup>90</sup> August von Haxthausen, Studien über die inneren Zustände das Volkleben, und insbesondere die ländlichen Einrichtungen Rußlands, 3 vols., (Berlin, 1847-1852); vol 3, 216. The objection presumes that eighteenth century empires conducted themselves as the Roman Empire did.

<sup>91</sup> "We have nothing in common with the people of the Russian Empire. Everything is different between us: the structure of body and disposition, temperament, degree of perseverance, rhythm of individual development, family, property relations, law, language, society, political traditions, the past

were dependencies is also evident. Dependency was, in fact, almost a normal state for the Baltic lands. Since the sixteenth century and the disintegration of the Teutonic Order, there had not been an independent Baltic state. Livland and Estland had been the vassals or fiefs of greater powers. With the Russian capitulation, the overlord rather than the status changed and relations with Russia would be conducted from the position of a dependency. It is worth underlining the fact that neither of the Baltic provinces had much recent experience of existing as an independent state, nor no living memory of it. Accommodation to a foreign power was the norm and a mode of existence in which the provinces had experience.

This was not an exceptional case in the eighteenth century. The basic unit in the Holy Roman Empire was not so much a state as a *Land*, for which there is no exact modern equivalent. "A *Land* was, first of all, a territorial entity, ... to be distinguished from cities, which were thought to belong to a different socio-political realm, and from uncultivated terrain, which belonged to no realm at all. A *Land* was also a collection of institutions, laws, and customs peculiar to itself."<sup>92</sup> Its authority was shared among several institutions, for example, guilds and landowners. Its identity rather than its sovereignty was important. It was often part of a larger system and "easily penetrated by outside elements."<sup>93</sup> A *Land* was not necessarily a nation. The concept of nation was not developed in the early eighteenth century. Until the end of the century, countries thought in terms of *Staat*, an entity perhaps more akin to eighteenth century empire than to what

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and present." Carl Schirren, Livländische Antwort, 95. An interesting omission in Schirren's list is religion.

<sup>92</sup> James J. Sheehan, German History 1770-1866, 25.

<sup>93</sup> Ibid.

we understand by the modern state, and the *Staatsvolk*, not necessarily all of the same nation, saw its unity represented in the *Fürst* or prince.<sup>94</sup> In this case, the Baltic provinces were part of the *Staatsvolk* united under the Russian state. They were not a *Staat* in themselves. Garlieb Merkel underlined this in 1798 when he pointed out that imperial confirmation of provincial privilege did not confer permission to build a "Staat im Staate."<sup>95</sup>

The Baltic provinces did not constitute a nation in any case. Livland and Estland were separate entities with separate administrations and different ethnic origins, languages and cultures. There was no one Baltic entity. More important for future developments in relations with Russia was the fact that the German Ritter, in both Livland and Estland, constituted a very small minority of the population, the majority of which were of a different nationality and language.<sup>96</sup> It was this third element which would play a large, if at first passive, role in the development of the relationship between the Baltic and Russia.

Russia had signed the capitulation agreement not with an independent state and not with a nation but with a *Land*. Within this *Land*, however, there was no unified representation of all estates, and the general non-German populace had no representation at all. The cities of Riga and Reval had their own capitulation agreements. The main negotiators of the central capitulation agreement were representatives of the landowning classes, mainly the Ritterschaft. It would be more accurate therefore to describe the relationship as that between the Russian

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<sup>94</sup> Lew Kopelew, "Neues Verständnis und neue Mißverständnisse, neue Verbindungen und neue Widersprüche," in M.Keller, ed., Russen und Rußland, 17.

<sup>95</sup> Garlieb Merkel, Die Letten vorzüglich in Liefland am Ende des philosophischen Jahrhunderts (Leipzig, 1800), Supplement, 111.

<sup>96</sup> This is dealt with in detail in the second part of the chapter.

Empire and a Baltic *Stand*.<sup>97</sup> This does not mean the relationship was one of *Stand* versus monarchy or absolute power. Limitation of medieval absolutism by according the nobility more rights is certainly a historical dynamic but the Baltic/Russian relationship went beyond that. It was not a case of the barons wresting power from their sovereign to gain more participation in the government of their own country, as in Poland or England. Theirs was more an attempt to guarantee a privileged political and economic position in their own country regardless of the norms and laws of the foreign power to which they had succumbed, thereby also effecting a special position in the Russian Empire. The viewpoint of *Stand* is important since the Russian state negotiated with the *Stand* and not with the *Land* or the provinces as such.<sup>98</sup> The relationship over the next century and a half would be between representatives of the Russian Empire in the form of the tsar himself, his representatives or committees on the one side and the Baltic Ritterschaft on the other.

Although the concept and practice of estate was well developed in the West, would soon, in fact, become outmoded as a feudal leftover, Russia had no experience of estate in the Western sense. In its negotiations with the Baltic Ritter, Russia could not empathize with them as a *Stand*, as an estate.<sup>99</sup> Its own social structure had not been broadly categorized or stratified in any ordered manner and would never develop into the four-estate model. In Muscovite Russia there

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<sup>97</sup> This would become more accurate when the Ritterschaft closed ranks in the middle of the century. See Chapter I, Part Two.

<sup>98</sup> Schirren goes to some length to prove that the capitulation was meant for the whole province and all its inhabitants. *Livländische Antwort*, 131-134. As he points out, the word *Land* and not *Stand* was used in the capitulation agreements, but this does not mean that the Ritter's definition of *Land* included the majority of the classless (*ohne Stand*) population. It also does not preclude the Ritter, as the main negotiators, representing their own interests.

<sup>99</sup> Which is not to imply that Russia did not have experience of privilege.

were nearly five hundred separate social categories to denote different ranks and statuses. Rank, or *chin*, was used as a categorization, but only for the privileged service classes (which lacked a collective name). Peter's Table of Ranks systematized privileged rank but did not create a social category. The Russian term *soslovie*, generally used to denote estate, originally described a gathering and gradually came to denote a constituted body, like the Senate. During Catherine's time, it developed a broader application but it was not until the mid-nineteenth century that it was defined as "a category of people with a specific occupation, distinguished from others by their special rights and obligations." The Baltic Ritter not only constituted a foreign element in the Russian Empire but as a *Stand* represented a concept alien to Russia.<sup>100</sup> This is intensified if the Ritter are seen not only as a *Stand* but as members of that important feudal institution: a corporate body. The corporate state order, which predates the estates system, was an important check -- in the form of regional or imperial diets and parliaments - - on the absolute power of the state, often empire. Russia had no experience of the feudal corporate order while the Ritter were a perfect example of it.<sup>101</sup>

### Loyalty as a function of privilege

What bound a *Land* to the *Staat*, or a province to an empire was loyalty. The concept of loyalty was inherent in that of empire/*Staat*. An eighteenth century view clarifies the notion of loyalty:

What is the fatherland? It does not always only mean place of birth. But, when birth or my own free decision unite me with a *Staat*, to whose

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<sup>100</sup> The concept of estate in Russia is only touched upon here. For a detailed discussion, with comprehensive references, see Gregory L. Freeze, "The *Soslovie* (Estate) Paradigm and Russian Social History," in The American Historical Review no.1 (1986):11-36.

<sup>101</sup> See D. Gerhard, "Regionalism and Corporate Order," 155-182.

salutary laws I am subjected, laws which take away from me no more of my freedom than is necessary for the welfare of the whole *Staat*, then I call this *Staat* my fatherland.<sup>102</sup>

Even in the next century, Timotheus von Bock, a Baltic noble imprisoned by Alexander I, referred to the Russian Empire as his fatherland. "Although the Ritterschaft of Livland is distinguished by special characteristics and would never renounce the rights founded by its forbears, we regard Russia as our great and holy fatherland..."<sup>103</sup> At the time of capitulation, the Baltic barons took an oath of allegiance to their new overlord. They did not do it without being assured that their privileges would be upheld and they did not do it as speedily as Russia might have wished. They first claimed that they could not take a new oath while still under oath to Sweden,<sup>104</sup> but Russia left them little choice, Peter reportedly threatening confiscation of land for those who did not take the oath of loyalty to Russia.<sup>105</sup> Yet if there is consistency in any historical feature of the Baltic nobility, it is in their loyalty. Sweden had tried to limit their privileges, had reduced their landholdings, had threatened their very existence but the majority of the Baltic nobles fought with Sweden against Russia.<sup>106</sup> Their loyalty to Russia was also firm even in adversity. Later in the century, when Russian intervention in the independence of the Baltic provinces threatened the privileges

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<sup>102</sup> Cited by L.Kopelew, "Neues Verständnis," in Keller, ed., Russen und Rußland, 17.

<sup>103</sup> Georg von Rauch, "Der russische Reichsgedanke," 195. Bock used the term *Vaterhaus* for Livland.

<sup>104</sup> Schirren, Livländische Antwort, 130-131.

<sup>105</sup> Wittram, Baltische Geschichte, 107. Ungern-Sternberg, Geschichte der baltischen Ritterschaften, 29.

<sup>106</sup> Wittram, Baltische Geschichte, 103-104. Even seventeen members of the Patkul family fought with Sweden. As noted above (p.28), loyalty to Sweden may have been dictated by a desire to avoid the alternative i.e. being subjected to a more unlimited absolutism.

of the barons, the barons still remained loyal to Russia.<sup>107</sup> Gustav III of Sweden tried to take advantage of this discontent among the Baltic nobles to further his plans of aggression against Russia. He instructed the Swedish minister in St Petersburg to monitor the situation closely and sent an envoy to Livland and Estland in 1787 to stir up revolt among the German nobles against Russia. Although both Swedish representatives reported much evidence of discontent, they put no faith in support for such a revolt.<sup>108</sup> The Baltic provinces remained loyal to Russia through its wars, from the Napoleonic Wars through to the First World War, when the Baltic Germans fought with Russia against the Germans. Loyalty overrode national boundaries, in allegiance to the *Staat*.

The ties of loyalty were not traditional in historical terms, for they changed as the ruling power changed. They were traditional as part of the feudal order, however, in that the oath of loyalty was a sacred one. It is this aspect which allows the relationship of the Ritter to the Russian tsar to be described as one of reverence.<sup>109</sup> Loyalty, however, had very practical aspects. Inherent in allegiance to a greater power was the protection of that power against would-be contenders, in the case of the Baltic provinces, against the *Schicksalsland* fate. Such protection carried a price, however. In 1630, for example, Estland and Livland paid one-third of the cost of Sweden's participation in the Thirty Years' War.<sup>110</sup> A change in overlord could bring with it heavy costs. During the campaigns against Sweden, Russian troops had systematically destroyed the country as they

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<sup>107</sup> Under Catherine's *Statthalterschaft* 1786-1796.

<sup>108</sup> H. Arnold Barton, *Scandinavia in the Revolutionary Era, 1760-1815*, 155.

<sup>109</sup> Alexander Tobien, *Die Agrargesetzgebung Livlands im 19. Jahrhundert* vol I (Riga, 1889), 203. The German word used is "Pietät."

<sup>110</sup> Otto Greiffenhagen, "Begründung und Ausbau der schwedischen Herrschaft in Estland und Livland durch Gustaf Adolf," *Baltische Monatsschrift*, 60, 1929; 335.



retreated, leaving "places (to) exist only on the map."<sup>111</sup> As well as ensuring external protection, the *Staat* was important in the regulation of internal affairs. The reasons the Swedish envoys gave to explain why the barons would not support a revolt against the Russian government are an indication of this. The nobles, they reported, were too dependent on Russian state service and too afraid of their serfs, who would rise up against them at the first sign of Swedish troops.<sup>112</sup> The third area in which loyalty was of practical importance is also indicated in these reasons, namely to serve class interest. In return for allegiance, the barons' privileges had been reaffirmed; loyalty would ensure that they were maintained. The corollary is also valid: in return for their privileges, Russia demanded loyalty which brought with it very practical proofs, mainly fiscal, which benefited the Empire.<sup>113</sup> Just as Russia's guarantee of the barons' privileges had not been unconditional, the barons' loyalty was dependent on the maintenance of their privileges. By the nineteenth century, the polemics of the Baltic/Russian confrontation would make this implicit understanding more explicit: the barons could only pledge loyalty as long as the tsar kept his word. "Loyal compliance has a limit."<sup>114</sup>

The crucial question was how far Peter's successors would abide by his terms. When the Polish King laid the foundation of privileged status in the Baltic,

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<sup>111</sup> General Sheremetiev's reports to the tsar describe the effects of this tactic: Everything is devastated. ... Nothing is left standing except for Pernau and Reval and here and there a farm by the sea; otherwise everything from Reval to Riga is eradicated root and branch; places exist only on the map. Cited in Wittram, Baltische Geschichte, 105.

<sup>112</sup> See note 108 above.

<sup>113</sup> The practical details of loyalty, paying taxes, serving in the army, supplying recruits, etc. will be described in the second part of the chapter.

<sup>114</sup> Schirren, Livländische Antwort, 185.

privilege was at the centre of medieval law. Closely allied to privilege was the concept of corporatism and estates, with which the absolute authority of the state was held in check by regional diets and parliaments. In addition to privilege were the concepts of honour, status and above all *libertas*.<sup>115</sup> "...in the Middle Ages, when servitude and arbitrariness were the general rule, liberty could scarcely see the light of day but by way of privilege..."<sup>116</sup> As political values changed and new concepts developed, privilege was no longer a historical necessity. Before the century was over, the concept of equality before the law was firmly established by the French Revolution. Russian critics of Baltic privilege underlined the anachronism of the situation. "Alone in the entire world the Baltic Provinces have not followed the general movement."<sup>117</sup> Neither did Russia. The privileges of the Baltic barons would be reaffirmed by Peter's successors down to Alexander II. The general reservation, however, would not only remain<sup>118</sup> but receive clearer and stronger formulation from Alexander I, when the privileges of the Baltic lands, both Livland and Estland, would be confirmed only in as far as they

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<sup>115</sup> Dietrich Gerhard, "Regionalism and Corporate Order," 164.

<sup>116</sup> Iuri Samarin in 1864 in a letter to Baroness Rahden (of Kurland) in The Correspondence of Iu. Samarin and Baroness Rahden, 42.

<sup>117</sup> *Ibid.*

<sup>118</sup> Schirren claims the privileges were confirmed nine times after the death of Peter the Great: twice with both reservations, three times with one, three times with none and once with no confirmation. He gives phases rather than exact dates. (Livländische Antwort, 156). Another source lists the confirmations as:

Catherine I	1 June	1725	
Peter II	12 September		1728
Anna	23 August		1730
Elizabeth	25 June		1742
Catherine II	27 August		1763
Alexander I	15 September		1801
Nicholas I	9 February		1827

Catherine I used the same condition as Peter I; her four successors confirmed the privileges "in the same way as Peter I and Catherine I had done" and Alexander and Nicholas used the stronger condition already mentioned. Geschichtliche Übersicht III, 102-104.

were in agreement with the general decrees and laws of the Russian state.<sup>119</sup> The maintenance of provincial privilege within the Empire on the one hand and the imperial management of provincial privilege on the other, against a background of changing political concepts and realities, is a main pivot of the Baltic/Russian relationship.

## PART TWO: THE REALITY OF PRIVILEGE

An important factor in the maintenance of privilege was that the Baltic lands, although subjected to foreign powers, kept their own systems of law. These laws, however, were not codified. Until the *Privilegium Sigismundi Augusti* in 1561, when the most important privileges and immunities were documented, the Ritter law granted by Bishop Albert in 1228<sup>120</sup> was the core of the law system in the Baltic area.<sup>121</sup> In the sixteenth century, the Ritter themselves recognized the need to codify the mass of accumulated customs, privileges, rights, and immunities by which their countries were governed. This would not only clarify the confusion, but would give the *Land* a *Landesrecht*, its own system of laws, which would be a guarantee against the imposing of a foreign law. Although over the centuries the Ritter would emphasize the German

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<sup>119</sup> The important difference between Peter's condition and Alexander's and one which perhaps indicated the direction of Russian policy towards its provinces is not just that the latter was more definite (laws rather than interests) but also that it applied in general to both Livland and Estland while the former had applied only to Livland.

<sup>120</sup> First printed in 1537.

<sup>121</sup> Baron R. Stael von Holstein, "Die Kodifizierung des baltischen Provinzialrechts," (in three parts) in *Baltische Monatschrift* 52 (1901): 186. There are claims that the version printed in 1537 stemmed more from Danish feudal law granted to Estland and documented there in 1315. Ibid.

essence of their laws in their attempts to secure their own provincial law, German law as such was unacceptable. In answer to the request for their own *Landesrecht* in Article IV of the Privilegium, Sigismund of Poland recommended that the Baltic barons adopt one of the German law systems, a recommendation they refused to consider.<sup>122</sup> The attempt to codify the laws in the Baltic provinces would last over two hundred and fifty years and would then be only partially successful. During this time, Livland was governed by laws which were, as described by the Ritter themselves in a letter to Peter II in 1728, "incomplete, deficient and unknown by most. ... there was no complete code of laws for judges and the old rights were obscure and in need of explanation ... cases were decided partly on the privileges of the *Land* and old customs and partly on German law, which was not known to everyone and often caused doubt."<sup>123</sup> Over the next century under Russian rule, the request for a *Landesrecht* would be reiterated by the Ritter of Livland,<sup>124</sup> not always with the same frankness about shortcomings -- which, after all, could easily be replaced by Russian law, also under process of codification. Russian rulers did accede to requests for a codification of the laws in Livland and various committees were appointed to accomplish the task. The problems in securing a *jus provincialis* from the Empire would be an integral part of the provincial/imperial relationship. At this point, it is important to note that there was confusion in the laws which the barons so zealously guarded against foreign encroachment. The laws of the Baltic provinces were not written down for easy reference and as such could be easily defended by those who knew their

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<sup>122</sup> Ibid., 186-187.

<sup>123</sup> Ibid., 190-191.

<sup>124</sup> Estland was granted permission to work on its own law system in 1728. Ibid., 191.

way about the archives. They were not easily attacked, either internally or externally. The Privilegium Sigismundi Augusti had assured the basis of Ritter power from which the confusion could be defended. The bastions of German privilege, culture, language, administration and church were guaranteed. These were strengthened by the self-governing institutions founded under Sweden.

### Self-government

While their political power was not completely autonomous, always dependent on a foreign power, the Baltic barons had rights of representation far beyond those of the Russian nobility. The institutions of local self-government in the Baltic were established under Sweden, in part based on older forms. Sweden had rejected the request of the Baltic Ritter to be incorporated into the Swedish nobility, which would bring them rights of political representation in Sweden,<sup>125</sup> but did accord them the right of local representative assembly. Estland, under Sweden since 1561, had a well-established *Landtag*<sup>126</sup>, which met, mostly in Reval, once every three years and obliged all land-owning Ritter under penalty of a heavy fine to attend. Matters concerning the *Land* were discussed and decisions initially did not require Swedish ratification.<sup>127</sup> In 1643, Livland was also granted a Landtag. Its functions were similar to those of the Landtag in Estland but it was forbidden to discuss any matters of law, unlike the Landtag in Estland, and important decisions were subject to Swedish ratification.

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<sup>125</sup> F.Bunge, Geschichtliche Übersicht der Grundlagen und der Entwicklung des Provinzialrechts in den Ostseegouvernements, Besonderer Theil (St. Petersburg, 1845), 112-113. Newly ennobled German landowners were granted a place in the Swedish nobility but the Ritter only if they possessed an estate in Sweden. Ibid.

<sup>126</sup> Provincial representative assembly, or Diet. The word will not be italicized from now on.

<sup>127</sup> Ibid., 167.

Membership was extended to all landowners without specific mention of noble status.<sup>128</sup> The question of membership is an important one since it identifies the nature of the representation on the Landtag.<sup>129</sup>

### Economic Monopoly

The possession of a *Rittergut*, a noble estate, not the status of nobility in itself determined a seat and vote on the Landtag<sup>130</sup> and this was why the Ritter were determined to maintain the monopoly on land ownership. Of all their privileges, the exclusive right of the Ritter to own land was the most important for it guaranteed not only their economic existence but also their political power, without which they could not uphold all their other privileges. Under Poland, the nobility had enjoyed the exclusive right to own noble estates until 1581 when Stephan Bathory accorded the right, dependent on imperial ratification, to the citizens of Riga. This was made clearer by the Polish parliament the following year when it stated that nobles could buy city property as long as they also fulfilled the duties of a burgher, and burghers could buy noble estates as long as they fulfilled obligations incumbent upon the nobility. In addition, jurisdiction was determined not by the *Stand* of the individual but by the *Stand* of the landed estates owned by the individual.<sup>131</sup> Sweden supported this policy, confirming the right of the citizens of Riga, as well as of the Swedish nobility, to buy landed estates as long as they fulfilled the duties incumbent on owners of such

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<sup>128</sup> Ibid., 113.

<sup>129</sup> In Kurland the Landtag was structured differently and carried much less political weight. The Ritter did not meet as a body but rather sent representatives from the church districts, which numbered 33 in 1819. See R. Wittram, Baltische Geschichte, 137.

<sup>130</sup> Ibid., 113. Tobien, Die Agrargesetzgebung, 24.

<sup>131</sup> Geschichtliche Übersicht, 111.

estates.<sup>132</sup> This meant that since non-noble landowners could own an estate, they could be members of the Landtag. With Charles XI's attempts in 1694 to take over the Landtag and its functions in reaction to Baltic opposition to the land reduction policy, the rules of membership changed but this was short-lived. Russia became the ruling power.

Russia returned to the Ritter the basis of their political power by restoring to them most of the lands which had been confiscated by Sweden, but even before this was done,<sup>133</sup> the Ritter had already requested that their exclusive right to own noble estates be recognized by Russia, a request that was granted.<sup>134</sup> At the same time, however, the rights of the citizens of Riga were confirmed in their entirety by the Russians and they included the right of the burghers of Riga to buy landed estates.<sup>135</sup> Thus, the nobles had been accorded the sole right to own estates but the citizens of Riga had been reaffirmed in their right to buy estates. The ensuing disagreement between the Ritter and the burghers was settled by a statement from Baron Löwenwolde, Peter's appointed representative, on 28 September 1711. The Ritter, he proclaimed, had the sole right to own landed estates, and burghers who owned such estates were obliged to sell them back to the Ritter.<sup>136</sup> Not content with this, the Ritter soon after petitioned for the right

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<sup>132</sup> Ibid., 121.

<sup>133</sup> The confiscated lands were formally returned by a series of commissions between 1721 and 1728. Ibid., 136-137.

<sup>134</sup> The request had been one of the capitulation terms agreed on between the Ritter and General Sheremetiev in 1710 and later ratified by the tsar. Ibid., 137. See also Geschichtliche Übersicht, Allgemeiner Theil, 89.

<sup>135</sup> This right had been accorded the citizens of Riga in Polish times. The capitulation agreement between the city and the Russians (see Ibid., 91-93) reaffirmed all previous rights. Geschichtliche Übersicht, Besonderer Theil, 137.

<sup>136</sup> Ibid., 137-138.

to own crown estates,<sup>137</sup> which Peter had declared should remain in possession of those who had bought or rented them.<sup>138</sup> They were initially given precedence over non-nobles in the purchase of crown lands but by 1763, the corporations of the Ritterschaft in all the Baltic provinces had acquired the exclusive right to crown lands. This would remain the case until 1840 when the purchase of crown estates was accorded to the highest bidder regardless of rank.<sup>139</sup> The conflict between the Ritter and the burghers over the question of landownership in the private domain was exacerbated by the claims of the non-matriculated nobility, who were excluded from the right to own land by the closing of the Ritter ranks in 1747.<sup>140</sup> From 1765 to 1779, when the non-nobles could elect their own marshal, the conflict was particularly severe but the right to own land remained with the Ritter and would remain a significant source of tension in the internal affairs of the Baltic for the next hundred years. The exclusive right of the Ritter to own land meant effectively that the land was divided between the Crown and the Ritter. In 1738 about seventy-five per cent of measured cultivated land was owned in 524 estates by private families, the rest in 167 estates by the Crown and 73 by the church. Two decades later, the proportion of measured cultivated land owned by private families increased by over five percent to 602 estates while land owned by the Crown decreased. Church land remained about the same.<sup>141</sup> By the end of the century, there were

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<sup>137</sup> *Ibid.*, 138-139.

<sup>138</sup> Geschichtliche Übersicht, Allgemeiner Theil, 90.

<sup>139</sup> Geschichtliche Übersicht, Besonderer Theil, 139.

<sup>140</sup> See below under Matriculation.

<sup>141</sup> Interpreted from figures given in Tobien, Die Agrargesetzgebung, 67.



944 landed estates in Livland, of which 705 belonged to private Ritter families.<sup>142</sup>

### Matriculation

Having secured the exclusive right to own landed estates, the Ritter then turned their attention once more to the question of who was entitled to belong to the Ritter. Dilution of the ranks would mean a reduction in landholdings. Establishing a matriculation roll would effectively control ownership of the land. Under Sweden, they had already tried to close their ranks against the influx of new nobles created by ruling powers or foreign nobles as well as the citizens of their own towns. In 1650, the nobility of Livland had secured the agreement of the Swedish Queen Christina to set up their own matriculation although nothing was actually done.<sup>143</sup> Under Russia, these attempts were renewed beginning in 1728 with the request that the Russian government allow a Ritter commission to compile their own matriculation list.<sup>144</sup> Russia complied and in 1747 the list was complete. It consisted of 172 families divided into four classes: 52 from the crusader era, 16 from the Polish period, 45 from the time of Sweden and 59 since union with Russia.<sup>145</sup> The Ritter ranks were effectively closed. New members could apply and receive the rank of noble if more than three-quarters of the

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<sup>142</sup> Five belonged to the Ritterschaft as a corporation and fifteen to the cities of Riga, Pernau, Wenden and Fellin. Crown estates had dropped to 100 while church lands surpassed crown lands at 103. *Ibid.*, 23.

<sup>143</sup> Geschichtliche Übersicht, Besonderer Theil, 116-117.

<sup>144</sup> The pretext was so that all coats of arms could be properly displayed.

<sup>145</sup> *Ibid.*, 123-126. Slightly different figures are given in L.C.D.Bray, Essai Critique sur l'histoire de la Livonie, vol.3 (Dorpat, 1817), 91. Bray gives as his source an article in Nordische Miscellaneen. His figures for the four classes are respectively: 52, 14, 33, 20.

The development of closed matriculation in Estland was similar. Ranks were confirmed closed in 1761, when 127 families were listed, alphabetically and not according to class as in Livland. Geschichtliche Übersicht, Besonderer Theil, 178.

Landtag votes were secured.<sup>146</sup> The Ritter were thenceforth referred to as the Ritterschaft and the term Landschaft limited to non-matriculated landowners.<sup>147</sup> In 1796, after the hiatus of Catherine II's centralized administration (*Statthalterschaft*), the forms of self-government were resumed and membership to the Landtag more clearly defined. All landowners, whether the estate was owned or held in lien, could attend the Landtag but only members of the Ritter corporation were under obligation to do so and only matriculated Ritter had the right to vote in all matters. All others could vote only on taxes. There was also a clause allowing matriculated Ritter without land to vote on all matters except taxes.<sup>148</sup> (This clause had not appeared before and would seem to be in contradiction to the condition of membership on the Landtag, that is, the possession of land.) Riga was represented by two delegates with one vote.<sup>149</sup> Thus, self-administration which had included all landowners for most of the Polish and Swedish periods was limited to the Ritter under Russia. The system of class representation on the Landtag would remain in force, with little modification, until 1866 when the Ritter lost the exclusive right to land ownership.<sup>150</sup>

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<sup>146</sup> *Ibid.*, 126-127. A list of matriculated Ritter compiled by the Ritter Secretary in 1816 testifies that many new members were accepted into the ranks. The list numbers 343 families in all, 275 since union with Russia. See Bray, *Essai critique*, vol.3, pp 379-397 for the complete list.

<sup>147</sup> *Geschichtliche Übersicht*, Besonderer Theil, 127. The division has been viewed as historically inaccurate in that both terms were used indiscriminately in the past. How real they became is indicated by the fact that the Landschaft, now excluded from the Landtag, were accorded the right to elect their own deputy to Catherine's Law Commission in 1765. The Landschaft retained the post of "marshal" until 1779.

<sup>148</sup> *Ibid.*, 134-135.

<sup>149</sup> Tobien, *Die Agrargesetzgebung*, 28; Wittram, *Baltische Geschichte*, 136.

<sup>150</sup> Tobien, *Die Agrargesetzgebung*, 28. In 1845 nobles in Livland had the right to own land while in Estland and Kurland the right remained with matriculated nobles. Wittram, *Baltische Geschichte*, 134.

In Estland, the nobility had almost always retained the right to own landed estates. The ranks of the Ritter had remained unofficially closed against Swedish influence, not one Swedish name appearing in the decisions of the Ritter.<sup>151</sup> This was mainly because the councillors were more powerful than in Livland. They constituted the court of first instance<sup>152</sup> (the Landtag in Livland was not allowed to discuss matters of law) and were elected from their own midst and held all important offices. Burghers were not allowed to buy noble estates (1662) although cities were (1690) and nobles were not allowed to buy property in the city. Membership to the Landtag was open only to the land-owning matriculated nobility. In effect, the political assemblies in both Livland and Estland were institutions of the Ritterschaft, of the matriculated land-owning nobility, who constituted a tiny minority of the population. Towards the end of the period under study, there were 7902 matriculated nobility in all three provinces out of a total population of 1,538,998.<sup>153</sup> These members were concentrated in fewer than 350 families. Those Ritter who actually attended the Landtag, even on important issues, were much fewer. Voting members present at the Livland Landtag of February 1803, which discussed the reforms of 1804, numbered 184, considered a good attendance.<sup>154</sup> Apart from the city of Riga with its one vote, no other sectors of society were represented on the Landtag.<sup>155</sup> Whether the

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<sup>151</sup> Geschichtliche Übersicht, Besonderer Theil, 171.

<sup>152</sup> Wittram, Baltische Geschichte, 135.

<sup>153</sup> Interpreted from figures given in Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 2-4. Hueck's source is mainly Das Inland, 1837-140. Hueck also points out (p.5) that the total population had increased by 203,577 in the previous two decades which does not significantly change the proportion of the matriculated nobility to the rest of the population.

<sup>154</sup> Tobien, Die Agrargesetzgebung, 171.

<sup>155</sup> The cities, with a total population in all three provinces in the first half of the nineteenth century of 204,103, did have their own institutions. Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 3.

self-governing body could properly be called a Landtag when it represented only a tiny percentage of the Land depends on the definition of *Land*, which was discussed in the first part of the chapter. The *Land* did not necessarily embrace all members of its geographical location. A definition such as "Everything which went beyond private existence and social relations but did not yet reach the broad, cool region of state duties and activity, that sort of in between sphere, where, thanks to partial autonomy, historically developed institutions and norms ...functioned, that was the *Land*"<sup>156</sup> did not take into account the vast politically and economically powerless majority of the population.

### Local Administration

Not only did the Ritter control the Landtag through monopoly of land and restricted matriculation, but they also controlled all other institutions of self-administration. The executive organ of the Landtag was the *Landratskollegium*, a council founded in 1643 under Sweden, consisting of twelve members voted for life from the ranks of the Landtag.<sup>157</sup> Its duties were mainly to assist the Governor in matters concerning the *Land*. The capitulation agreements with Russia expressly confirmed the *Landratskollegium* as an institution.<sup>158</sup> It was important to the Ritter because it embodied the all important right to be heard,<sup>159</sup> a right that would be used to gain direct access to the Russian ruler.

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<sup>156</sup> Cited in Wittram, Baltische Geschichte, 139.

<sup>157</sup> Initially, six. There were two from each district, one Livonian and one Swede. When the number was raised to twelve in 1648, four from each district, the proportionate representation remained the same. Geschichtliche Übersicht, Besonderer Theil, 115.

<sup>158</sup> *Ibid.*, 132.

<sup>159</sup> Emphasized by Tobien, Die Agrargesetzgebung, 30; and by K.I.Lander, "Pribaltiiskii krai b pervoi polovine XIX veka," 332.

The functions of the *Landratskollegium* remained the same over a hundred years: "to keep a watchful eye on the privileges, rights, customs and constitutions of the country."<sup>160</sup> Since its members constituted an even number, each *Landrat* (councillor) served on a rotating basis as head for one month,<sup>161</sup> and it was in this individual function that the *Landrat* would be most effective in negotiations with the Russian government. In 1845, the *Landrat* was given a place in the government in local matters.<sup>162</sup> In Estland, under Sweden for a century longer than Livland, the *Landratskollegium* had more power. It formed the court of first instance and also functioned as a type of political upper house.<sup>163</sup>

The next level of administration was formed by twelve district deputies or *Kreisdeputierten*, elected by the Landtag, who could be summoned by the *Landrat* whenever decisions were necessary between Landtag sessions, which took place every three years. In 1759, two bodies were created from this but they consisted of the same members. The more important of these was the *Adelskonvent*, a type of executive committee,<sup>164</sup> which was composed of the twelve councillors from the *Landratskollegium*, the twelve district deputies, two treasury deputies and the marshal. The district deputies, not the councillors, were the official representatives of the Landtag and they alone were responsible to the Landtag for the decisions of the *Konvent*, although the councillors did exercise great influence on this

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<sup>160</sup> Tobien, Die Agrargesetzgebung, 31.

<sup>161</sup> Ibid.

<sup>162</sup> Ibid.

<sup>163</sup> Wittram, Baltische Geschichte, 135.

<sup>164</sup> Known in Estland as the Ritter *Außchu* (committee).

committee because of their position and their seniority.<sup>165</sup>

### Land Marshal

The Ritter also realized how important it was to have their own leader, one person rather than an institution. In 1634, the Ritter of Livland, most probably under the influence of Estland's example, where a *Ritterschaftshauptmann* had been a political function since early times,<sup>166</sup> requested the right to elect a Ritterschaft leader or marshal (*Landmarschall*)<sup>167</sup> as well as a Secretary. The *Landmarschall* was elected for three years,<sup>168</sup> and his duties were to lead the Landtag discussions, to oversee the execution of its decisions<sup>169</sup> and to generally represent the Ritter.<sup>170</sup> In relationship to the other important individual function, that of the resident *Landrat*, the *Landmarschall* exercised no specific powers except the right to have his opinion considered. The advantages of this office were to give the Ritter and the *Land* an official leader, which would lessen the role of the Governor, as well as their own representative, an office which would prove of historical importance in representing the Ritter in St Petersburg, one of the official functions of the *Landmarschall*. The office of *Landmarschall* has been viewed as the single most important position in provincial government.<sup>171</sup> The office of

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<sup>165</sup> For the structures of administration at this level, see Tobien, Die Agrargesetzgebung, 33; and R. Wittram, Baltische Geschichte, 136.

<sup>166</sup> Geschichtliche Übersicht, Besonderer Theil, 170.

<sup>167</sup> In Livland the office was also first known as *Ritterschaftshauptmann*. In Kurland, it had the title of *Landesbevollmächtigter*, that is, someone fully empowered to represent the Land.

<sup>168</sup> Until 1648 he was elected for one year. *Ibid.*, 114.

<sup>169</sup> In his function as chairman of the *Adelskonvent*. See Wittram, Baltische Geschichte, 136.

<sup>170</sup> Geschichtliche Übersicht, Besonderer Theil, 114.

<sup>171</sup> Thaden, Russification in the Baltic Provinces, 114.

Secretary was of importance in recording the official history of the Ritter, as it was and as it happened. From the point of view of the maintenance of privilege, based on historical proofs, this was an important function. From 1657 to 1677, for example, the Secretary was a lawyer from Thüringen, Caspar von Ceumern, who published a handbook of the privileges of the Ritter entitled "Theatridium Livonicum."<sup>172</sup> This work became an important historical source to support the Ritter's claims to privilege.<sup>173</sup>

### The Church

Besides the power they enjoyed as local overlords, the Ritter also had control of administration at a local level. This they achieved not through their own institutions but through the institutions of the church. The Lutheran Protestant faith, guarded and maintained by the Ritter, was predominant and constituted the official church of each of the Baltic provinces.<sup>174</sup> The institutional organization of the Lutheran Church in the Baltic provinces had been effected most thoroughly under Sweden. It was a comprehensive system of administration<sup>175</sup> and in the absence of lower secular administrative levels, the church institutions provided the means of self-government at the local level.<sup>176</sup>

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<sup>172</sup> Wittram, Baltische Geschichte, 90.

<sup>173</sup> It is, for example, listed as the second earliest source in the bibliography of the Privilegium Sigismundi Augusti, the cornerstone of Ritter privilege. See E.Winkelmann, Bibliotheca Livoniae Historica, 158. See also note 12 above.

<sup>174</sup> There were small numbers representing other religions in the cities and in Kurland there were many Jews (22,000, which was a quarter of the town population) and several pockets of Catholics. Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 3.

<sup>175</sup> See Wilhelm Lenz, "Zur Verfassungs- und Sozialgeschichte der baltischen evangelischen Kirche 1710-1914," in R.Wittram, ed., Baltische Kirchengeschichte (Göttingen, 1956), 110-129.

<sup>176</sup> See Tobien, Die Agrargesetzgebung, 36.

In common with German Lutheran practice of the time, the church as an institution was headed by secular authorities. In the Baltic area, most of the higher church offices were held by the Ritter. The highest office in each of the three provinces was held by a *Landrat*.<sup>177</sup> The vice-president in each case was a member of the clergy, elected or appointed by the Ritter, in Livland the General Superintendent, in Kurland the Superintendent and in Estland the *Oberpastor*. Other high offices were shared between Ritter and clergy<sup>178</sup> and were appointed by the Governor General on the recommendation of the Ritter.<sup>179</sup>

At the parish level, the influence of the Ritter was considerable. The church with its vicarage and lands was in general part of a *Rittergut* and dependent on its patronage and support. The landed nobility elected two representatives to help administer the church and they, along with the pastor, formed a church court which was responsible for the peasants not only in matters of church discipline but in secular matters too. The noble administrators or the pastor had the right to convene a church assembly twice a year, or more often if necessary, for church and communal matters. The peasants also had representatives but they were chosen by the landlord and had no vote on the assembly. The pastor was not allowed to vote on the assembly either. Control was facilitated by compulsory church attendance: every adult was obliged to attend every fourth Sunday service but each farm had to be represented at every service.<sup>180</sup>

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<sup>177</sup> In the cities the highest office was held by the mayor, except in Narva where it was held by the most senior pastor.

<sup>178</sup> In Kurland more clergy held these higher offices.

<sup>179</sup> W.Lenz, "Zur Verfassungs- und Sozialgeschichte," in Wittram, Baltische Kirchengeschichte, 110-111.

<sup>180</sup> *Ibid.*, 111-114.



The Lutheran Church as a function of secular administration is a significant perspective in the organization of privilege and one which is often overlooked in the emphasis placed on the church's contributions to the development of non-German native culture and literature.<sup>181</sup> The church was controlled at every level by the Ritter, which rendered the pastor totally dependent on their interests. The pastor's interests were in any case closely bound to those of the landowner. His social position was similar to that of the nobility. Under Sweden, pastors were accorded their own rank or Stand, with many of the personal rights enjoyed by the nobility, like tax exemption and judicial protection, but they had no rights of representation.<sup>182</sup> Under Russia, these rights remained intact and were reaffirmed in the church reform of 1832.<sup>183</sup> The economic position of the pastor was also similar to that of the landowner. Like his secular counterpart, the pastor was a landowner with jurisdiction over the serfs on his land. The peasants were obliged to supply him with all his needs, from food to fuel to gloves. In the eighteenth century, he was much better off than his counterpart in Germany. That the clergy were satisfied with their position is indicated by the fact that a proposal from the Ritter of Estland in 1724 to establish a fixed salary for the clergy was rejected by the pastors.<sup>184</sup> While the claim that a pastor was only appointed after "emphatically making sure that he would be a reliable and sure representative of the privileges of the nobility" may be exaggerated,<sup>185</sup> the Ritter

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<sup>181</sup> These aspects will be examined later in the paper.

<sup>182</sup> W.Lenz in "Zur Verfassungs- und Sozialgeschichte," in Wittram, Baltische Kirchengeschichte, 114.

<sup>183</sup> Ibid., 120.

<sup>184</sup> Ibid., 115.

<sup>185</sup> L.Adamovics, Die Letten. Aufsätze über Geschichte, Sprache und Kultur der alten Letten (Riga, 1930), 271.

control of the church did cause the pastor's dependence while his social and economic standing placed him in the same interest group as the Ritter.<sup>186</sup>

The administration of the church, developed and reformed into the nineteenth century, although in the hands of the Ritter, has been seen as a positive example, a lesson in self-administration for the peasants.<sup>187</sup> At the end of the nineteenth century, the Russian Governor Zinoviev, a supporter of Russification, attributed the flourishing life in the region to the church administration.<sup>188</sup> The church in the Baltic, however, has also been viewed as an instrument of the Ritter, alienated from the peasants, and neglectful in encouraging the self-administration it should have.<sup>189</sup> The role of the church in a wider sense will be discussed later in the paper but in its structure and administration, the church in the Baltic provinces was part of the system designed to guarantee privilege.

Throughout the first century of Russian rule, the church in the Baltic remained autonomous. Orthodox Russia did not have the religious institutions to supervise a Protestant church<sup>190</sup> but began creating them as the nineteenth century began. In 1810, a new body was formed for the general supervision of foreign faiths and in 1819, Alexander I created a Protestant bishopry in St Petersburg and a General Imperial Consistory to supervise Protestant churches

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<sup>186</sup> An observer in Livland remarked in 1817, "A Protestant pastor is no more than a citizen dressed as a respectable minister; his existence is no more than philosophical, not at all religious .. and it would be a very good thing .. to imprint on the ministry of the pastor a more holy character which would distinguish him from other men." Bray, Essai Critique, 165.

<sup>187</sup> R.Wittram, Baltische Geschichte, 137.

<sup>188</sup> Ibid.

<sup>189</sup> L.Adamovics, Die Letten, 272-273.

<sup>190</sup> The church in the Baltic formally came under the Justice Committee for the Affairs of Livland and Estland in St Petersburg. W.Lenz in "Zur Verfassungs- und Sozialgeschichte," in Wittram, Baltische Kirchengeschichte, 117.

and clergy.<sup>191</sup> Russia's supervisory capacity was confirmed, almost unwittingly, in the church reform of 1832, which had been prepared with the participation of representatives of the Baltic Ritter and clergy, and upheld the system which had been in force since the time of the Swedes.<sup>192</sup>

## Judiciary

The structure of the judiciary system had been organized under Sweden. Before that, under Poland, the terms of the Privilegium Sigismundi Augusti had placed the judiciary system in the hands of the Ritter, especially since they were given the right to elect the judges for the court in Riga.<sup>193</sup> The motive for insisting on control was to avoid the imposing of Polish law rather than the desire in itself to control the judiciary system. Sweden undermined much of this control. The court system was reorganized and initially the Ritter had no right to nominate or elect judges and magistrates. Not until 1675 did they gain the right to two nominations to the High Court. The President and vice-President of the High Court were appointed by the king and the members consisted of six nobles and six non-nobles, versed in law.<sup>194</sup> The High Court was seated in Dorpat and dealt with matters of noble inheritance and any peasant complaints against the landlords. (Estland did not come under its jurisdiction since its *Landratskollegium* formed the court of first instance.) The rights of the peasant class to state

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<sup>191</sup> The complaints of the Baltic church consistories succeeded in limiting the area of supervision. *Ibid.*, 117-118.

<sup>192</sup> For a description of the reforms, see W.Lenz, "Zur Verfassungs- und Sozialgeschichte," in Wittram, *Baltische Kirchengeschichte*, 118-121.

<sup>193</sup> Articles IV, V, VI guaranteed the old laws, the German language and German magistrates in court and the Ritter control of the court in Riga. C.Schirren, *Die Capitulationen*, 6-9.

<sup>194</sup> Tobien, *Die Agrargesetzgebung*, 47.

jurisdiction was recognized in 1632 by the removal of the landowner's right of jurisdiction over his peasants. Four, later five, district courts were set up to deal with non-noble criminal cases and all civil cases. The cities of Riga and Reval came directly under the jurisdiction of the High Court in Stockholm.<sup>195</sup>

In the capitulation terms negotiated between the Ritter and General Sheremetiev, the Ritter did not neglect to restore their judicial control and most of the Swedish reforms were cancelled. The old system of law as guaranteed by the Privilegium in 1561 was ratified. The district courts, established under Sweden, were to be kept but the offices were to be occupied by the nobility of the land or other suitable German-born persons.<sup>196</sup> In criminal matters, the nobility would come under the direct jurisdiction of the crown, not the district courts. Punishment for any crime by a member of the nobility against the government or its institutions should not be accorded to others and certainly not on the whole corporation. While the Russian tsar agreed to the compilation of a *Landesrecht*,<sup>197</sup> the old ways were ratified until a new code was ready. The courts would be governed by the privileges of Livland, old customs and the Ritterrecht. Where these were deficient, general German law should be followed.<sup>198</sup> Although Peter I confirmed the near-autonomy of local law in the Baltic provinces, he did establish a control mechanism. A court of repeal and revision was set up in 1718 in the form of the Justice Committee for the Affairs of Livland and Estland, which

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<sup>195</sup> Tobien, *Die Agrargesetzgebung*, 46-47. O.Greiffenhagen, "Begründung und Ausbau der schwedischen Herrschaft," 331.

<sup>196</sup> *Geschichtliche Übersicht*, Allgemeine Theil, 88. Tobien offers this as proof that the judicial system was not controlled by the Ritter alone. *Die Agrargesetzgebung*, 48.

<sup>197</sup> *Geschichtliche Übersicht*, Allgemeine Theil, 90.

<sup>198</sup> *Ibid.*, 88.

was subordinated to the Russian senate in 1737.<sup>199</sup>

### Governor General

While self-government in the Baltic provinces was subordinated in general to the Russian Empire, there were few specific local governmental institutions above self-administration. The oldest and most important was that of Governor General, the representative of the Russian government in the provinces. In 1775, Estland came under the General Governor of Livland and after Kurland became part of the Russian Empire in 1795, all three provinces formed one *Gouvernement* in 1801, which would last until 1876.<sup>200</sup> The *Gouvernements* were not merely territorial divisions of the Russian Empire but reflected the increasing interest of the central power to administer its provinces uniformly. The basis of Russia's organized provincial administration lay in the provincial reforms of Catherine II. In 1764, she gave wide powers to the Governors General of the fifteen *Gouvernements*.<sup>201</sup> Not only were they to supervise the general administration of the provinces, but they were also to manage the finances, collect taxes, recruit soldiers, oversee schools, run prisons and orphanages, build and repair roads and bridges, fight fires, collect horses for the army, take an accurate census and have an accurate map of the province drawn up.<sup>202</sup> Catherine's successors, while admitting the lack of a better model, were reluctant to support her version of the institution of Governor General. The very large area covered by one Governor

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<sup>199</sup> Tobien, *Die Agrargesetzgebung*, 47.

<sup>200</sup> Estland had its own Governor General from 1808 to 1819. Tobien, *Die Agrargesetzgebung*, 303.

<sup>201</sup> The Empire was divided into fifteen *Gouvernements*, previously ten, which were subdivided into forty-four provinces and 178 districts. Robert E. Jones, "Catherine II and the Provincial Reform of 1775: A question of motivation," in *Canadian Slavic Studies*, IV, 3 1970; 501.

<sup>202</sup> *Ibid.*, 500-501.

and the apparatus he would need to administer it would develop a power outwith the central power, a power that was often, according to Speransky, "arbitrary and uncontrolled." This was especially true in view of the fact that the Governor General was not designed as part of the central machine. The problem of how to design an efficient apparatus for local government with limited powers continued into the mid-nineteenth century. The Baltic provinces belonged to the category of exceptions recognized by Russia.<sup>203</sup> They could be governed with special rather than general powers.<sup>204</sup> The self-governing institutions of the Baltic provinces not only facilitated Russian administration but paradoxically acted as a brake on the development of too much power in the hands of the Governor General. His governing apparatus was not his own. In the Baltic provinces, however, the Governor General was a very important function. His administrative powers were described as limitless and he had the right to suspend sentence in a criminal cases, or refer them to the Senate.<sup>205</sup> The Ritter and the Landtag communicated their decisions through him. Normal access to the central government was through the Governor but since the Baltic Ritter had the right to be heard directly by the tsar, they could circumvent the Governor. The Governor could be used to exert influence in St Petersburg on behalf of the province,<sup>206</sup> but was also used by the tsar to exert influence on the Landtag. Whereas in the eighteenth century the emphasis was on able and loyal administrators and several

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<sup>203</sup> Exceptions were recognized as those which could be governed by special powers, those which lay geographically far from St Petersburg and border provinces.

<sup>204</sup> For details of the institution of the Governor General within the Russian Empire, see Bernhard Schallhorn, Lokalverwaltung und Ständerecht in Rußland zu Beginn der Herrschaft Nikolaus I in Forschungen zur Osteuropäischen Geschichte, vol 26, Berlin 1979; pp.15-26 and 109-125.

<sup>205</sup> He had no jurisdiction in civil cases. Bray, Essai Critique, 18.

<sup>206</sup> Tobien, Die Agrargesetzgebung, 49.

foreigners served as Governors in the Baltic, most notably, Peter Lacy from Scotland (1730-1751) and George Browne from Ireland (1762-1792), the nineteenth century increasingly saw a more careful choice of Governor according to desired policy. Fearing instability in the eventful year of 1848, Nicholas I replaced Governor General Golovin with the more pro-German Prince Suvorov in an effort to support the stability offered by Baltic German administration.<sup>207</sup>

### The Towns

At the beginning of the nineteenth century, the total population of towns in the Baltic provinces was 204,103 (of a total 1,538,998). This sector, except for Riga with its one vote, was not represented on the Landtag. The towns were not large, Riga by far the biggest at 56,377 inhabitants. Of some 27 towns, only five had over 10,000 inhabitants and more than half had less than 5,000 inhabitants.<sup>208</sup>

Baltic towns in the eighteenth century, especially Riga, were praised by contemporaries like Johann Georg Hamann or Johann Gottfried Herder for their political vitality, republican freedoms, self-government and civic pride, Herder describing Riga as "almost Geneva."<sup>209</sup> Compared to Russian or Prussian cities, there was a great deal more freedom but only for citizens, and not all inhabitants were citizens. Citizenship, which brought with it the rights and freedom so

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<sup>207</sup> M. Haltzel, "Baltic Particularism and the Beginnings of Russification," in Thaden, Russification in the Baltic Provinces, 118.

<sup>208</sup> Interpreted from figures in Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 2-3.

<sup>209</sup> F.M.Barnard, Herder's Social and Political Thought (Oxford, 1965), p.xii; M. Keller, " 'Politische Seetraume': Herder und Rußland," in Keller, Russen und Rußland, 362-363; 403-404.

admired by even German visitors, was reserved in Riga for German Lutherans,<sup>210</sup> legitimately born of free parents, and in Reval, for Lutherans only.<sup>211</sup> Without citizenship, one did not have the right to conduct trade or business in the city.<sup>212</sup> Citizenship was also a condition of membership in the guilds, important representative bodies, which co-operated with the town council in the administration of the city.<sup>213</sup> In the fifteenth century, when citizenship had not been exclusive to one group, many native Ests and Letts had been citizens, some estimates placing the proportion as high as one third of the town population. The guilds, however, were not open to non-Germans. Gradually, the native element lost their rights. In the course of the fifteenth century (the sixteenth in Reval where the non-Germans were often Swedes) non-Germans lost their right to own property in the city. They also lost trading rights, and marriages with non-Germans were forbidden.<sup>214</sup> By the eighteenth century, they were not only not eligible for citizenship or membership in the guilds, no matter

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<sup>210</sup> Until 1661, one had to be Christian to be a citizen. The Swedish government then denied Catholics citizenship and in 1670 non-Lutheran Protestants were excluded. Geschichtliche Übersicht, Besonderer Theil, 152.

<sup>211</sup> Sweden had stipulated in 1648 that any person of any nationality could become a citizen as long as he was a Lutheran of legitimate birth. Other Christians were eligible if they converted to Lutheranism and brought their children up in that faith. *Ibid.*, 187.

<sup>212</sup> In Riga, only citizens had the right to trade and business and in Reval non-citizens had only limited trade rights.

<sup>213</sup> The exact laws governing city administration were not codified until 1674, at Sweden's demand. The draft was never ratified but the city of Riga was governed according to this draft, which was then validated by the general ratifications of Peter I in 1710. (The first draft which was sent to Stockholm was reportedly lost while the second was never heard of again probably due to focus on other issues like confrontation with the landowners and hostilities with Russia.) Geschichtliche Übersicht, Allgemeine Theil, 133-135. Russia had concluded separate capitulation treaties with the cities of Riga (4th July 1710 in 65 articles); with Pernau (12th August 1720 in 41 articles); and with Reval (20th September 1710 in 31 articles). Many of the articles paralleled those concluded with the Ritter especially those dealing with the Lutheran religion and with the German language, and some dealt with military matters of capitulation, like the quartering of troops. In general, however, all lands, incomes, privileges, advantages, courts, customs, freedoms on water and on land from the time of the Order through Polish and Swedish times were guaranteed to the cities. *Ibid.*, 84-85; 91-93.

<sup>214</sup> Wittram, Baltische Geschichte, 47.



what their background otherwise, but were forced as free men to wear peasant dress, forbidden to engage in any commercial activity and obliged to clean the city's drains and refuse "so that they should not forget their origins, nor seek the privileges assured to citizens, and should remember eternally that they are slaves."<sup>215</sup> One such Latvian family, the Steinhauers, resident in the city since the seventeenth century, had been honoured by Peter I conferring the title and office of official inspector of masts on one of its members. The family were successful in timber trading and became wealthy, owning land and commercial enterprises.<sup>216</sup> When their application for membership in the guild was rejected on the grounds of nationality, the Steinhauers took their case to the Senate but lost. Nearly fifteen years later, in 1767, the Senate decided in favour of a similar case, brought by a relative of the Steinhauers, and declared the right to confer citizenship a monarchical prerogative to be granted according to general Russian law.<sup>217</sup>

This ruling was not prompted solely by an interest in the native non-German subjects in the Baltic cities. It was not only the native element that was discriminated against but also the many Russians resident in Baltic cities, especially Riga,<sup>218</sup> also not eligible for citizenship before the 1767 ruling. The ruling did not bring equality of treatment. Orthodox Russians were now obliged to pay taxes but were excluded from the guilds, which meant they could not vote

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<sup>215</sup> Roger Bartlett, Human Capital. The settlement of foreigners in Russia 1762-1804 (Cambridge, 1979), 89.

<sup>216</sup> This could only be achieved under another's name since such activities were permitted only to guild members.

<sup>217</sup> *Ibid.*, 88-89; Geschichtliche Übersicht, Besonderer Theil, 155.

<sup>218</sup> At the beginning of the nineteenth century, the Russian population of towns in Livland was estimated at 15,000; 4000 in Reval; and 5000 in Kurland. In Kurland a quarter of the town population, some 22,000, were Jews. Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 3.

for or occupy any official positions or even attend the meetings where the taxes they paid were decided upon. They were allowed to work in the city but only under a German master. This situation lasted until 1841 when German monopoly on citizenship with full rights was broken by imperial command.<sup>219</sup>

### **The Peasants**

The majority of the population of the Baltic provinces, some 1,314,992 of 1,538,998 in the first half of the nineteenth century, were autochthonous peasants.<sup>220</sup> At the end of the eighteenth century, 100 percent of the peasants in Livland were serfs, which meant that just over 93 percent of the total male population were serfs. In Estland the proportion was slightly less. By 1811, on the eve of emancipation, when the total population had increased, some 80 percent of the peasantry were serfs in Livland while in Estland, the percentage at 93 percent had remained roughly the same.<sup>221</sup> This vast majority of the Baltic population were not only excluded from the realm of privilege but had been deprived of their rights in order to support it.

### The early period

Under the onslaught of the crusaders, the tribes of the Baltic lands had been forced to become not only Christian but also subjects of their conquerors. Any uprisings, as in Estland in 1221 and 1343, were mercilessly crushed.<sup>222</sup> As

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<sup>219</sup> Ibid., 160-161.

<sup>220</sup> Interpreted from figures given by Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 2-3.

<sup>221</sup> From figures given by Isabel de Madariaga, "Catherine II and the Serfs: A Reconsideration of Some Problems," Slavonic and East European Review no. 126 (Jan. 1974): 37.

<sup>222</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 60.

an organized *Staat* and a member of the Hanseatic League,<sup>223</sup> the area soon flourished and was ruled successfully for three hundred years by "a strange mixture of the boldness of the Ritter, the shrewdness of the clergy and the briskness of the merchants."<sup>224</sup> It was not, however, a harmonious co-operation. The Ritterschaft, theoretically subject to the power of the Church, was determined to gain total control for its own corporation. In the ensuing two century long power struggle, the Church bequeathed land and privileges to those who would support them against the Ritter. The Ritter, already a military power, had less need of such a policy but temporary crusaders from Europe were encouraged to settle in the area by gifts of lands and privileges. Thus, there grew a third element of landowning power in the area, the "vassals." Eventually, there was no land which was not owned. All this land had to be worked to have any value. Since there were no farmers among the many immigrants from Germany,<sup>225</sup> landowners were dependent on local labour, not abundant in a thinly populated area. Although forced into subjugation, the peasant still possessed the right to personal freedom and the right to own land and property and although his lord had jurisdiction over him, he had had representation in the process. Corvée was imposed only in special circumstances, when a castle had to be built or a war fought. By the fifteenth century, however, landowners began to exert more control over their most valuable commodity. In an effort to keep the peasant labour they had, they made agreements with one another about runaway

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<sup>223</sup> Riga and Reval became members as early as 1284. Heinrich von Hagemeister, Materialien zu einer Geschichte der Landgüter Livlands (Riga, 1836), 10.

<sup>224</sup> "ein sonderbares Gemisch von kühner Ritterkraft, schlauem Priestergeiste und regem Handelseifer" Ibid. 11.

<sup>225</sup> This is usually explained by the fact that the land route through Lithuania was blocked but conditions in the Baltic area were not particularly attractive for peasants.

peasants, thus tying the peasant to the land he worked, the first step to enserfment.<sup>226</sup>

With the Reformation, the Ritter were at last able to take control from the Church, and its lands and functions fell for the most part to the administration of the Ritter. Landowners increased as the Ritter gave land to others, and along with the land, the right of full jurisdiction over the peasants who lived and worked it. The peasant became *glebae adscriptus* -- he belonged to the land where he lived. Enforcement of this principle was ensured by harsh punishment for runaway peasants. The peasant retained only the right to inheritable property.<sup>227</sup> By the end of the sixteenth century this was also in danger. An observer at that time wrote: "The general peasant folk here are almost all serfs and treated harshly by their overlords ... They are so merciless ... that if a poor peasant has a good horse or ox or cow, they try to find cause to deny him it."<sup>228</sup> Chronicles of the time depict the German landowners as devoted to drinking and enjoyment,<sup>229</sup> a style of life which contributed nothing to the development of their estates and necessitated the forced labour of peasants to support it. It was also a style of life which could be maintained only in times of peace, never long after the first three hundred years. Times of war demanded more from the land and its people and further entrenched the peasants in serfdom.

### Under Poland

Almost as soon as the Ritter had gained power from the Church, <sup>they</sup> lost it

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<sup>226</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 60-66. Wittram, Baltische Geschichte, 28-44.

<sup>227</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 66.

<sup>228</sup> Cited in *Ibid.*, 68.

<sup>229</sup> *Ibid.*, 67-68. The word *Wollust* is used, which would denote debauchery.

to foreign rule. Foreign dominion put more onus on the unplanned agriculture of the area since tributes had to be paid. The customs governing the life of the peasant, now serf, were formulated in the Privilegium Sigismundi Augusti, which legitimized the control of the landowner over his serfs, recognizing his full civil and criminal jurisdiction over them. (Article XXVI) This had been requested by the Ritter<sup>230</sup> as necessary protection "since it often happened in Livland that nobles were killed by their own peasants." The Privilegium also accorded the right of the landowner to peasant labour and dues and agreed that the serf should not be burdened with any labour other than that for his master (Article XXIII). The abode of the serf was determined to be on the estate to which he rightfully belonged (Article XXII).<sup>231</sup>

The privileges of the Ritter had remained unharmed by the transfer of power to external rule but with this transfer began a pattern of foreign intervention in the affairs of the Ritter, particularly in the area of their relations with their peasants, which would continue under different powers. Under Poland, the peasant's lot was not significantly ameliorated but the Ritter were restrained from worsening it, at least by legal methods. In 1586, Stephan Barthory had his emissary describe to the nobles of Livland the position of their serfs. They were "so miserably oppressed and burdened with such serfdom and punishment as could be found nowhere in the world, even among heathens and barbarians."<sup>232</sup> The Polish ruler requested that the peasants in Livland not be

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<sup>230</sup> Following the example of Estland, where Denmark had granted the Ritter the same right.

<sup>231</sup> C. Schirren, Die Capitulationen, 20-22. See also Reinhold Samson von Himmelstiern, Historischer Versuch über die Aufhebung der Leibeigenschaft in den Ostseeprovinzen, Beilage zur Wochenschrift Das Inland, 1838; 19. Samson summarizes these articles, describing the serf as the property (*Eigenthum*) of the owner. Although Article XXII lays down rules by which the peasant is treated as property, the word itself is not used in the text of the agreement.

<sup>232</sup> Cited in *Ibid.*, 21.

burdened more than those in Lithuania and Poland. The Ritter denied the accusations but were forced in 1598, by the example of Poland on its crown estates in Livland, to allow their serfs to sell any excess produce or wares of their own in the towns. About the same time, the first attempt at codifying the laws by which the Ritter ruled was completed in three volumes by David Hilchen and contained a clear description of the Ritter's wishes regarding their serfs.<sup>233</sup> As well as coming under the landlord's sole and full jurisdiction, the peasant and his children, as well as all his goods and property, could not be sold without the landlord's consent.<sup>234</sup> In 1600, the Polish parliament refused to ratify this draft.<sup>235</sup>

### Under Sweden

Sweden, Poland's successor as the *dominium maris Baltici*, continued the pattern of intervention more emphatically. In 1601, even before it had taken over the Baltic lands, the future Charles IX of Sweden recommended to the Ritter of Livland, amongst other reforms, the emancipation of their peasants.<sup>236</sup> The Ritter refused this on behalf of the peasants, claiming the serfs preferred the old ways. As proof, the choice they had made under Stephan Bathory was cited. He had recommended that corporal punishment be replaced by a fine, an offer the

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<sup>233</sup> It has been claimed that the sources for this codification were not based on local practice but on Polish statutes and the *jus terrestre nobilitatis Prussiae*. Stael von Holstein, "Die Kodifizierung des baltischen Provinzialrechts," Baltische Monatsschrift, 52, 1901; 187.

<sup>234</sup> Samson, Historischer Versuch, 22-24.

<sup>235</sup> Stael von Holstein, "Die Kodifizierung des baltischen Provinzialrechts," 187.

<sup>236</sup> In Swedish terms, the request was not a radical one since serfdom was not known in Sweden.

peasants refused, not surprising in their moneyless state.<sup>237</sup> The Ritter also pointed out that it had had to crush peasant uprisings and obedience had only been restored by fire and sword. A free peasantry could not be held in check. They did concede that deserving individuals could be freed by their lords.<sup>238</sup>

External intervention came more dramatically under Gustav Adolf. In 1632, the jurisdiction of the lord over his serfs was removed, and the serfs were given the right to complain against their masters at court.<sup>239</sup> The right of domestic discipline or *Hauszucht*, however, remained in the hands of the master. The general frame of its application -- "any infringement against God's commandments or against worthy laws" -- gave the landowner wide powers of punishment over the serf.<sup>240</sup> *Hauszucht* would last well into the nineteenth century and would be one of the last rights to be relinquished by the landowners. The Ritter viewed it along with their right of property over the serfs as indispensable for any noble to remain in the land.<sup>241</sup>

One of the reforms proposed by Gustav Adolf, which would eventually further reduced the arbitrary rule of the landowner over his serfs, was a survey of the land to regulate the amount of peasant labour due to the landowner. This policy would be supported by his successors, particularly Charles XI, but before it or any other proposed measures could be fully implemented, Gustav Adolf died

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<sup>237</sup> Barthory's reply, oft quoted by the Ritter, is said to have been "Phryges non nisi plagis emendantur" -- The Phrygians can only be ruled by physical force. In the documents of the time, a loose translation is given as "Let them remain woodcutters and water carriers." Samson, Historischer Versuch, 30.

<sup>238</sup> Samson, Historischer Versuch, 22-26.

<sup>239</sup> Only at the high court, not in local courts.

<sup>240</sup> *Ibid.*, 28.

<sup>241</sup> *Ibid.*, 30.

in 1632. The next fifty years witnessed little initiative from the side of Sweden in regulating the state of serfdom in the Baltic. In 1681, however, Charles XI of Sweden demanded that the peasant in Livland be freed since slavery was against Christian practice. The Ritter once more assured the Swedish crown that the serfs did not want freedom, adding paradoxically that if they had it they would fill the land with blood in their efforts to eradicate their former owners. There had been many examples of attacks on and massacres of Germans, nobles and others, to prove this prognostication.<sup>242</sup> As well as conducting an improved survey of the land to determine peasant dues, Charles XI introduced reforms on his crown estates, with the intention of recommending them to private landowners.<sup>243</sup> The use of the rod in corporal punishment was forbidden; and under punishment of heavy fines, the holders of crown estates were forbidden to demand more of the peasants than was legally prescribed.<sup>244</sup> Other measures protected peasant property from arbitrary appropriation by the lord, forbade unjust expulsion from his farm and put the peasant under legal jurisdiction with peasant representation.<sup>245</sup> These measures benefited only peasants on crown lands, not those privately owned, but since only one-sixth of land remained in the hands of the nobles, the majority of peasants were crown peasants.

In contrast, the measures passed by the Landtag in the latter part of the seventeenth century indicate the concern of the Ritter to control peasant labour.

There was obviously a problem with runaway serfs, understandable in view of

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<sup>242</sup> Ibid., 29-31.

<sup>243</sup> Ibid., 37.

<sup>244</sup> What each landowner could demand of his peasants was written down in a special book – the *Wackenbuch*. See Part Three below.

<sup>245</sup> Ibid., 36-37.



the better treatment to be had on crown estates. In 1696, the Governor General had complained to the Ritter about their cruel treatment of their serfs, which deprived them of "health, livelihood, use of limbs or even life."<sup>246</sup> As the number of crown estates steadily increased, more private peasants could be absorbed. The Landtag measures were designed to keep as many serfs under control as possible, enserf new ones, and retrieve runaway ones. Every contingency was covered; there were rules for illegitimate children, for widows and widowers, for strangers and foreigners, for day workers and visitors.<sup>247</sup> All aspects of the peasant's life were controlled. The duration of a wedding feast as well as the number of guests, the amount of alcohol and the type of gifts were determined by the Landtag.

### Under Russia

The change from Sweden to Russia meant belonging to an empire where serfdom was an unquestioned institution and the power of the landowner absolute. Whereas Sweden had issued a series of decrees in favour of the peasant, the Russian legislature could be expected to issue decrees in favour of the landowner, which it did. First, Russia restored all land, and with it all peasants, to the Ritter and upheld all their previously acquired privileges and rights,

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<sup>246</sup> Ibid., 37.

<sup>247</sup> The rules of ownership were carefully worked out by defining exactly who was a serf and who could be enserfed. Basically, one was born a serf and it was a state that was passed on from parents to children. Illegitimate children belonged to the lord of the estate on which they were born. A serf could give his son to another to bring up but he remained the property of the lord, who could reclaim him, his children and anything he had acquired. If a serf had no son and his daughter married outside the estate, she could inherit clothes and money but grain, cattle, horses and household equipment belonged to the lord. Landowners had three months to reclaim any of their runaway serfs, otherwise they remained the property of the new lord. There were many ways to increase the number of serfs on an estate without having to purchase them. Even if a serf took on a worker as help or apprentice, he became automatically the property of the serf's lord. Ibid., 38-42.

specifically the Privilegium which more or less put the serf back where he was one hundred and fifty years ago. The Swedish reforms were effectively cancelled. In 1713, complete jurisdiction over the peasant was restored to the landlord when the latter was declared the only legal judge over the former. Corporal punishment continued unhindered and in 1760 impudent behaviour was deemed punishable by exile to Siberia. In 1762, a landlord was declared free from punishment for a peasant's death. The peasants lost any right of appeal or complaint and could be sent to Siberia without trial. These laws were of general application in Russia and not passed specifically for the Baltic area. Some orders were issued in the peasant's favour. In 1716 all landowners were forbidden to hinder the marriage of a female serf to a male from another area, and in 1722 crown estate holders were forbidden under forfeit of their holdings to use crown serfs for their private use or to hire them out to others.<sup>248</sup>

The exact status of the Baltic serf at the beginning of Russian rule is described in an official paper prepared in 1739 by Baron Rosen, the Landrat, in answer to the the request of the Imperial Justice Committee for a description of the legal relations between the landowner and his serf in Livland. The serf was described as the property of the landowner, as was anything he acquired on the estate of his lord. His corvée and duties were determined solely by his owner and he had no right of complaint against harsh treatment. Except in criminal matters, he was under the jurisdiction of the lord and could be punished corporally.<sup>249</sup> The situation of the serfs in the Baltic was considered too extreme

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<sup>248</sup> These measures obviously had little impact since they were repeated in 1728 and 1733 with stiffer punishments. In 1756, the landowners were once more ordered not to hinder a peasant from marrying. *Ibid.*, 43.

<sup>249</sup> The text of the report is given in Samson, Historischer Versuch, 44-47.

even for Russia, also built on serfdom, and the pattern of external intervention continued. In January 1765, Catherine II issued stern warnings to the Landtag in Livland through Governor Browne, deploring, as the Polish and Swedish rulers before her, the miserable oppression of the serf under the "tyrannical severity and dissolute despotism" of the landowners.<sup>250</sup> Browne outlined three main areas of concern: 1) the peasant was not allowed to own anything of his own, even if acquired by his "own sweat and blood"; 2) the peasant's labour and dues were not regulated and often beyond his physical capacity; 3) punishments -- such as the use of the rod until "skin and flesh fell off" or incarceration for months in chains on a diet of bread and water in the ice cold -- were beyond Christian or humanitarian considerations. Other major problems were raised: the exploitation of peasant labour in the distilling of alcohol, a Ritter monopoly; the sale of serfs separately or together with their families; the absence of the serf's right to complain; the lack of schools for peasant children. Browne, in Catherine's name, did not limit himself to complaints but offered detailed solutions to the problems he raised.<sup>251</sup> Although the Ritter's basic right to own their serfs had not been attacked, but rather the abuse of that right, the Ritter viewed this Russian commentary on their affairs as an attack on their complete and undisputable control over their serfs. Serfdom, their historical argument ran, had been necessary to subdue the peasants of the area and must be upheld to continue to subdue them. Its roots were not only in the "natural condition" of the peasants but in the privileges of the Ritter. The serf was regarded by the Ritter as an essential part of their landed property and as such would not be mistreated since

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<sup>250</sup> Catherine had visited Livland the previous year.

<sup>251</sup> Much of the text of Browne's speech to the Landtag is given in Samson, Historischer Versuch, 49-57.

his ruin would mean the ruin of his lord. Even if religious and humanitarian considerations did not ensure fair treatment, therefore, economic sense would.

Although the Landtag rebutted the Russian accusations,<sup>252</sup> it agreed in April of the same year to pass measures which would in part meet the expectations of the Russian government.<sup>253</sup> The Landtag agreed to the serf's indisputable right to own what he himself had acquired and the right to dispose of such property as he pleased; the regulation of serf labour and services, both regular and extraordinary; a maximum limit on corporal punishment and incarceration; and the peasant right to complain about any infringements of these measures. This last right was, on the surface, a major concession on the part of the Ritter but it was so qualified that it could not be exercised as a control on the arbitrariness of the landowner. Before the serf complained, he had to complete the disputed task. He then had the right to complain only orally, not in writing and not with legal representation. Only individual peasants could complain. When more than one complained, it would be considered revolt and suitably punished. If the complaint proved unjustified, the peasant was subjected to severe corporal punishment in the first two instances and forced labour for one year in a third. These conditions seemed to have the desired effect since in 1777 Governor General Browne was compelled to address the Landtag on the subject of unrest among the peasants, caused, he claimed, by landlords not adhering to

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<sup>252</sup> The peasant, the Ritter claimed, was allowed to own and dispose of things he himself had acquired, so much so that there were peasants with large capitals. Peasant labour and dues were regulated except for the extraordinary services involved in running an estate – harvest, fertilizing, building, cleaning, carting, felling wood, etc – which fluctuated from estate to estate. Such services benefited the peasants too since he was helped in times of hardship, even through his own fault, by the landlord. Corporal punishment was only used in more serious cases like runaways, theft etc. The text of the Ritter's answer to Browne is given in Samson, *Historischer Versuch*, 57-71.

<sup>253</sup> Browne had intimated that if the Ritter were not willing to take the necessary measures, Catherine was prepared to issue the law herself.

the rules laid down in 1765. Landowners were demanding twice, three times and more the peasant labour allowed. The other reforms were also qualified in the landlord's favour. The peasant was given the right to own his own property but could only dispose of it if the landlord did not object. Peasant labour was regulated by the landlord. Each landowner had four months to submit the amount of labour the peasants had till now fulfilled and this would become the norm.

The laws of 1765, even if they had been adhered to, fell far short of what the serf had enjoyed under Sweden. The Baltic serf had gained very little in almost a century of Russian rule. Legislation designed to increase the power of the nobility in Russia worsened the position of the Baltic serf; legislation proposed specifically for the Baltic was successfully resisted or modified by the Landtag in favour of the Ritter. It was not until 1796 that legislation concerning peasants became more significant and ushered in the period of reform which led to emancipation.

One perspective attributes the oppression of the Baltic serfs under Russian rule to the demands of the Russian state on an economy devastated by war. The more the state demanded, the more the Ritter had to demand from the serfs.<sup>254</sup> The final part of this chapter will look at the duties of privilege and the price of loyalty.

### PART THREE: THE DUTIES OF PRIVILEGE

The maintenance of privilege was built upon a system of duties and

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<sup>254</sup> See, for example, Tobien, Die Agrargesetzgebung, 95.

obligations. On one side, privilege was supported by the duties demanded from the peasants and on the other guaranteed by the powers to whom the Ritter pledged homage and allegiance. Allegiance demanded a price, paid in military service, tribute and taxes, and to pay this price, the Ritter exacted dues from the peasants. The burden of all dues, whether manorial or state, fell on the land, at least until the nineteenth century when sources of revenue other than agriculture became economically significant. Taxation was based on a division of the land into units which were more than simple land measurements.

### The Haken

Since the time of the Knights of the Sword, Livland<sup>255</sup> had been divided into *haken*, a word which originally denoted a farming implement, namely a light plough.<sup>256</sup> This type of plough was not found in the German lands, where the heavier wheel plough was used, but was probably brought by the Ritter from other conquered areas. Due to the tax system used by the Germans in the Baltic, the word came to describe a unit of tax as well as a farm implement. The usual German method of taxation, the tithe, could not be used in the conquered Baltic lands due to a lack of administration. The Ritter and bishops adopted the tribute or *Zins* method instead of the tithe.<sup>257</sup>

How much the land yielded was more important to the Ritter's economic welfare than the total area of land owned. Untilled land was not an economic prospect in feudal Livland. The yield was dependent not only on peasant labour but on the necessary implements and yoke animals. The more ploughs and yoke

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<sup>255</sup> The development was much the same for Estland and Kurland. Tobien, Die Agrargesetzgebung, 60.

<sup>256</sup> There is not full consensus on the etymology. Ibid., 50.

<sup>257</sup> Bishop Albert I had substituted the tribute for the tithe, reserving the latter for those who rebelled against his authority. Ibid., 53.

animals in use, the more the yield and the larger the share for the landowner and for the state. The amount of tax payable was based, therefore, on the number of implements available to till the land. Thus the plough or *haken* became the unit of tax. In Livland, the *haken* as an agricultural unit consisted of one horse, a plough and a harrow.<sup>258</sup> As early as the thirteen century the *haken* came to be used as a topographical measurement, describing an area of cultivated land, but there was no standard size. At least five different area measures were described under the term *haken*.<sup>259</sup> When the Ritter lost their autonomy, the definition of the *haken* was removed from the hands of the local landowners and transferred to the fiscal domain of foreign powers. Poland made the first attempt to standardize the size in 1561. Article XIII of the Privilegium Sigismundi Augusti specified the size of a *haken* arithmetically which worked out to about the same as the largest of the five measures in use.<sup>260</sup> This method, however, was not adhered to.

Under Sweden, several measures were taken to regulate the *haken* in the interest of state fiscal standardization. Sweden's efforts concentrated not so much on the area of the *haken* but on the work needed to cultivate it. The variability in the size of the *haken* was partly caused by variability in the soil which in turn caused variability in the amount of peasant labour needed to cultivate it. In 1602, Charles IX of Sweden declared that taxation should be based not on the size of the *haken* but on the work done on it. A *haken* was defined as a farm where a peasant

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<sup>258</sup> There is disagreement over this, some researchers claiming the definition included two horses. Ibid., 54.

<sup>259</sup> Hagemester, Materialen zu einer Geschichte der Landgüter Livlands, 3.

<sup>260</sup> Schirren, Die Capitulationen, 15. Hagemester, Geschichte der Landgüter Livlands, 3.

could work enough to pay his dues with two horses six days a week.<sup>261</sup> The total number of *haken* now became the focus of fiscal interest. The number of *haken* is an important perspective on the fiscal policies of the ruling power. The ruling power not only had the right to raise taxes but to decide on the method of taxation, and under foreign dominion the *haken* became a fiscal instrument. It was defined not by the Ritter but by the foreign state to which they were subjected. In an attempt to regulate the tax base, Gustav Adolf ordered a *haken* survey. Completed in 1637, it resulted in a count of 2871 *haken*.<sup>262</sup> A few years later, another survey raised the number of *haken*, still based on peasant labour, to 4343.<sup>263</sup> By 1688, the total number had risen to 6236. The motivation in increasing the total number of *haken* was certainly fiscal, but the direct aim was not so much to increase income by increasing the number of taxable units as to regulate the Swedish crown's lands in Livland. Only 1021 of the 6236 *haken* were privately owned; the rest belonged to the Crown.<sup>264</sup>

The 1688 survey covered crown lands, both the land which was given to the peasant for his use in return for his labour (*Bauerland*) and the land which was for the landowner's economic use (*Hofsland*). The *Hofsland* on private estates was not taxable. The *Bauerland* carried the burden of all taxes, manorial and state.

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<sup>261</sup> Ibid., 6.

<sup>262</sup> Ibid. Estland did not undergo the *haken* surveys that Livland did. They were planned by both the Swedes and Russians but never carried out. A *haken* was based on the number of male peasant farmers, five to a *haken*, ten at the coast where the soil was harder to till. Kurland also evaded *haken* surveys. The 1561 formula remained in force until 1714 when severe economic circumstances, including the effects of the plague, reckoned the *haken* at sixty male peasants. In 1763, the size of a *haken* was calculated according to its value. Darstellung der landwirthschaftlichen Verhältnisse, 75.

<sup>263</sup> The discrepancy is perhaps explained by the very poor economic situation in the mid-seventeenth century. Years of war and plague had left whole areas deserted. In 1627, one area counted 622 inhabited *haken* and 1605 deserted ones. Hagemeister, Geschichte der Landgüter Livlands, 9.

<sup>264</sup> Ibid., 16.



There were so few private estates that it was deemed sufficient to register the peasant duties and dues in what was called the *Wackenbuch*, the official book for this purpose.<sup>265</sup>

The Swedish definition of a *haken* was based not only on peasant labour but also took the variability of the soil into account. The soil was divided into two categories, each with four grades. Dues owed by the peasants in labour or in produce were carefully defined. The reforms, therefore, although fiscally motivated, did benefit the peasants who had previously been ruled by the arbitrary systems of their landowners.

Under Russian rule, the *haken* as the basis of taxation remained. Most of the Swedish crown lands were restored to the Ritter and a new survey rendered the number of *haken* at 4788, considerably less than the Swedish survey.<sup>266</sup> As the welfare of the land recovered from the years of war, however, Russia soon introduced new definitions and surveys in order to broaden its tax base. By 1761 the total number of *haken* had reached 6362, of which the large majority were in private hands.<sup>267</sup>

A significant change was made in the method of calculation used. The Swedes had measured and appraised the land before taxing it but the Russian system was much less methodical. It simply counted sixteen adult persons to a *haken* regardless of the quality of the soil. Any *Hofslund* used by peasants was also taxable. Under complaints from the Ritter, Catherine ordered an investigation, but in 1783 the land tax was replaced by the poll tax. *Haken* were

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<sup>265</sup> The etymology of *Wack* is uncertain but in the thirteenth century it denoted an area of an estate; later it was used to describe the dues owed by the peasant to the lord of the estate. See Tobien, *Die Agrargesetzgebung*, 57.

<sup>266</sup> Hagemeister, *Geschichte der Landgüter Livlands*, 18.

<sup>267</sup> Tobien, *Die Agrargesetzgebung*, 67.

still counted but only as a means to register what the peasant owed his lord. Norms were to be set but since the landlord set them, the peasants were once more dependent on the arbitrary will of their owners. The poll tax remained in force until the reforms of 1804 reverted to the Swedish system of *haken* calculation and regulated norms.<sup>268</sup>

## Dues and duties

### State

Although the service of the Ritter to the state could only be supported by peasant labour, the peasant as such was not the taxable entity. As a serf, he had no status in the body politic. The landowner was responsible before the state and paid his taxes from his revenues, which were supplied by his serfs. The amount payable depended on the number of *haken* owned.

The oldest public duty was military service or *Rosßdienst*. Although the Ritter no longer had to ride off to war personally, they had to maintain cavalry, the number depending on the number of *haken* owned. Other taxes payable by the Ritter to the state also stemmed from military needs. The *Station*, first raised by the Swedes in time of war with Poland and originally consisting of grain, was unsuccessfully contested by the Ritter in times of peace. There was also a forced contribution of wood and other materials useful in defence works. A fourth compulsory contribution was abolished by Peter I at the Ritter's request. The taxes could be paid in money, the amount determined by the number of *haken* owned. They were, therefore, attached to the *Bauerland*,<sup>269</sup> payable by the user and

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<sup>268</sup> Ibid., 66-69.

<sup>269</sup> The *Hofsland* remained tax exempt.

deducted from the landowner's revenues, and constituted about twenty-five percent of the peasant's total dues. For much of the eighteenth century, the taxes as such were not increased, although the increase in the number of *haken* did cause an indirect increase. A significant change came with the introduction of the poll tax, levied on every male from 1783 to 1804. The landowner was responsible for paying his serfs' tax if they could not and he could raise the poll tax at will. This he did to cover the cost of the compulsory state contributions. The state also put a high tax on the sale of landed estates (*Krepostposchlin* or *Besitzwechselsteuer*). The Ritter were also required to supply three military recruits for every 500 men<sup>270</sup> and quartering regulations were severe. For every five *haken*, quartering had to be provided for fifteen cavalry and their horses. An increasing scale meant that ten *haken* had to cope with up to fifty horses.<sup>271</sup>

### Provincial

Taxes were also levied at a local level. The Ritter were bound to supply the material and cost of building and maintaining bridges and roads, the labour supplied by their serfs. The amount of the contribution depended on the size of the estate, in *haken*. To this tax is attributed not only the existence of roads in Livland but also their high quality.<sup>272</sup> Under Russia, the Ritter also had to build post houses and supply the horses, carriages and other equipment necessary. The salaries of officials were the responsibility of the Ritter, and one which they resentfully viewed as the responsibility of the government for its own officials.<sup>273</sup>

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<sup>270</sup> Revoked by Catherine and reinstated by Paul.

<sup>271</sup> Tobien, Die Agrargesetzgebung, 73-87.

<sup>272</sup> Ibid., 88. Bray, Essai critique, 39.

<sup>273</sup> During the period of Catherine's *Statthalterschaft*, the Ritter were relieved of this responsibility.

There was also a modest contribution to the Landtag, based on the number of *haken* owned. The Landtag, however, was forced to borrow and taxes rose to cover the interests on the debt. The Ritter as individuals were also deeply in debt, in part due to the loss of income from their serfs when the poll tax replaced the land tax, in part due to the tax demands of the Russian state and in part due to the lack of systematic agricultural methods. At the end of the eighteenth century, the debts of the Ritter were in the amount of eleven million rubles.

## CHAPTER II

### ENLIGHTENMENT AND REFORM

#### PART ONE: CULTURAL AFFINITY AND POLITICAL LOYALTY

One of the most important aspects of Baltic provincial privilege was the guarantee of those very elements which marked the provinces as a foreign part of the Russian Empire. The continuance of the German language, German administration and German culture was assured. The actual extent of Germanness in the provinces, however, was, as has already been indicated, limited to the small minority of the Ritter and the larger town element and accounted for approximately only one-ninth of the total population.<sup>1</sup> The guardians of German culture themselves, the Ritter, were not all German in origin. Their ranks, especially in Livland, had been diluted over the centuries by the addition of Poles, Swedes, and other foreigners. The addition of non-German elements is especially noticeable under Russian rule.<sup>2</sup> The matriculation list includes Russian names like Scheremet'ev, Golovkin, Dolgoruky, Vorontsov.<sup>3</sup> While these non-German additions represent honorary titles and deeds of land rather than significant foreign influences within the ranks of the Ritter, they do indicate that the

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<sup>1</sup> Hueck's figures for the first part of the nineteenth century count 175,253 Germans in a total population of 1,538,998. As already noted, only 7902 of these belonged to the matriculated nobility. Hueck notes that Kohl puts the figure much lower, erroneously, at 100,000. *Darstellung der landwirtschaftlichen Verhältnisse*, 2-4. Wittram, pointing out the unreliability of these early statistics, uses various sources to set the total Baltic non-German population at about 1,130,000 at the end of the eighteenth century. In Kurland, in 1797 there were 35,374 Germans of a total population of 394,626; in Livland, 42,783 of a total of 505,419 in 1782. According to Wittram, the number of Germans reached its highest point at the end of the eighteenth century, when it was three times as high as at the end of the nineteenth century. Wittram, *Baltische Geschichte*, 143-144.

<sup>2</sup> A full list of the Ritter of Livland as compiled by Georg von Harwiß, the Secretary of the Ritter, in 1816 is given in Bray, *Essai critique*, vol.3, 379-397.

<sup>3</sup> Nos. 114, 115, 179, 181 respectively on the matriculation list.

Ritterschaft, even although it considered itself German, was not purely German, that Baltic German was a special variety of German.<sup>4</sup>

Five centuries of development separated the Germans in the Baltic from mainstream Germany. It had required, as Baroness Rahden pointed out to Samarin, "extraordinary efforts of concentration" to keep their "national character" as they were "cast from one foreign suzerainty to another."<sup>5</sup> Political realities were seldom in concordance with cultural affinity. As early as the sixteenth century, the German Baltic was considered a far outpost, long estranged from the German Empire (of which it was still a member). Repeated pleas for German help against the Russian threat went unheeded. The German states remained non-interventionist and the Baltic lands were forced to seek help elsewhere and submit to their fate of *Schicksalsland*.<sup>6</sup> Cultural affinity also survived such anomalies as having to face Prussia as an enemy allied with Russia against Sweden. Although union with Russia demanded political loyalty to a foreign power, it did not hinder cultural affinity with Germany. In the earlier practice of Empire, which did not demand uniformity in its elements,<sup>7</sup> the double role of cultural affinity and political loyalty was possible, but it would become increasingly difficult for the German Ritter to belong simultaneously to the West culturally and to the Russian Empire politically. The tension inherent in this

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<sup>4</sup> Non-Germans who did settle in the provinces, however, were speedily assimilated into the German way of life. Wilhelm Lenz, Der baltische Literatenstand, *Wissenschaftliche Beiträge zur Geschichte und Landeskunde Ost-Mitteleuropas*, Nr.7 (Marburg, 1953), 34.

<sup>5</sup> The Correspondence of Iu. Samarin and Baroness Rahden, 54.

<sup>6</sup> Walter Platzhoff, "Das erste Auftauchen Rußlands und der russischen Gefahr in der europäischen Politik," in Historische Zeitschrift 115 3.Folge (1916), 87-91.  
A uniform foreign policy or concerted German action was difficult in any case since Germany was composed of many different political entities.

<sup>7</sup> See Chapter I, Part One.

double affiliation would increase as the Russian Empire developed politically. An independent political development in the Baltic was not possible due to its dependent political status. "The three provinces in themselves do not constitute a country, they are only a possession..."<sup>8</sup> "The *political* future of the Germans in the Baltic provinces is really just a myth."<sup>9</sup> The cultural affinity in the Baltic provinces, their German-ness, however, was a reality.

When the Baltic provinces became part of the Russian Empire, Western thought was being transformed by the ideas of the Enlightenment, ideas which would gradually be translated into reality. By the end of the seventeenth century, England's parliamentary monarchy had provided a model for reform which inspired the great French thinkers. By the middle of the eighteenth century, Voltaire, Montesquieu and Rousseau had written their most influential works,<sup>10</sup> and by the end of the century the American and French Revolutions had put many of the Enlightenment's ideas into political practice. The cultural affinity of the Baltic Ritter with Germany identified them with this changing West, but their political loyalty tied them to an absolutist state, behind the West in almost every aspect of development. The contradiction inherent in these roles, however, would only be a conflict in reality if the Baltic Ritter were indeed true representatives of an enlightened West and as such unable to support an autocratic, unenlightened Russia. The dichotomy could also have a positive function if the Baltic Germans, as representatives of the West, played a significant role in the Westernization and enlightenment of Russia. The historical reality shows that the dichotomy of

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<sup>8</sup> Samarin in a letter from Brussels, October 17, 1864. The Correspondence of Iu. Samarin and Baroness Rahden, 57.

<sup>9</sup> Baroness Rahden in a letter from Lausanne, October 10 1864. *Ibid.*, 54. The italics are original.

<sup>10</sup> Voltaire, Letters from England 1729; Montesquieu, Spirit of the Laws 1748; Rousseau, Social Contract 1762.

cultural affinity and political loyalty did not function in either of these ways in the period of Enlightenment.

### Baltic Germans and Germans in Russia

The Baltic provinces may have provided Russia with its window on the West but Russia already had firm, if limited, contacts with the West before becoming *dominium maris Baltici*. Throughout the centuries, there are scattered historical instances of Russia's increasing contact with Europe, or Europe's discovery of Russia.<sup>11</sup> As early as 1576, a Lutheran church existed in Moscow.<sup>12</sup> By the mid-seventeenth century, when the Baltic provinces were still under Swedish rule, the German Quarter of Moscow, a settlement of foreigners, was firmly established.<sup>13</sup> The Russian court and the German states were connected by marriage ties.<sup>14</sup> Fearful of the Latin heresy which might threaten the Russian Church,<sup>15</sup> Russia was not prepared, however, until Peter the Great to open up to the West. The acquisition of the Baltic lands was a necessary strategic part of

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<sup>11</sup> Ivan III married the Byzantine princess Zoe (later Sophia), who brought contact with Italy; Ivan the Terrible had granted trading privileges to the English in 1555 and Queen Mary had an ambassador in Moscow; in 1631, a Scot had levied Swedish troops for the tsar and the military was generally trained by foreigners; in 1634, copper experts had been brought from Saxony; state ordinance factories were founded by Dutch and Germans in the 1640s. Walter Platzhoff, "Das erste Auftauchen Rußlands," 77-93. Although it is not the direct intention of his article, Platzhoff gives examples of Russia's contacts with the West in the Middle Ages.

<sup>12</sup> St. Michaelis. P.N. Berkov, "Deutsch-russische kulturelle Beziehungen im 18. Jahrhundert," in E. Winter, ed., Die deutsch-russische Begegnung und Leonhard Euler, Quellen und Studien zur Geschichte Osteuropas Band I, (Berlin, 1958), 67.

<sup>13</sup> The *nemetskaya sloboda*, situated three miles from the Kremlin, was one of thirty-six *slobody*. All foreigners except diplomats lived there. In 1700 it had a population of about seventeen hundred. See Samuel H. Baron, "The Origins of 17th century Moscow's Nemeckaya Sloboda," California Slavic Studies, vol 5 (1970).

<sup>14</sup> It is tempting to postulate that the German presence already in Russian circles made it easier for the Russians to understand their new subjects in the Baltic provinces rather than that the new "German" subjects made it easier for their overlords to understand German culture.

<sup>15</sup> Hans Hecker, "Rußland und Europa," in Russen und Rußland I, 52-53.



this policy but the means to westernize Russia lay elsewhere. Peter visited Germany, Denmark, Holland, England, France and Austria and imported experts of every kind from Europe. Russians were sent abroad to study, especially to Holland, England and Venice to learn the skills of shipbuilding, navigation and medicine,<sup>16</sup> skills which were not so available in the less economically and technically developed Germany.

The number of Germans living in Russia increased over the eighteenth century as economic prosperity was perceived to be linked to the size of a country's population. "... (T)he richness of any country does not proceed from the greatness of its extent, but from the number of its inhabitants ..." was an economic view generally accepted by the middle of the century.<sup>17</sup> In 1761, Lomonosov recommended the recruitment of foreigners to settle the Russian Empire<sup>18</sup> and the influence of "populationism" was evident in Catherine II's active encouragement of colonization, which brought many thousands of foreigners to Russia, estimated conservatively at 75,000.<sup>19</sup> The great majority of these were

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<sup>16</sup> The degree of success can be questioned. Prince Mikhail Golitsyn, one of these involuntary Russian students, complained in a letter written from Amsterdam in 1711: "... the life that has fallen to me is the poorest and the hardest. ... Even if I laboured every day of my life at it I would not take it in (much less master it), the reason being that if you do not know foreign languages you cannot learn science. Aside from my native tongue I am unable to learn any other, and my years have been spent away from any science ... I wish I might be taken back to Moscow, even as the lowest soldier in the ranks, but if that is not possible..., let me study infantry science and not navigation." Quoted in V.O.Kliuchevskii, "Western Influence in Russia after Peter the Great," trans. and ed. Marshall S. Hatz in Canadian-American Slavic Studies, 20, nos.3-4 (Fall-Winter 1986): 478-479. [Kliuchevskii gave a series of lectures with this title at the Moscow Polytechnic Museum in 1890-1891, the complete texts of which were first published in 1983: V.O.Kliuchevskii, Neopublikovannye proizvedeniia, ed. M.V.Nechkina et alii (Moscow, 1983).]

<sup>17</sup> Cited in Roger Bartlett, "Foreign Settlement in Russia under Catherine II," The New Zealand Slavonic Journal no.1 (1974): 2.

<sup>18</sup> In a letter to I.I.Shuvalov "On the Preservation and Increase of the Russian People." Ibid.

<sup>19</sup> Ibid., 16.

German.<sup>20</sup> In the year 1766, 17,866 people were dispatched to Russia from Lübeck alone.<sup>21</sup> The increase continued into the next century. From 1796 to 1858 the number of Germans in Russia increased from 237 to 840 thousand, constituting 0,9% of the population.<sup>22</sup> Subtracting Baltic Germans from the total<sup>23</sup> still leaves a substantial amount of non-Baltic Germans, increasing from 158,5 to 726 thousand. The majority of these German immigrants did not function at the same level as the Baltic Germans in Russia. Most of them were agricultural workers or artisans. In the city, there were German merchants, traders and craftsmen.<sup>24</sup> That German immigrants came in such large numbers, however, is due less to the higher level of education and technical expertise they might have possessed, or to the deliberate choice of a German-born Russian Empress, than to the absence of stricter laws governing the recruitment of foreigners in several of the German states. Most countries were also pursuing populationist policies to ensure their own economic welfare and thus controlled emigration.<sup>25</sup>

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<sup>20</sup> Roger Bartlett, Human Capital: The settlement of foreigners in Russia 1762-1804, (Cambridge, 1979), 58.

<sup>21</sup> *Ibid.*, 64. The incentives offered the promise of a better life than in the German states at that time. In addition to land and various initial help, the settlers were guaranteed religious freedom, their own jurisdiction within the colony, a thirty-year tax exemption and exemption from military service. [P.v.Koeppen, Über Die Deutschen im St. Petersburgischen Gouvernement, (St Petersburg, 1850), 9.] They were also protected from enserfment. [Bartlett, Human Capital, 45.]

<sup>22</sup> V.M. Kabuzan, "Nemetzkoje naselenie v Rossii v XVII - nachale XX veka," Voprosi Istorii, no.12 (December 1989), 24.

<sup>23</sup> An increase from 78,5 to 114 thousand.

<sup>24</sup> Bartlett, Human Capital, 159.

<sup>25</sup> Turkey, for example, would not allow the enserfment of Moslems; Austria saw competition for its own Hungarian settlements; France and Spain needed settlers for their own concerns abroad. Smaller states were unwilling to reduce their "human capital": Switzerland, Bavaria, Bayreuth, Hesse, and Saxony were examples of where Catherine's manifesto advertising for colonists was forbidden. Legal recruitment of colonists was limited to cities and free states, mainly in southern and western Germany. Denmark, Britain and Holland allowed the manifesto but their standards of living were high enough to keep their own human capital and they all had their own colonies for those who wanted to leave. *Ibid.*, 57-58.

The Baltic Germans served the Russian state in higher echelons than the average German immigrant. Peter required their service and many were glad of the opportunity to escape the poor conditions forced on the provinces by the ravages of war. Baltic Germans provided the Russian army with many officers<sup>26</sup> and served at court, where the German presence was strong in the middle of the eighteenth century. Baltic German, however, was not synonymous with German. The "German" phase in Russian rule, the *bironovshchina* of Anna, a phase which made future court circles wary of foreign, and especially German influence, is indicative of this. The Baltic non-noble Johann Ernst Biron from Kurland (at that time not under Russia's political dominion) gained influence with Anna, duchess of Kurland, who succeeded to the Russian throne in 1730. Biron's despotic methods at the Russian court made him extremely unpopular with the Russians.<sup>27</sup> He was ousted by Münnich<sup>28</sup> and Ostermann,<sup>29</sup> non-Baltic Germans at the court, who feared that Biron would endanger the German presence in Russia. Baltic Germans and Germans were not necessarily one and the same thing.<sup>30</sup>

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<sup>26</sup> Baltic Germans served not only in the Russian army. There are instances of Baltic German officers in the armies of Sardinia, France, Sweden and Spain. Kurland, not part of the Russian Empire till 1795, supplied the Prussian army with officers. Wittram, *Baltische Geschichte*, 145.

<sup>27</sup> For opinions about Biron expressed in verse of the time, see Mechthild Keller, "Geschichte in Reimen: Rußland in Zeitgedichten und Kriegsliedern," in *Russen und Rußland II*, 311-314.

<sup>28</sup> General Burkhard Christoph Münnich was a major political influence during the reign of Anna and an outstanding military leader. He led Russia in victory against Turkey (1736-1739). After sending Biron to Siberia, he himself suffered the same fate but was recalled and appointed director general of Baltic ports.

<sup>29</sup> Heinrich Johann Ostermann came to Russia from Westphalia in 1704 and served as a diplomat under four Russian rulers. He too was eventually exiled to Siberia. For more on Ostermann, see Alois Mertes, Hans Dietrich Mittorp, Dieter Wellenkamp, *Drei Deutschen in Rußland: Ostermann, Cancrin, Haass* (Darmstadt, 1983).

<sup>30</sup> Another perspective for the removal of Biron by the German elements at the Russian court may have been his plan, "a political game in rococo style," to commit treason by using Swedish help to create a Baltic state by adding the two other provinces to Kurland, under Swedish dominion. Georg von Rauch, "Politische Voraussetzungen für westöstliche Kulturbeziehungen im 18. Jahrhundert," in

Baltic Germans served not only in the army and at court but also in the civil and diplomatic services. By the middle of the nineteenth century, there was a high percentage of German names in all of these areas.<sup>31</sup> Names, however, did not reveal identity or cultural affinity. It was not always possible to tell which were German or which were Baltic German or which were fully Russianized, especially since place of birth was not registered. Religion was registered and provides a better guide. In one statistical survey of Russian civil servants in the mid-nineteenth century, Lutherans accounted for only four percent of the total,<sup>32</sup> although their percentage increased at the higher ranks to fifteen percent.<sup>33</sup> One cannot presume with certainty that these were only Baltic Germans but comments made to Haxthausen on his travels revealed a candidly expressed dislike for Baltic Germans, as opposed to Germans from Germany, because not only did they act insolently and arrogantly but they crowded Russians out of military and civil positions.<sup>34</sup>

As part of the army, the court and the civil service, Baltic Germans were less the bringers of Western Enlightenment than the suppliers of efficient administration. Another German presence in Russia, direct from Germany, could

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Russen und Rußland, 45-46.

<sup>31</sup> According to one source, twenty-six percent of those in the Russian diplomatic service had German names. W.v.Bock in Livländische Beiträge Band I, (Leipzig, 1868) 87. Cited in Georg von Rauch, "Der russische Reichsgedanke im Spiegel des politischen Bewußtseins der baltischen Provinzen," in Ostdeutsche Wissenschaft Band I (Munich, 1954): 187.

<sup>32</sup> Walter M.Pintner, "The Social Characteristics of the Early Nineteenth Century Russian Bureaucracy," in Slavic Review Vol 29 (March, 1970): 438. Three percent were Roman Catholic, presumably Polish, the rest Orthodox. "Individuals with German (or Polish) names but Orthodox religion are not included with the Lutheran and Catholic groups on the assumption that conversion implied a substantial degree of cultural Russianization."

<sup>33</sup> Of ten top-level officials in the Economic Department of the Ministry of Interior, four were Lutheran. Ibid.

<sup>34</sup> August Freiherr von Haxthausen, Studien über die innern Zustände, das Volksleben und insbesondere die ländlichen Einrichtungen Rußlands 3 vols. (Berlin, 1847-1852); vol 3, 19.

lay claims to the former role. The origin of this German presence had begun at the end of the seventeenth century (before the Baltic lands became part of the Empire), when Gottfried Wilhelm Leibniz, impressed by the success of the Jesuit missionaries in China, developed the idea of a European-Chinese synthesis, with Russia the all-important bridge between. Leibniz met with Peter the Great on several occasions and made practical suggestions for reform which almost read like a blueprint for the tsar's reforms: the foundation of educational institutions, libraries, an observatory (which would help navigation), printing and book shops; the employment of foreign expertise in all areas; the importing of useful things from abroad; travel permits; the education of people in Russia itself; a survey of the country from all aspects to determine its needs; the improvement of agriculture, productivity, communication.<sup>35</sup> Leibniz's interest in Russia was communicated to his students. Christian Wolff, the recognized leader of German enlightened philosophy,<sup>36</sup> served as science adviser to Peter the Great from 1716 to 1725 and helped found the St Petersburg Academy of Sciences, which had close connections with the Berlin Academy of Sciences, which Leibniz had helped found. The Petersburg Academy attracted some of the most prestigious names in their fields, often directly and not through the Berlin Academy.<sup>37</sup> The Leibniz-Wolff school dominated the Academy appointments, mostly through a network

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<sup>35</sup> Mechthild Keller, "Wegbereiter der Aufklärung: Gottfried Wilhelm Leibniz' Wirken für Peter den Großen und sein Reich," in Russen und Rußland I, 391-413.

<sup>36</sup> Rationalism and mathematical methodology formed the basis of his philosophy, based on Leibniz and Descartes, and he was a major force in the development of German philosophical thought. See, for example, Keller, "Von Halle nach Petersburg," in Russen und Rußland, 173.

<sup>37</sup> Daniel Bernoulli, the distinguished scientist, lectured in medicine, mechanics and physics at the Petersburg Academy from 1724 to 1732. Bernoulli was succeeded by Leonard Euler, the prominent mathematician, who stayed with the Academy from 1727 until 1735 when he joined the Berlin Academy. During his next 25 years in Berlin, he still contributed his publications to St Petersburg, which paid him a pension. Catherine II invited him to return to Russia in 1766, and he continued his research there until his death in 1783.

of personal acquaintanceships.<sup>38</sup> Wolff, for example, secured an appointment for the philosopher, Georg Bernhard Bilfinger, who lectured there from 1725 until he took up an appointment at Tübingen in 1731. The network thus extended to other universities in Germany.<sup>39</sup> Baltic Germans were not completely absent from the Academy. Three of the first four presidents were Baltic Germans,<sup>40</sup> positions which needed efficient and loyal administrators rather than imported intellectuals.

## Aufklärung

This intellectual German presence was a definite representative of Western thought in eighteenth century Russia, particularly in the first part of the century and has been viewed by some as the predominant Western influence. "Contrary to what is frequently believed, the major intellectual influence on Russia in the

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<sup>38</sup> The history of the cultural contacts between Germany and Russia in the eighteenth and nineteenth centuries is often a chronology of personal acquaintanceships [see J. Tezner, "Bücher deutscher Autoren in Prokopovics Bibliothek," in E. Winter, ed., Die Deutsch-Russische Begegnung und Leonhard Euler, Quellen und Studien zur Geschichte Osteuropas, Band I, (Berlin 1958), 141-142] and attempts to systematize the personalities involved into a framework of social, economic and political contributions or significance have been few. P.N. Berkov, "Deutsch-russische kulturelle Beziehungen im 18. Jahrhundert," in *Ibid.*, 64-65, suggests a more systematized approach to research in this area. It is also important to note that the German scholars who came to Russia did not come with a mission. They came simply because there were not enough academic positions to go around in the German states. Most left when they gained appointments elsewhere. One German observer wrote in 1775: "(The:) Academy ... has already attracted the greatest and worthiest men. But why is it that their stay is always so short?" (Quoted in Inge Hellinghausen, "Russenlob und Russenfurcht: Schubart's Deutsche Chronik," in Russen und Rußland II, 448-449.)

<sup>39</sup> August Ludwig Schlözer, described as "the most effective of all 18th century German historians of Russia," was named professor of history at the Academy in 1765. He came from Göttingen and returned there in 1769. See Hans Hecker, "Rußland und die deutsche Historiographie des 18. Jahrhunderts," in Russen und Rußland I, 197-213 for details of Schlözer's activity in Russia and Göttingen. His reputation as a scholar in Russia is not undisputed. His grammar of the Russian language was prevented from publication by Michael Lomonosov (1711-1765) because of the many serious mistakes in it.

<sup>40</sup> Von Brevern, von Kayserling and von Korff. Eduard Winter, Halle als Ausgangspunkt der deutschen Rußlandkunde im 18. Jahrhundert (Berlin, 1953), 289.

eighteenth century was not that of France and the French Enlightenment. ... The first influence -- in terms of both time and importance -- was that of German thought, scholarship, and even literature."<sup>41</sup> While much research has been devoted to the German influence on eighteenth century Russia,<sup>42</sup> it is sufficient to note for the purposes of this paper that the Baltic Germans did not have a monopoly on the German presence within Russia and were not the sole representatives of the West. It is also important to note that the German intellectual presence in Russia, although Western, was not typical of Western mainstream enlightenment, but rather represented the German variety: the *Aufklärung*.<sup>43</sup> The main characteristics of the *Aufklärung* are evident in the

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<sup>41</sup> Marc Raeff, *Imperial Russia 1682-1825: The Coming of Age of Modern Russia* (New York, 1971), 140. Raeff is not alone in his conclusions. Some thirty years ago, in an article on British influences on eighteenth century Russia, M.S. Anderson named Germany as the chosen main source of intellectual stimulus in eighteenth century Russia. M.S. Anderson, "Some British Influences on Russian Intellectual Life and Society in the 18th Century," *Slavonic and East European Review* 39 (1960-61): 148. Elsewhere, Raeff considers another influence: "In addition to the *Aufklärung*, the Scottish variant of the Enlightenment played no mean role in the intellectual development of Russian elites in the late 18th century....the Scottish orientation may prove to be even more important if we take into account the fact that it was the German philosophers .. who were among the first agents of its transmission to continental readers, including the Russians." Marc Raeff, "Heterogeneity of the 18th century in Russia" in R. Bartlett, A. Cross, K. Rasmussen, eds., *Russia and the World of the 18th century: Proceedings of the Third International Conference 1984 on 18th Century Russia* (Ohio, 1986), 669.

<sup>42</sup> The establishment of the German Democratic Republic opened the way to cooperation between the Russians and Germans in historical research on German-Russian relations. The main force behind this line of research was the East German historian, Eduard Winter. "One of the most influential scholars in the GDR", Winter was once a catholic priest and between the wars was involved in the German nationalist movement in Czechoslovakia. He is a generally respected and prolific historian, acknowledged by historians in the Federal Republic of Germany (when the two Germanys still existed). [See, for example, Keller, *Russen und Rußland* (1987), Vorbemerkung, 9. The bibliography, pp. 631-661, contains many works of Winter and his team of researchers.] For bibliographies of Winter, see O. Feyl, "Veröffentlichungen von Eduard Winter 1926-1956," in *Deutsch-slawische Wechselseitigkeit in sieben Jahrhunderten – Gesammelte Aufsätze*, Deutsche Akademie der Wissenschaften zu Berlin, Veröffentlichungen des Instituts für Slawistik, Nr. 9, (Berlin, 1956), 1-16; C. Grau and I. Flentje, "Chronologische Bibliographie der Veröffentlichungen von Eduard Winter von 1924 bis 1965," in H. Mohr and C. Grau (eds.), *Ost und West in der Geschichte des Denkens und der kulturellen Beziehungen – Festschrift für Eduard Winter zum 70. Geburtstag*, Quellen und Studien zur Geschichte Osteuropas Band XV, (Berlin 1966), 5-27.

In 1967, Marc Raeff wrote a persuasive if debatable article based on Winter's work: "Les Slaves, les Allemands et les Lumières," in *Canadian Slavic Studies*, I, no. 4, (Winter, 1967), 521-551.

<sup>43</sup> The Italian historian Franco Venturi was one of the first to emphasize that enlightenment had a national rather than a universal context. Enlightenment, *Lumières*, *Aufklärung*, *Verlichting*, *Iluminismo*, *Ilustracion* are all terms which are not synonymous since they represent movements different in emphases, interests, and chronology. Béatrice Didier, *Le Siècle des Lumières* (Paris, 1987), 248.

German intellectual activity in eighteenth century Russia. "The whole Academy [St Petersburg] is not organized so that Russia might profit in the least from it. For it is not languages, morals, international law and history, or the practical aspects of mathematics and the sciences which could be of real advantage to Russia ... but rather algebra, speculative geometry ... the languages of dead peoples, or the anatomical observations of men and animals, which is all seen by Russians as useless and fruitless capriciousness, which is why they do not like to send their children to the Academy."<sup>44</sup> At the end of the century this conclusion is echoed by another observer: "The Petersburg Academy shone as far as Italy, and Russia remained in darkness."<sup>45</sup>

Russian scholars returning from study abroad found their German professors unlike their own experiences of Western intellectuals elsewhere. At Moscow University, Russia's first university founded by Tsaritsa Elizabeth in 1755,<sup>46</sup> German professors were in the majority. Two Russian law students who had studied at Glasgow University from 1761 to 1767,<sup>47</sup> under Adam Smith amongst others, secured appointments at Moscow University on their return from

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<sup>44</sup> Quoted in Keller, "Von Halle nach Petersburg," in Russen und Rußland II, 180-181. Johann Vockerodt, a German tutor and later diplomat in St. Petersburg, made his comments in 1737. He criticized the Academy for having achieved little more than a calendar and an alphabetization. There were some, if not many, practical contributions later in the century. For example, the naturalist Peter Simon Pallas, who had studied in England as well as Germany, was made professor of natural history at the Academy in 1768 and gathered much important data in his six year exploratory travels through Russia and Siberia. [Hans Hecker, "Rußland und die deutsche Historiographie des 18. Jahrhunderts," in Russen und Rußland I, 192.]

<sup>45</sup> Quoted in Keller, "Von Halle nach Petersburg," in *Ibid.*, 182.

<sup>46</sup> It began with 100 students and thirty years later had only 82. Hubertus Neuschäffer, "Die baltischen Provinzen ohne Universität von 1721 bis 1802," in Gert von Pistohlkors, Toivo Raun, Paul Kaegbein eds. Die Universitäten Dorpat/Tartu, Riga and Wilna/Vilnius 1579-1979. Beiträge zu ihrer Geschichte und ihrer Wirkung im Grenzbereich zwischen West und Ost. Vol. 9 in Quellen und Studien zur baltischen Geschichte (Köln, 1987), 27. Such statistics stand as a reminder not to read more into the term "university" than actually existed.

<sup>47</sup> August von Haxthausen claimed that "all Russian jurists have been educated at German universities or at the very least by German jurists." Studien über die innere Zustände Rußlands vol 3, 11.



Scotland and found their liberal ideas in conflict with the conservatism of the German professors.<sup>48</sup> One of these students, Semon Efimovich Desnitskii, later appointed to the Chair of Russian Jurisprudence at the University, likened the German professors to "12th century monks who wished to swallow up all the sciences themselves and leave the laymen in darkness and ignorance. ... the monks in England in those times acted in every way no differently from the way the *present-day German scholars in Russia act*, who try to prove that their own Göttingen University alone is the *source of all wisdom*."<sup>49</sup> German intellectuals may have claimed their own universities as the source of all wisdom, but it was a conservative and abstract wisdom, far different from the Anglo-French Enlightenment. Although the exported Aufklärung was criticized for not being practical enough to serve Russia's immediate needs, its conservative essence ensured that it posed no political threat. Later in the century, French culture would be embraced but quickly shunned as its ideas became too real.

Many of the Baltic Germans serving in Russia in the eighteenth century had been exposed to the German Aufklärung rather than to the Anglo-French Enlightenment. Political loyalty to Russia, as we have seen, did not at first adversely affect cultural affinity with another foreign power. The eighteenth century saw an increase in the cultural contacts between the Baltic provinces and

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<sup>48</sup> A.H.Brown, "Adam Smith's First Russian Followers," in A.Skinner and T.Wilson, eds., Essays on Adam Smith, (Oxford 1975), 249-250.

<sup>49</sup> Italics original. Quoted in A.H.Brown, "The Father of Russian Jurisprudence: The Legal Thought Of S.E.Desnitskii," in W.E.Butler, ed., Russian Law: Historical and Political Perspectives (Leyden, 1977), 126-127. While Desnitskii did reject the legal theory of the German Aufklärung, these dismissive comments reflect more his fight (and success) to teach in Russian and not in Latin as the German professors insisted. Wolff had led the change from lecturing in Latin to lecturing in German [L.Kopelew, "Neue Verständnis und neue Mißverständnisse," in Russen und Rußland II, 24.] but not all German professors in Russia had enough mastery of Russian to lecture in Russian. Ludolf (see page 46 below) complained that most Germans in Russia did not speak Russian [E.Winter, Halle als Ausgangspunkt, 75.]

the German states. There were many immigrants from Germany to the Baltic area but they cannot be considered a homogeneous group. Not everyone who came from Germany would make a positive contribution. There were "all sorts of people, famous and unknown, educated and uneducated, believers and non-believers, pietists and *philosophes*, geniuses and pedants, poets and explorers, philosophers and politicians, the ordinary and the special, the failures and the ambitious."<sup>50</sup> The flow from the Baltic to Germany was mainly to the universities where young Baltic Germans were sent to study.<sup>51</sup> Sweden had founded a university in Dorpat in 1632 but it was closed in 1656.<sup>52</sup> Reopened in 1690, it lasted only until 1710. For the whole of the eighteenth century it remained closed, forcing Baltic Germans to study abroad.<sup>53</sup> From 1741 to 1750, there were at least 172 Baltic German students registered at the university in Königsberg. In Jena, there were 165 Baltic German students from 1731 to 1740.<sup>54</sup> Leipzig, Rostock and Göttingen also had students from the Baltic.<sup>55</sup> Initially, it

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<sup>50</sup> Cited in W.Lenz, Der baltische Literatenstand, 12.

<sup>51</sup> R.Wittram, Baltische Geschichte, 147. Irene Neander, "Die Aufklärung in den Ostseeprovinzen," in R.Wittram, ed., Baltische Kirchengeschichte, 149.

<sup>52</sup> When the Russians took Dorpat.

<sup>53</sup> See H.Neuschäffer, "Die baltischen Provinzen ohne Universität von 1721 bis 1802," in G.Pistohlkors, T. Raun, P.Kaegbein, eds., Die Universitäten Dorpat/Tartu, Riga und Wilna/Vilnius, 19-35.

<sup>54</sup> One source claims that there was a total of one thousand Russian students at Jena in the eighteenth century, most of them from the Baltic. This would place Baltic Germans as the second largest foreign group, after students from the Hungarian lands, at Jena. O.Feyl, "Die Rußland-Beziehungen der Universität Jena im 18.Jahrhundert," in E.Winter, ed., Die deutsch-russische Begegnung und Leonhard Euler, 170.

Although there were not many Russian students at German universities, they should not be overlooked, especially since some of them acquired positions of power or influence later. For example, Michael Lomonosov studied at Freiberg and Marburg between 1736 and 1741; Alexander Radishchev was at Leipzig in 1771; Alexander Golitsyn was at Göttingen in 1786; Alexander Kurakin attended Kiel and Leyden between 1765 and 1768. See Georg von Rauch, "Streiflichter zum russischen Deutschlandbilde des 19.Jahrhunderts," in Jahrbücher für Geschichte Osteuropas Neue Folge 12 (1964), 8-9.

<sup>55</sup> Wittram, Baltische Geschichte, 147.

was mainly the sons of the nobility who studied abroad. In the absence of a larger urban population and a middle class, there were few who had the education or the money to study abroad. Towards the end of the eighteenth century, however, the Ritter did not have the monopoly on study abroad. An educated class, if not a middle class, had developed and the sons of pastors, lawyers, merchants and others were able to send their sons abroad.<sup>56</sup> A cursory glance at the lists of students from the Russian Empire matriculated at Göttingen University from 1800 to 1825 reveals several names of the sons of merchants and pastors and other non-nobles from the Baltic provinces.<sup>57</sup>

In the eighteenth century, the century of enlightenment, however, it was the sons of the Ritter who experienced the Aufklärung first hand. The intellectual atmosphere was not much different from the variety exported to Russia. In its very essence, the Aufklärung was different from the Anglo-French Enlightenment, which was characterized by positivist, empirical and utilitarian aspects. The Aufklärung has been perceived as concerning itself more with natural law and rationalism,<sup>58</sup> which confined it to the realms of abstract philosophy.

Doing justice to the Aufklärung would necessitate a philosophical enquiry<sup>59</sup> and it is perhaps more useful to view the German Aufklärung in its

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<sup>56</sup> W.Lenz, Der baltische Literatenstand, 7-16.

<sup>57</sup> Heinz Mohrmann, Studien über russisch-deutsche Begegnungen in der Wirtschaftswissenschaft (1750-1825), Quellen und Studien zur Geschichte Osteuropas, Band V (Berlin, 1959), Appendix II pp.120-130.

This list is not the best indicator of the number of non-noble Baltic students at university since Dorpat University opened in 1802 and attracted non-noble students since it was much less costly than studying abroad. The list does, however, indicate that the Ritter did not have the complete monopoly on German education.

<sup>58</sup> F.M.Barnard, Herder's Social and Political Thought: From Enlightenment to Nationalism (Oxford, 1965), 7. See also Raeff, "Les Slaves, les Allemands ets les Lumières," 545.

<sup>59</sup> A few comments may serve as indicators. The label of natural law, for example, is an unclear one. Most philosophers throughout time have concerned themselves with the definition of natural law, the search for a body of generally recognized principles of right and natural conduct common

historical context. Frederick the Great attributed the lack of progress in the arts and sciences in Germany to the effects of wars. People and princes alike were too concerned with their livelihoods to spare much thought or time to enlightenment.<sup>60</sup> The reason for the conservative and inactive nature of the German Aufklärung, however, is perhaps to be found more in the political system, or lack of it, under which it developed, or did not develop. England's parliamentary system provided a means for the political realization of ideas. In France, the lack of political outlet was effected forcibly against one central power. In the German states, the political situation was characterized by powerlessness, caused by the lack of political unity and the absolute power of the princes. There were some three hundred states in the German Empire, some fifty free cities and "the minuscule acres of a thousand sovereign imperial knights".<sup>61</sup> The result of this political jigsaw was political powerlessness for all but those who ruled. Any

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to all mankind. Aristotle reserved natural law for citizens only, excluding slaves and barbarians. The Stoics believed natural law was applicable to all men and regulated by reason. Reason as the core of natural law was replaced by God in the medieval period and this theological definition dominated until the seventeenth century, when Hugo Grotius, under the influence of the scientific revolution, once more returned natural law to the realm of reason. About the same time, Thomas Hobbes came down on the side of legislative law (or positive law) as a necessary control over man's naturally negative tendencies. John Locke allowed the necessity of an absolute authority but maintained that men had only surrendered certain of their natural rights to it. The French philosophers went further by declaring natural law superior to both church and state. Man surrendered his natural rights to society not to a monarch; law, therefore, was dependent on the general will of the people and not on monarchical sovereignty. German thinking on natural law had originally been led by Samuel Pufendorf (1632-1694), who had also believed in a natural law free from God and the Bible. All men on the basis of human dignity have a right to equality and freedom. Pufendorf's works were translated into Russian on Peter the Great's orders. (M.Keller "Von Halle nach Petersburg und Moskau," in Russen und Rußland aus deutscher Sicht, 173.) It was not Pufendorf's thinking, however, but that of Leibniz (who rejected Pufendorf's thinking as dangerous to faith), which would influence eighteenth century German thought. Leibniz believed that the origin of all things could be none other than God. This theological emphasis characterized German thought in the eighteenth century and is perhaps best represented by Christian Wolff, who believed God could be discovered by reason and not just revelation. Other notable thinkers of the period were Christian Thomasius, who also used reason to question, but not reject, religious truths; J.C.Gottsched; and the Berlin circle of later Aufklärer: Friedrich Nicolai,, Moses Mendelssohn, G.E.Lessing, Thomas Abbt and J.J.Spalding, who all belonged to the Wolffian school of thought.

<sup>60</sup> Lew Kopelew, " 'Unser natürlichster Verbündeter.' Friedrich der Große über Rußland," in Russen und Rußland II, 279.

<sup>61</sup> Palmer, The Age of the Democratic Revolution, II, p.428.

debate about political change was theoretical. There was no "effective political breakwater against the powers of the nobility. Germany, throughout the major part of the eighteenth century, remained essentially a *terra obedientiae* ... where ... it was generally 'forbidden to talk politics'".<sup>62</sup> "... (A)n enlightenment that was defined in political terms, as in the West, was alien to the German soul."<sup>63</sup>

Towards the end of the century, when the French were forcibly putting their ideas into political practice, German thinkers were involved in defining what exactly Aufklärung was. In 1789, the year of the French Revolution, K.F.Bahrdrdt complained, "The word enlightenment is now on so many people's lips, yet a precisely defined and properly limited concept is still nowhere to be found."<sup>64</sup> In 1790, one writer listed twenty-one separate meanings of the term Aufklärung. The attempt to find a definition had begun in 1783, just as the period of Aufklärung was coming to an end, when an exasperated contributor to the Berlinische Monatsschrift, a periodical of the Aufklärung, asked the question: "Was ist Aufklärung?" Immanuel Kant was one of the first to reply in his now celebrated essay "Beantwortung der Frage: Was ist Aufklärung?" Although Kant's definition<sup>65</sup> is now accepted as the definitive one, at the time it was only the

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<sup>62</sup> F.M.Barnard, Herder's Social and Political Thought, 6.

<sup>63</sup> Gordon A.Craig, "Dangerous Liaisons," The New York Review of Books, 30 March 1989, p.15.

<sup>64</sup> Quoted in German and English in H.B.Nisbet, " 'Was ist Aufklärung?': The concept of Enlightenment in 18th century Germany," in Journal of European Studies 12 (1982): 82. The English translation used here is mine. Material and quotes in the rest of this paragraph are based on or taken from Nisbet's article.

<sup>65</sup> The essence of Kant's definition: "Enlightenment is man's emergence from his self-incurred immaturity. Immaturity is the inability to use one's own understanding without the guidance of another. ... The motto of enlightenment is therefore: *Sapere aude!* Have courage to use your own understanding." This English translation is H.B. Nisbet's in Hans Reiss ed., Kant: Political Writings, 54.

beginning of a debate, which had "a highly theoretical and abstract quality, with little explicit reference to concrete situations." Kant himself recognized that he lived "not in an enlightened time but in a time of enlightenment."<sup>66</sup> The incompatibility of academic theory and political practice was summed up by Goethe in 1797 "Wo das gelehrte beginnt, hört das politische auf."

Any political element was confined to observation rather than prescription. "Discursive thought was the means whereby everything was to be comprehended and regulated".<sup>67</sup> These discourses were centred on the universities, "places which transcended the narrow localism of the individual states."<sup>68</sup> The atmosphere, however, remained largely academic and the influence of the universities brought this academic character to other spheres.<sup>69</sup> Frederick the Great described German professors as learned but as pedantic and schoolmasterish.<sup>70</sup> "The intellectual education in Germany is perfect," said Mme de Stael," but everything is done only theoretically; ... public education, as good as it might be, can produce scholars but not citizens."<sup>71</sup> This dichotomy between theory and political practice, "the dualism of intelligence and politics, of *Geist* and reality, of thought and action" has carried weight in German research until the present.<sup>72</sup> "There was an eagerness to consider the state in the abstract, but no

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<sup>66</sup> G.S.A.Mellin, Encyclopädisches Wörterbuch der Kritischen Philosophie 1.Band.1 Abteil (Leipzig, 1797), 402.

<sup>67</sup> Cited in Barnard, Herder's Social and Political Thought, 25, fn. 86.

<sup>68</sup> Palmer, The Age of the Democratic Revolution II, 428.

<sup>69</sup> Elisabeth Fehrenbach, Vom Ancien Régime zum Wiener Kongreß (Munich, 1981), 55.

<sup>70</sup> L.Kopelew, "Friedrich der Große über Rußland," in Russen und Rußland II, 279.

<sup>71</sup> Cited in E.Fehrenbach, Vom Ancien Régime, 57.

<sup>72</sup> *Ibid.*, 152.

chance to plan courses of action, assume responsibilities, weigh alternatives and probable consequences... Political thinking became idealistic; it fell not on the contending interests of conflicting groups, nor the actual dilemmas of justice...but on the pure essence of the state itself, or of liberty, right, law, human dignity, perpetual peace, or the general movement of history."<sup>73</sup>

This was the background of the Baltic German experience at German universities. What they brought back from their studies abroad was not so much the ideas of the Anglo-French Enlightenment, which were directed towards political and social change, but rather conservative, abstract concepts removed from political realities. They could talk about the ideals of freedom and justice but not the reality of reform to achieve them. The conservative aspects of the *Aufklärung* suited the Baltic nobility's wish to preserve the status quo, their feudal privileges. The lack of political depth in the ideas of the *Aufklärung* ensured that their political monopoly would not come under attack and their political powerlessness in the face of Russia was accepted rather than questioned, just as the absolutism of the German princes was accepted by their subjects. The French Enlightenment's call to equality for all or the English model of participation in government were not compatible with the practice of *Stand*, with the Ritter monopoly in political and economic spheres, or with the Baltic's dependent status.

On a simpler level, German education, despite cultural affinity, was a foreign education in a foreign country. It "alienated the youth from conditions in their fatherland, and through the impressions, customs and emotions they

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<sup>73</sup> Palmer, The Age of the Democratic Revolution II, 428. Fehrenbach also quotes this as the clearest formulation of the theory/practice dichotomy. Fehrenbach, Vom Ancien Régime, 152.

received made them less suitable to be useful [at home]."<sup>74</sup> This "purely German education assumed too often the character of a sum of abstract knowledge and opinions, the realization of which into the practical life was awaited in vain."<sup>75</sup> Their lack of usefulness may also have stemmed from more mundane factors which inhibited the amount they actually learned or assimilated. "The too great liberty they enjoy, the almost total lack of discipline make them give themselves over to a ruinous prodigality and expensive vices..."<sup>76</sup> They tended not to mix with the German students. The students from Kurland, for example, were reputedly known throughout Germany for their *Corporationsgeist* which was characterized "by a rough isolationism against the German students and by constant fights and duels with them..."<sup>77</sup>

The ideas of the Aufklärung may have been removed from reality but the German student was very practical in his choice of subject. "The nobility only studied public law, had no sense for good literature and brought home from the universities only the pedantry of their teachers."<sup>78</sup> The Göttingen list cited above contains 216 names, some 150 of which list law as their subject. The tradition of law was a strong one in the Baltic lands, especially in the towns.<sup>79</sup> Provincial administration necessitated qualified personnel. In the seventeenth century, it was not uncommon for lawyer families, even of non-Baltic origin, to be received into

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<sup>74</sup> Ernst von Rechenberg-Linten, Zustände Kurlands im vorigen und diesem Jahrhundert, (Mitau, 1858), 149.

<sup>75</sup> Julius Eckardt, Die baltischen Provinzen Rußlands. Politische und culturgeschichtliche Aufsätze, (Leipzig, 1868); 385.

<sup>76</sup> Bray, Essai critique vol 3, 164.

<sup>77</sup> E.von Rechenberg-Linten, Zustände Kurlands, 150.

<sup>78</sup> Frederick the Great, cited in Russen und Rußland aus deutscher Sicht II, 279.

<sup>79</sup> That is, it was not limited to the nobility.



the nobility,<sup>80</sup> and at the end of the eighteenth century, after the Ritter had closed ranks, there were still instances of lawyers being accepted into the Ritterschaft.<sup>81</sup> Law as studied in Germany was not of much practical help in the Baltic provinces, however, where each province had its own law, the cities had their own particular set of laws, and there were elements from various German, Polish and Swedish codifications.<sup>82</sup> German law studies did not equip the student to deal with this.<sup>83</sup> Service in Russia broadened the career horizon for Baltic German students. In addition to law, diplomacy, mathematics and physics were seen as subjects which would secure them a future position.<sup>84</sup> The pragmatic approach to university study was in keeping with the function of a university as perceived by a sovereign in need of competent personnel for the administration of the country. The main purpose of a university was to provide *Staatsdiener*, those who could serve the state.<sup>85</sup> The Baltic Germans, suppliers of efficient administration of the Russian Empire, studied what ensured them a good position.

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<sup>80</sup> This was not the case in Kurland, where the nobility had closed their ranks against foreign elements in 1620.

<sup>81</sup> Wilhelm Lenz, Der baltische Literatenstand, 5-6, 11.

<sup>82</sup> The subject of provincial law, its various sources and the process of codification was dealt with in Chapter I.

<sup>83</sup> J.Eckardt, Die baltischen Provinzen Rußlands, 384.

<sup>84</sup> Bray, Essai critique, vol.3, 161.

<sup>85</sup> Klaus Meyer, "Die Universität im russischen Reich in der ersten Hälfte des 19.Jahrhunderts," in G.Pistohlkors et alii, eds., Die Universitäten Dorpat/Tartu, Riga und Wilna/Vilnius 1579-1979, 50. It has also been argued that the Russian tradition in education was not utilitarian, even under Peter the Great. "(He) did not replace the 'liberal' education of the West by a narrow professionalism." Nicholas Hans, The Russian Tradition in Education, (London, 1963), 8.

## PART TWO: REFORM IDEAS IN THE BALTIC IN THE PERIOD OF ENLIGHTENMENT

### Schoultz von Ascheraden

Practical or not, suited to local circumstances or not, German education did not motivate the Ritter to initiate reform in the eighteenth century, the era of enlightenment. Until the last decade of the century, there were no Ritter-initiated reforms on the Landtag. There was, however, one individual reform, independent of the Landtag.<sup>86</sup> It was influenced by contact with the Russian court rather than with Western enlightenment ideas per se. Its initiator, a member of the Ritterschaft, had studied in Russia not Germany. Born in 1720, Karl Schoultz von Ascheraden was sent at the age of twelve to the Cadet Corps in St Petersburg since his parents could not afford to send him to Germany or hire him a tutor. He eventually served in the Russian army, then the Prussian and would have joined the French army had his father's death not necessitated his return. Elected Landrat in 1761, he was sent to St Petersburg to seek imperial confirmation of the

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<sup>86</sup> An earlier "law" is often mentioned as proof that the Ritter did consider reform, that what they practised was worse than what they intended and was negatively influenced by the laws and practices of Russia. This is, for example, Tobien's view of the Budberg-Schrader Law (named after two members of the commission that drafted it) 1730-1737, which he claims would have improved the state of the serfs if Russia had not impeded its promulgation. [Die Agrargesetzgebung I, 102-103.] The law would have granted the serfs very limited rights, customary rather than legal, over goods acquired by them as well as the right of complaint. [*Ibid.*; Wittram, Baltische Geschichte, 152.], but this represented a deterioration in the status the serfs had enjoyed under Sweden. The right of complaint, for example, had been granted in 1632. (For the status of the serfs under Sweden, see Chapter I, 77-80.) The Budberg-Schrader Law was first and foremost a continuation of the attempts to secure an imperially ratified codification of provincial privilege as drafted by the Landtag in Livland rather than a reform proposal. [Stael von Holstein, "Die Kodifizierung des baltischen Provinzialrechts I," Baltische Monatschrift 52 (1901), 185-208.] The attitude of the Ritter to their serfs is best reflected in the official answer prepared about the same time (1739) by Baron Rosen, the Landrat, to the request of the Imperial Justice Committee for a description of the legal relations between the landowner and his serf in Livland. The serf, as well as anything he acquired, was the property of, and under the jurisdiction of, the landowner; his corvée and duties were determined solely by his owner and he had no right of complaint against harsh treatment.

privileges of the Ritter, a task which kept him there for three years.<sup>87</sup>

It was perhaps through this political task that his attention was focused on serfdom in Livland, one of the bastions of Ritter power and privilege. Catherine's displeasure with the situation in the Baltic provinces was known. In 1762, her representative in the Baltic, Governor Browne ordered the courts to deal seriously with any complaints of peasants against their lords.<sup>88</sup> During her visit to the provinces in 1764, Catherine visited Reval, Pernau, Riga, Mitau and Dorpat and obviously discussed the issue of agrarian reform with Browne. He felt justified in warning individual landowners against harsh treatment of their serfs in light of the forthcoming reforms.<sup>89</sup> In the same year, Schoultz distributed a new law,<sup>90</sup> translated into Lett, to his serfs.<sup>91</sup> He granted his peasants the right to own moveable property,<sup>92</sup> hereditary use of the land,<sup>93</sup> dues and duties regulated once more by the *Wackenbücher*, protection from being sold or given

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<sup>87</sup> N.Wihksninsch, Die Aufklärung und die Agrarfrage in Livland, (Riga, 1933), 230-231.

<sup>88</sup> Georg Sacke, "Livländische Politik Katharinas II," in Quellen und Forschungen zur baltischen Geschichte Heft 5 (Riga, 1944): 31.

<sup>89</sup> *Ibid.*, 32.

<sup>90</sup> The text is given in Heinrich Johann von Jannau, Geschichte der Sklaverey, und Charakter der Bauern im Lief- und Ehtland. Ein Beytrag zur Verbesserung der Leibegenschaft nebst der genauesten Berechnung eines liefländischen Hakens (Riga, 1786), Appendix I, 136-206. This was the first time Schoultz's law was printed in German. [Wihksninsch, Die Aufklärung, 232; Hubertus Neuschäffer, "Carl Friedrich Freiherr von Schoultz-Ascheraden: Ein Beitrag zum Forschungsproblem der Agrarreformen im Ostseeraum des 18. Jahrhunderts," Journal of Baltic Studies, vol.12, no.4 (Winter, 1981), note 3, p.328.] It can also be found in Reinhold Johann Ludwig Samson von Himmelstern, "Historischer Versuch über die Aufhebung der Leibeigenschaft in den Ostseeprovinzen, in besonderer Beziehung auf das Herzogtum Livland," Beilage zur Wochenschrift Das Inland (1838), Appendix A.

<sup>91</sup> On his estates Ascheraden and Römershoff, the names by which his reforms are often referred.

<sup>92</sup> With certain conditions: the landlord had first choice if he wished to sell; the peasant could not take such property with him if he moved away because of marriage; in the absence of relatives, the property returned to the landowner upon the peasant's death; the property acted as security in case of peasant debt to the landlord.

<sup>93</sup> This was conditional on the peasant fulfilling his duties. If not, the landlord could take his right away and put him in service to another peasant. In the absence of heirs, the land returned to the lord. The land could be divided among heirs if the divisions were not too small. The lord had the right to re-measure the peasant land.

away without their consent, and the right of complaint against their lord.<sup>94</sup> While these reforms represented a definite improvement in the serf's lot, they were no more than a partial return to what the peasants had enjoyed in Swedish times rather than the product of a new era. Still, they have earned Schoultz von Ascheraden a prominent place in the history of agrarian reform in the Baltic.<sup>95</sup> Schoultz, in keeping with enlightened thinking, did invoke "the light of reason" to show that it was "against man's nature for a human being to be, like an animal or an inanimate thing, the unlimited property of another man."<sup>96</sup> He supported this with economic arguments which aimed, however, for a more efficient functioning of the system rather than an essential change in it. "The lord's true advantage lies in the welfare of the peasant... As long as the peasants have no property and no measured duties, ... it is impossible for their welfare to be general and lasting."

These arguments are in tune with economic thinking of the time. Although economics as a discipline cannot be said to have properly existed before Adam Smith towards the end of the century, enlightened ideas did affect changes in economic approaches. Physiocratic thinking began to replace mercantilist control and manipulation in the eighteenth century. Unlike the mercantilists who stressed production and trade, the physiocrats stressed agriculture as the basis of economic

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<sup>94</sup> A complaint found to be unjustified would be severely punished. The right of the lord to house discipline remained.

<sup>95</sup> "... a man who in his beliefs and deeds surpassed the age in which he lived and achieved for himself in posterity the finest monument of honest philanthropy." Samson, Historischer Versuch, 73. Others are less definite about the enlightened aspects of Schoultz's reforms preferring to describe him as an agrarian reformer. (Wittram, Baltische Geschichte, 154.) For a discussion of the various interpretative perspectives on Schoultz, see H. Neuschäffer, "Carl Friedrich Freiherr von Schoultz-Ascheraden," 318-332. The origins of interpretative disagreements are to be found in Ludwig Karstens-Hamburg, "Zur Vorgeschichte der livländischen Bauernbefreiung," in Jomsburg I (1937), 215-222.

<sup>96</sup> The text of Schoultz's speech to the Landtag in 1765 explaining his motives is given in Jannau, Geschichte der Sklaverey, 123-133 and in Samson, Historischer Versuch, 74-78.

welfare (eminently suited to the economic situation in the Baltic provinces). In contrast to the mass of economic regulations of mercantilism, the physiocrats believed in natural economic laws – *laissez-faire*.<sup>97</sup> The physiocratic elements of enlightened thinking are clear in Schoultz's insistence that "the improvement of the individual's welfare at the same time improves the general welfare." Specifically, a peasant with rights, especially the right to own, would be more motivated to work, would prosper and thereby increase the prosperity of his lord.<sup>98</sup> The yield from Schoultz's own estate was doubled after his reforms.<sup>99</sup> If Schoultz was motivated by economic arguments, he might well have assimilated them in Russia. Interest in economic prosperity, using the experience of the West, had not halted at the end of Peter's reign. Between 1755 and 1764, an economic journal was published in St Petersburg, *Ezhemesyachnye Sochineniya* (Monthly Essays), which printed translations of Western writers.<sup>100</sup> Under Catherine, the interest in foreign works was at his height in the middle of the century. She established, for example, the "Association of those who are dedicated to the translation of foreign books into Russian." Its books and journals published writers representing the range of economic theories of the time: cameralism, mercantilism, physiocracy.<sup>101</sup>

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<sup>97</sup> The founder of the physiocratic school of thought is said to be François Quesnay, court physician to Louis XV. His main work *Tableau économique* was published in 1758. The "economic disutility" of serfdom/slavery was also emphasized by David Hume and carried on in the latter part of the century by other Scottish utilitarians. (Peter Gay, *The Enlightenment. An Interpretation* (London, 1973), 416-417.) These are discussed in Chapter IV.

<sup>98</sup> Jannau, *Geschichte der Sklaverey*, 126. Samson, *Historischer Versuch*, 76.

<sup>99</sup> Wihksninsch, *Die Aufklärung*, 232.

<sup>100</sup> Its success led to the establishment of the Free Economic Society in 1765 which also published a journal. The Society will be discussed later in the paper.

<sup>101</sup> For a survey of foreign economic works published in Russia during this period, see P.H. Clendenning, "Eighteenth Century Russian Translations of Western Economic Works," *Journal of European Economic History* I, No.3 (1972), 745-753.

Schoultz added a third motive to those of humanity and economic sense, the most urgent reason of all: that the unlimited power of the landlord over his serf would be removed by imperial *ukaz*. "If we do not set ourselves limits ... nothing is more certain than that limits will be imposed on us." It is this third reason, the political one, which is of paramount importance. It highlights the empire/province perspective and contains one of the dilemmas of reform in the Baltic: political acquiescence demanded reforms which the Ritter viewed as injurious to their rights, privileges and power. Non-compliance, however, could obliterate them as a *Stand*, as nearly happened under the Swedish regime. Schoultz was loyal to his *Stand*, to the Ritter.<sup>102</sup> This loyalty to the political and economic interests of his class has been seen to detract from his enlightened reputation but, in fact, physiocratic thinking believed in the power of the landowner, in his right to the land.<sup>103</sup> Schoultz believed in the aristocratic principle of government, as did Voltaire, but he was wary of an enlightened monarchy limiting the rights of the nobility, of the Ritter. "The law of a state [*Staatsrecht*]," he wrote, "defined the relations of all members of the state amongst themselves as well as against the highest authority."<sup>104</sup> While a mixture of motives worked in Schoultz, it is quite probable that the political motive of preservation was very strong. His reforms, it must be remembered, however,

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<sup>102</sup>This is especially obvious in his Versuch über die Geschichte von Liefland nebst einer kurzgefassten Abbildung des Liefländischen Staatsrechtes which he finished in 1773. It was never published but there are several manuscript copies. [N.Wihkninsch, Die Aufklärung, 232). For a summary of this work see *Ibid.*, 238-254.

<sup>103</sup>While the physiocratic influence must not be over-emphasized, it is worth noting that the political side of physiocratic thinking also suited the Ritter. The physiocrats coined the term "legal despotism" to show their opposition to arbitrary rule. They advocated minimal government over citizens, who would be subject to law, checked by an independent judiciary. Peter Gay, The Enlightenment, 494-496.

<sup>104</sup>Cited in N.Wihkninsch, Die Aufklärung, 252.

were not presented first to the Landtag, the normal political way, but rather applied directly on his own estates.<sup>105</sup> He may have been aware that opposition on the Landtag would have been too strong and thought it more effective to persuade his fellow Ritter by example. Some landowners in Estland and Kurland did follow his example but none in Livland.<sup>106</sup> Schoultz, in defending himself against the criticisms of the Landtag, said his reforms were never intended for general application.<sup>107</sup>

The Landtag at which Schoultz defended his reforms was the same one at which Governor Browne chided the Ritter for their deplorable treatment of their serfs and urged them, in Catherine's name, to reform.<sup>108</sup> Schoultz, by virtue of his reforms, distanced himself from the criticism. What is of interest is that his reforms deal most aptly with the objections Browne raised, offering the Landtag and his fellow Ritter beforehand the solutions to the objections he knew would be raised in the government's name. "I fear hourly that our unlimited power over our peasants will be abolished by *ukaz*. This might have already happened if the Governor General had not endeavoured to deflect this forcible step with the idea that the Ritterschaft would limit itself."<sup>109</sup> A certain amount of co-operation between Schoultz and Governor Browne, or the Russian court, is not

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<sup>105</sup> Tobien attributes the hostility of his fellow Ritter not to the reforms themselves but to Schoultz's failure to consult the Landtag. Tobien, Die Agrargesetzgebung I, 105.

<sup>106</sup> From 1770 to 1816 there were eleven in Kurland and from 1789 to 1801 four in Estland. Wittram, Baltische Geschichte, 154. It is debatable whether these individual reforms were all motivated by Schoultz's example. In the case of the later ones, it is more probable that they were influenced by the atmosphere of a new reform era.

<sup>107</sup> Jannau, Geschichte der Sklaverey, 123. Samson, Historischer Versuch, 74.

<sup>108</sup> See Chapter I, pp.82-84.

<sup>109</sup> Jannau, Geschichte der Sklaverey, 130-131. Samson, Historischer Versuch, 77.

inconceivable, and indeed his fellow Ritter accused him of supporting Russia.<sup>110</sup>  
 At the very least he was influenced by the Russian plans.<sup>111</sup>

### Imperially-supported reform ideas

There may be doubts about just how enlightened Schoultz was but his fellow Ritter had no doubts that his reforms were too extreme and totally unacceptable. The Landtag was forced to adopt reforms similar to Schoultz's not by his example or arguments but by Governor Browne's threats of Russian intervention. On 12 April 1765, Governor Browne promulgated the new regulations in Lett and Estonian: the peasant had a right to own moveable property; his work and dues were to be regulated; and he had the right of complaint against his lord. These reforms and Schoultz's ideas may not have been to the Ritter's liking but were concordant with the times in the Russian Empire, at least from the theoretical aspect.

In 1766, Catherine offered a prize for the best essay on a topic which went beyond the reforms forced on the Landtag or the reforms practised by Schoultz: "Is it more advantageous to the State for the peasant to possess land or only moveable goods and how far should this property extend for the advantage of the State?"<sup>112</sup> The idea of peasant ownership of land was thus introduced by

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<sup>110</sup> Wihksninsch, Die Aufklärung, 236,

<sup>111</sup> It is also interesting to note that while there is no evidence to indicate that Governor Browne and Schoultz did work together, Browne's proposals were probably drafted by A.J.Hofman, "one of the best experts in Swedish legislation in Livland." G.Sacke, "Livländische Politik Katharinas II," 32. Sacke does not mention Schoultz in his article.

<sup>112</sup> Catherine did not do so directly. The Free Economic Society, founded in October 1765, received anonymously in November of the same year the essay title plus 1,000 ducats. The Society members were naturally hesitant about the political wisdom of such a topic but were convinced by a second letter with more money that the initials IE actually stood for *Imperatritsa Ekaterina*. Erich Donnert, Politische Ideologie der russischen Gesellschaft zu Beginn der Regierungszeit Katharinas II, (Berlin, 1976), 158-160.



imperial authority (and would direct imperial policy until the Russian emancipation of 1861). The prize was awarded to the French economist and agronomist Beardé l'Abbaye of Aachen.<sup>113</sup> His essay combined liberal ideals with conservative practice. It recommended not only that the peasant should have a right to own moveable property and land but that he should be personally free, the prerequisites for the economic welfare of a country. Property ownership was inconceivable without personal freedom. "Property cannot exist without freedom, and the riches of a slave are like the silver bells round a dog's neck; everything belongs to the master."<sup>114</sup> Such reforms, however, could only be achieved in very gradual steps and only with the agreement of the landowners. The peasant must be prepared for freedom. "Do not make him master of a plot of land or master of himself until he is worthy of it."<sup>115</sup> Industriousness would be evidence of worth. The granting of rights would then serve as reward and incentive. The peasant could be given "limited moveable property, then gradually some immovable property thus keeping him constantly in suspense. ... in this way, you will see a machine turn into a superb worker."<sup>116</sup> Beardé's ideas were obviously approved by the Empress. The Counts Panin as well as Prince Golitsyn had also supported the idea of peasant land security.<sup>117</sup>

Three other essays were singled out for special mention. One, from France,

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<sup>113</sup> By the deadline of 1 November 1767, 45 essays had been submitted but none awarded the prize. The deadline was extended to 22 April 1768 when 162 answers were submitted: 129 in German, 21 in French, 7 in Russian, 3 in Latin and 1 in Dutch and 1 in Swedish. Ibid., 161. N.Wihksninsch, Die Aufklärung, 259.

<sup>114</sup> Cited in E.Donnert, Politische Ideologie, 162-163.

<sup>115</sup> Cited in Ibid., 166.

<sup>116</sup> Cited in Ibid., 167.

<sup>117</sup> Ibid., 162.

offered a direct attack on the exclusive right of the nobility to land. "Modern philosophy claims that in the order of nature, the land belongs to no-one and its products to all." The only justified claim for ownership of land by individuals is by those who cultivate it. That such an essay was published in the Russian Empire, an essay which recognized the right of the peasant and not the lord to the land, is explained less by imperial policy which firmly supported the nobility than by the discrepancy once more between the idea and the proposed reform. In this case too, the writer pulls back when faced with reality, claiming that such a proposal is not practicable at this point. Another French writer, Voltaire, puts his ideas on a more practical level. Serfdom should be abolished on crown lands while landlords should be free to act as they wished. His recommendation would be to divide the land into parcels and lease these or force the peasants to buy them at a high price.<sup>118</sup>

One of the other two essays singled out for mention was written by a Baltic German.<sup>119</sup> Erich Johann von Meck came from Livland and had studied at Königsberg. In 1747 he had become Secretary of the Ritterschaft, an office he interrupted to serve under Ernst Biron in Kurland. He accompanied Livland's official representative to the 1765 Commission in Moscow. He had owned an estate but had lost it to creditors. Meck subscribed to the principles implicitly expressed in the essay title and agreed that property and freedom for the peasant were desirable, but his practical suggestions deviated sharply from these principles. Like the other essayists, Meck emphasized a gradual approach.

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<sup>118</sup> N.Wihkninsch, Die Aufklärung, 258-261.

<sup>119</sup> The other was written by Johann Christoph Wöllner, a known politician and writer, who had concerned himself with the problem of serfdom in Mecklenburg. His proposals essentially preserved the power of the landlord over his peasants. Ibid., 261-263. E.Donnert, Politische Ideologie, 169-174.

Reform must not be undertaken until the peasants were educated, preferably by the clergy, in love for agriculture rather in knowledge as such.<sup>120</sup> Those peasants who proved themselves industrious would gradually be allowed to own moveable property. (Those whose performance was not satisfactory would have their farm administered by the lord of the estate.) When almost all peasants had earned the right to own moveable property, the lord could begin to sell them plots of land. However, there would be no element of compulsion, even in the face of imperial example. The crown should lead the way on its own estates while private owners could choose to follow or not. Meck's definition of the land bought by the peasants reflect the concerns of the Ritter over the control they felt they must be able to exert over their labour force. Land bought by peasant would remain an integral part of the estate; the peasant would not be allowed to leave it; it would still bear *corvée* to the lord, to be defined in perpetuity; a peasant could not move out of the class into which he was born. Meck's proposals actually leave the peasant in Livland almost exactly as he was in the middle of the eighteenth century and still behind the Swedish reforms.<sup>121</sup>

They accord the landowner full power over the peasant while paying lip-service to the idea of peasant ownership. Peasant ownership was a revolutionary idea in the mid-eighteenth century and more practical reactions could not have been expected at that point. Still, the confrontation between imperial policy and provincial resistance over the issue of peasant ownership was already detectable.

Apart from Schoultz, there were no other reform initiatives in the Baltic

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<sup>120</sup> Perhaps to make sure they were fully focused on this, they were forbidden to undertake any extra handicraft and if they did, the products thereof would belong to the lord.

<sup>121</sup> *Ibid.*, 263-267; E.Donnert, Politische Ideologie, 175-178.

provinces until the end of the century. The Landtag in Livland was strenuously opposed to reform, defending its historical rights to land and peasants against imperial reform suggestions. With the exception of Schoultz, the few voices raised against serfdom paid lip service to ideals and regressed on practice. There was, however, another force involved in improving the peasant's lot in the Baltic.

### PART THREE: THE CLERGY, ENLIGHTENMENT AND REFORM

#### Johann Georg Eisen von Schwarzenberg

In the course of his speech defending his reforms, Schoultz had mentioned an anonymous letter, which had recently appeared in Müller's Sammlung der russischen Geschichte<sup>122</sup>, describing unlimited serfdom "most maliciously" and exaggerating its abuses "most abominably." Schoultz viewed its publication as possibly the last warning the Ritter would receive.<sup>123</sup> The letter did seem to have been published under Catherine's orders.

The author was an immigrant German pastor living and working in Livland. Johann Georg Eisen von Schwarzenberg, born in 1717 in Franken, the son of a minister of the church, became a Lutheran pastor after studying at Jena from 1737 until 1740. His decision to come to Livland in 1741 was based not on missionary or proselytizing zeal but on the desire to distance himself from the

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<sup>122</sup> Gerhard Friedrich Müller (1705-1783) was one of the few German intellectuals who stayed on in Russia. He was mainly a historian, but also gathered material on Russian geography and natural history. From 1732 to 1764 he edited the nine volume Sammlung russischer Geschichte, which included many of his own findings and commentaries about Russia.

<sup>123</sup> Samson, Historischer Versuch, 77.

Jesuits who were very active in his own area. He worked as a house tutor for four years before being appointed pastor near Dorpat. His energies were not completely devoted to theology or pastoral work. Much of his attention was focused on the development of an effective economic system. Eisen saw serfdom as the basis of all imperfection in a state, while private property was the basis of a state's prosperity. The Ritter may have agreed with the second part but, according to a contemporary and friend, Eisen "was amazed that this [first] truth was so new to those amongst whom he lived and that those to whom he communicated his teachings judged them negatively."<sup>124</sup> The Russian court proved a more sympathetic audience. By 1760, Eisen's ideas had caught the attention of General Gustav Reinhold von Löwen, who in turn presented them to the Grand Duke Peter, soon to become Peter III. Eisen was called to St Petersburg but before he could do the tsar's bidding,<sup>125</sup> Catherine had taken over the Russian throne.<sup>126</sup> In 1763, she summoned Eisen to set up an experiment based on peasant ownership of land on one of her estates. Eisen, however, "found that that [estate] was much too small for a trial which was intended as a model for the whole Empire." Later, after Catherine's visit to the Baltic, "Her Majesty gave the Count Orlov the estates of Ropsha ... Kipin [Kipen'], Skvoritz, Schungerhof [Shungorovo] and Liguva, near Petersburg, in order through me to get rid of serfdom and establish colonies."<sup>127</sup> For reasons unknown, the imperially approved experiment was never completed and Eisen abandoned it with

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<sup>124</sup> Friedrich Konrad Gadebusch, from Pomerania, justice mayor in Dorpat. Cited in N.Wihkninsch, Die Aufklärung, 208.

<sup>125</sup> To settle a German regiment in Livland.

<sup>126</sup> Bartlett explains Eisen's departure from the capital as due to an intrigue mounted by the "Livonian land-owning lobby." Human Capital, 23.

<sup>127</sup> Cited in R.Bartlett, Human Capital, 92.

permission after eighteen months.<sup>128</sup> Eisen was still nevertheless useful to Catherine. His next imperially ordered task was to publish an essay on the negative influences of serfdom, a topic he had already prepared. "Eines livländischen Patrioten Beschreibung der Leibeigenschaft, wie solche in Livland über die Bauern eingeführt ist" appeared in 1764 in volume IX of Müller's history and is the one Schoultz referred to.<sup>129</sup> The essay first questions the validity of the Ritter's historical claims to ownership of their serfs, describes the miserable condition of serfs in the Baltic and comes up with detailed and practical suggestions for improvement. The physiocratic influence is evident in the argument that improvement in the peasant's lot would benefit the lord and the country in general. Conversely, the miserable situation of the peasants had a negative effect on the whole economy. Eisen did not propose the abolition of serfdom but its amelioration through the assurance of hereditary use of the land for the peasant. Corvée should be abolished and replaced by cash payments. These reforms should first be tried out experimentally to convince landowners of their economic sense.

Eisen's essay was not limited to rational economic arguments. It also described in detail the power of the landowner over the serf, his family, his goods, his abilities and the way that such power was maintained. "And although the law prescribes moderation, the landowner still has enough freedom to cause someone's death when he uses the maximum penalty allowed. The wrongdoer is tied to a post and beaten, with two freshly cut switches, on the bare back until

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<sup>128</sup> This may have been the result in a change of direction in the Russian court in tackling the peasant question. The strength of the Ritter lobby at the Russian court cannot be ruled out.

<sup>129</sup> According to Gadebusch, the essay was finished in 1767 and consisted of nine parts. The published essay is only part II. Part IX was a suggestion to award a prize on the best essay for the best agrarian system, a suggestion which Catherine did follow. Only parts of the work have survived. N.Wihksninsch, *Die Aufklärung*, 209-210.

the sticks break. This is called giving one pair of switches (*ein Paar Ruthen*).... ten pairs is the maximum allowed by law." Eisen pointed out that although the peasants could complain to the court if the maximum was exceeded, fear of further punishment prevented them. The rule of the landowner was arbitrary; the regulation of *corvée* and dues according to the *Wackenbücher* was only heeded on crown estates. Eisen's portrait of the landowning nobility in the Baltic was a damning one. Although later assessments of Eisen have claimed him as a "child of the Enlightenment,"<sup>130</sup> "a real child of his time, an enlightened theologian, a loyal supporter of Reason,"<sup>131</sup> "Eisen was widely regarded, both in his own time and later, as an eccentric, a projector of the worst sort."<sup>132</sup> This was one way of detracting credence from his negative description of the Ritter. Another interpretative disclaimer is that Eisen was no more than a weapon wielded by Catherine in her fight against the Baltic Ritter.<sup>133</sup> Müller's editorial role would seem to support this claim. Eisen himself felt compelled one year later to set the record straight by publishing what he had originally written and what Müller, supposedly under Catherine's orders, had added.<sup>134</sup> The editorial changes underlined the negative traits of serfdom in the Baltic, claiming that conditions in Russia were much better. Why Catherine would want to paint the picture in the

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<sup>130</sup> R. Bartlett, *Human Capital*, 23.

<sup>131</sup> Hubertus Neuschäffer, "Unterschlagnene Machtpolitik. Aufklärung und Aufklärer im Baltikum zur Zeit Katharinas II," in M. Keller, ed. *Russen und Rußland aus deutscher Sicht*, 413.

<sup>132</sup> R. Bartlett, *Human Capital*, 93.

<sup>133</sup> N. Wihkninsch, *Die Aufklärung*, 209. Others have assigned Eisen a role which goes beyond the Baltic [Erich Donnert, *Johann Georg Eisen. Ein Vorkämpfer der Bauernbefreiung in Rußland*, (Leipzig, 1978). Donnert emphasizes Eisen's reforms in comparison to Schoultz's, which he sees as pure political calculation.] Eisen himself named his main influences as Pythagoras, Socrates, Plato, Aristotle, Cicero, Juvenal, Newton, Thomasius, Bayle, Cartesius, Leibniz and Wolff. N. Wihkninsch, *Die Aufklärung*, 227.

<sup>134</sup> According to Wihkninsch, the text is given, immediately after Eisen's biography, in Friedrich Konrad Gadebusch, *Livländische Bibliothek* (Riga, 1777).

Baltic as blacker than in Russia is open to historical surmise. She may have thought it would facilitate or justify introducing agrarian reform in the Baltic<sup>135</sup> for political or economic gain; a wider interpretation sees it as an attempt to "throw sand in the eyes of the West" by painting a picture of Russia which did not accord with reality.<sup>136</sup> Whatever the motives were,<sup>137</sup> there was definite Russian interest in Eisen's reform plans. It is noteworthy that his suggestions of hereditary tenure and the replacement of corvée with cash payments would be the basic tenets of imperial agrarian reform demands in the Baltic provinces, especially in the early nineteenth century.

The two main voices raised in criticism of serfdom in the Baltic provinces in the mid-eighteenth century, Schoultz and Eisen, both differently motivated, were -- if not Russian initiated -- Russian supported. Their ideas obviously suited Russian policy of the time; they would not otherwise have been tolerated let alone published and practised. The perspective of the reform plans of Eisen and Schoultz as a reflection of Russian policy in the Baltic is a more valid one than that which sees them as proof of enlightened thinking in the Baltic. Neither Eisen nor Schoultz found support among the Ritter. Schoultz was forced to defend his "pure and irreproachable intentions" from the "malicious colouring" given them by his fellow Ritter.<sup>138</sup> In 1766, Eisen complained, "I went back to [my parish of] Torma and the name of a dangerous project-maker and enemy of the nation was the pillow on which I ... had to lay my head."<sup>139</sup> It was only Russian

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<sup>135</sup> N.Wihkninsch, Die Aufklärung, 216-217.

<sup>136</sup> H,Neuschäffer, "Unterschlagene Machtpolitik," in Russen und Rußland, 416-417.

<sup>137</sup> The motives behind Catherine's policy towards the Baltic will be examined in the next chapter.

<sup>138</sup> Samson, Historischer Versuch, 74.

<sup>139</sup> Cited in R.Bartlett, Human Capital, 93-94.



intervention which had forced the Ritter to listen to, if not to accept, these reform ideas.<sup>140</sup>

### German Pastors in the Baltic

Eisen had tried to give his ideas practical expression, even if his experiments had been mostly unsuccessful. His practicality was not limited to the level of economic reform. As a pastor, he involved himself in projects which would improve the daily life and health of his parishioners, most of them peasants. At university, in addition to theology and philosophy, he had studied medicine and the use of herbs and was able to supplement his income with the preparation of herbal medicines. He worked to spread inoculation against smallpox. He wrote a "garden book" in Estonian, having given up writing a book on theology,<sup>141</sup> and discovered new ways of drying herbs and vegetables.<sup>142</sup> The nature of his work was more that of a farmer than of a pastor,<sup>143</sup> and he was aware of the practical emphasis in his pastoral care. "Luther worked for the heart, Wolff for the spirit and I for the stomach. ... my Reformation will spread more swiftly and will be more general than theirs."<sup>144</sup>

This practical Christianity was practised by many pastors in the Baltic provinces at that time. Between fifty and sixty-six percent of pastors in the Baltic,

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<sup>140</sup> There may be a connection other than Russian support between Eisen and Schoultz. It is quite possible that they met in St Petersburg, perhaps even discussed their ideas. At the very least, Schoultz must have known of Catherine's support of Eisen. Perhaps his own reforms were an attempt to offer a model other than Eisen's, which planned to replace corvée with cash payments, an obvious disadvantage for the Baltic landowners. Perhaps Schoultz saw in Eisen's reforms the expression of the planned Russian policy he tried to warn the Landtag of.

<sup>141</sup> N.Wihkninsch, Die Aufklärung, 207.

<sup>142</sup> Of interest in the provisioning of armies. See H. Neuschäffer, "Unterschlagnene Machtpolitik," in Russen und Rußland, 414.

<sup>143</sup> Irene Neander, "Die Aufklärung in den Ostseeprovinzen," in R.Wittram, ed., Baltische Kirchengeschichte (Göttingen, 1956), 133.

<sup>144</sup> Cited in H.Neuschäffer, "Unterschlagnene Machtpolitik," in Russen und Rußland, 414.

like Eisen, came from Germany, and most of those who counted as native to the Baltic were the sons of immigrant pastors.<sup>145</sup> Theology was a practical career alternative to law in Germany and was one of the more accessible academic paths due to the many institutions and seminaries available.<sup>146</sup> Religion still held a strong place in the German states, where it had not been threatened by enlightenment. Elsewhere enlightened ideas had questioned religious beliefs which had held sway for centuries, in an attempt to remove religion's monopoly on explanation. In Scotland, England and France, the process of challenging religion's role had moved from theology through philosophy to political, social and economic elements, often with atheistic or deistic approaches. German secularization of knowledge had not gone much farther than the philosophical, and had remained strongly religious. Samuel Pufendorf,<sup>147</sup> who had broken with the medieval theological approach by basing natural law on man's existence as a social being rather than on God or religion, was not acceptable to German thinkers. Leibniz rejected Pufendorf's approach and later German philosophers tried to reconcile reason, the basis of enlightenment thinking, with revelation, the basis of religion. Even by the end of the century, Kant declared the main focus of enlightenment to be religion.<sup>148</sup> The logical outcome of the authority of reason would be the undermining of religion, of God, of faith.<sup>149</sup> In 1797, the point of

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<sup>145</sup> W.Lenz, Der baltische Literatenstand, 8.

<sup>146</sup> I.Neander, "Die Aufklärung in den Ostseeprovinzen," 134. In Prussia in 1804, for example, there were 868 students of law, 625 of theology and 164 of medicine. E.Fehrenbach, Von Ancien Régime, 56.

<sup>147</sup> See footnote 59 above.

<sup>148</sup> Mellin, Encyclopädisches Wörterbuch, 403. "Der Hauptpunkt der Aufklärung ist aber vorzüglich die Religion..."

<sup>149</sup> The same dilemma, reason versus faith, had led Hume to choose scepticism some fifty years earlier.

morality was still seen to be to please God.<sup>150</sup> The Aufklärung was firmly rooted in religion and therefore no threat to it. The pastors who came to the Baltic provinces from Germany, however, were educated Christians rather than representatives of the Aufklärung. Although elements of each were to be found in the other, practical Christianity and the Aufklärung were two separate movements with different roots. "...abstract Enlightenment notions were not necessarily infallible or superior to the largely compatible but sometimes competing insights offered by ... Christian thought."<sup>151</sup>

The normal procedure for a German pastor was to spend a few years as a house tutor before getting an appointment as pastor, just as Eisen had done. During this time, there was a chance to learn the language of the area,<sup>152</sup> a prerequisite for teaching the word of God. Luther had translated the Bible into the vernacular to make faith more directly accessible. By 1689 there was a Lett version of the Bible, translated by Pastor Ernst Glück,<sup>153</sup> and by 1739, an Estonian translation of the Bible was published.<sup>154</sup> Catechisms and hymn books were an important part of Lutheranism; they not only communicated evangelical teaching but ensured active laity participation. The activity of pastors in this area contributed to strengthening Lett and Estonian as written languages. Their

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<sup>150</sup> Mellin, Encyclopädisches Wörterbuch, 399.

<sup>151</sup> Charles Ingrao, "The Smaller German States," chapter in H.M.Scott, ed., Enlightened Absolutism. Reform and Reformers in Later Eighteenth-Century Europe (London, 1990), 242.

<sup>152</sup> W.Lenz, Der baltische Literatenstand, 8.

<sup>153</sup> In 1727, however, a German pastor in Livland did not seem to be aware of the translation. [E.Winter, Halle als Ausgangspunkt, 286] Glück also translated the Bible into Russian (but the translation was lost) as well as Luther's catechism; compiled a Russian prayer book and a Russian grammar. Christian Stieff, Relation von dem gegenwärtigen Zustände des moscowitischen Reichs (Frankfurt, 1706); an extract, in Russen und Rußland aus deutscher Sicht, 97.

<sup>154</sup> Prepared by Pastor Eberhard Gutsclaff, who had studied in Germany. E.Winter, Halle als Ausgangspunkt, 265.

translation skills were not limited to religious material. Schoultz's reforms had been translated into Lett by a pastor,<sup>155</sup> and those decrees promulgated in the local languages, as Browne's 1765 orders, would have needed the services of the clergy.

In the spirit of the age, the immigrant pastors collected information on the history, customs and culture of the local peoples. In an essay published in 1761, a German pastor praised Lett extempore poems and riddles.<sup>156</sup> Pastor Gotthard Friedrich Stender (1714-1796), the son of a clergyman in Kurland, dealt in detail with the Lett folk song in his Lett grammar in 1761.<sup>157</sup> He also published a collection of songs, translated fables, and compiled a Lett-German dictionary.<sup>158</sup> Stender was testimony to the changes in the attitude of the clergy towards non-Christian practices. They had become a matter for historical record not religious outrage and were dealt with with reason and education. Calendars were published in Estonian (from 1731) and in Lett (from 1758) and contained not only lessons in religion for the peasants but also practical advice on farming. Stender's manual on geography and astronomy (1776) was an example of substituting knowledge for superstition.<sup>159</sup> The title of a collection of sermons in 1770 illustrates the endeavour to communicate practical knowledge with religion: "Grots Sermons on the Legality of Pox Inoculation, the first on general grounds, the second on special grounds and the third in consideration of one's obligations

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<sup>155</sup> Pastor Karl Johann Grass. N.Wihkninsch, Die Aufklärung, 232.

<sup>156</sup> I. Neander, "Die Aufklärung," 142.

<sup>157</sup> Ibid.

<sup>158</sup> R. Wittram, Baltische Geschichte, 151. His contributions earned him the epithet "Latwis" (the Lett) on his gravestone.

<sup>159</sup> I. Neander, "Die Aufklärung," 141.

to God."<sup>160</sup>

Receiving the word of God and practical knowledge from the German pastors necessitated a certain degree of literacy. Education was an important aspect of Lutheranism. Luther himself had urged the German councillors to consider the need for schools in 1524, and in 1530 he published his sermon "Daß man Kinder zur Schulen halten solle," (On Keeping Children at School). The Reformation had demanded an active laity, not passive recipients of the clergy's preachings. The Ritter recognized the religious argument for literacy: "... the first reason the peasant children learn to read ... is to commit [Luther's] Small Catechism to memory"<sup>161</sup> but were slow to act. Sweden had been unsuccessful in persuading the Ritter to establish schools.<sup>162</sup> Russia also exerted pressure on the Landtag to establish schools for peasant children in 1711 and hardly a subsequent Landtag went by without the subject of schools being discussed. There were some parish schools which offered rudimentary education, under the sexton's tutelage, but it was an ineffective system. If the sexton had no rooms for his catechetics, he had to cover long distances to the farms scattered often over more than one parish; if he did have the rooms, his pupils did not come due to the long distances or not being able to be spared from work. In 1739, an indirect attempt was made to introduce an element of compulsion: those who had not attended church school could not be confirmed. The clergy, whose work was being hindered by illiteracy, reproached the Ritter that nothing was being done,

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<sup>160</sup> Ibid., 134.

<sup>161</sup> Samson, Historischer Versuch, 86.

<sup>162</sup> Tobien, Die Agrargesetzgebung, 39. In the first half of the seventeenth century, Sweden had pressed with some success for schools of higher learning "to bring war-like Livland to virtue and decorum." Most notable among these was Dorpat University, founded in 1632. Otto Greiffenhagen, "Begründung und Ausbau der schwedischen Herrschaft in Estland und Livland durch Gustav Adolf," in Baltische Monatschrift 60 (1929), 332-334.

while the Ritter expected the Church to take action. Neither side was willing or able to finance a school system, especially after the ravages of war and plague had left the country impoverished. Even if a landowner was willing to allow a school on his estate, he had to have enough spare land to support a school master.<sup>163</sup> It was Russian intervention rather than pressure from the clergy which in the end forced some action, when Governor Browne took up the subject of schools at the 1765 Landtag. Unable to meet Russian demands to improve the legal and material status of the serfs, the Ritter felt able to offer some concessions in the field of education. The regulations agreed on were a compromise between the responsibilities of the clergy and the Ritter. Neither would have to bear the full brunt of setting up a school system. The Ritter pointed out the lack of schoolmasters and suggested they should eventually come from the peasant class (a less costly method than paying for imported teachers). Meanwhile, peasant children should be educated at home or at the church school, or where neither of these was possible, at a school provided by the landlord. Only estates of over five *haken* were obliged to set up a school for their peasants; smaller ones could do so "out of Christian zeal" but otherwise must have their children educated at the parish schools. So that schooling would not interfere with the work to be done on the estate, it would be limited to November through to Easter.<sup>164</sup>

These regulations, while implicitly acknowledging the need for secular support of education, did not provide a comprehensive, compulsory school system, but rather the opportunity of a rudimentary schooling which would achieve literacy. The school books, a matter of financial concern for the Ritter,

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<sup>163</sup> I. Neander, "Die Aufklärung," 137.

<sup>164</sup> The regulations covering the schooling of peasant children are given in Samson, Historischer Versuch, 85-89. See also Tobien, Die Agrargesetzgebung, 41-46.

reflected the need for peasant literacy for religious purposes: "hymn books, prayer books, catechisms, Bibles and ABC books."<sup>165</sup> Frederick the Great's announcement to his Cabinet in 1779 was probably a more representative attitude: "In the countryside, it is enough if the people learn a little reading and writing; if they know too much, they will run off to the towns wanting to be secretaries and such like."<sup>166</sup> Schooling did seem to work if reports on literacy are accurate. One pastor claimed a literacy rate of over seventy percent among children over seven years old and over sixty percent for adults.<sup>167</sup>

## Pietism

Many of these practical pastors were pietists or influenced by pietism. Pietism had begun as a religious reform movement in German Lutheranism in the seventeenth century and was a contributing force to the development of the practical approach to religion within Protestantism. In the eighteenth century it was "a highly diversified movement of religious renewal,"<sup>168</sup> strenuously opposed to the authority of reason over revelation and, therefore, to enlightenment.<sup>169</sup> As a reform movement, however, it was an advocate of change

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<sup>165</sup> Samson, Historischer Versuch, 89.

<sup>166</sup> Cited in Tobien, Die Agrargesetzgebung, 46.

<sup>167</sup> This may be a case of "oratio pro domo," but there are no other surveys to compare it with. A.W.Hupel was a particularly active pastor and his claims may be justified. Tobien, Die Agrargesetzgebung, 44. See also pages 153-154 below.

<sup>168</sup> F.Ernest Stouffer, German Pietism during the 18th century, (Leiden, 1973), 131.

<sup>169</sup> In terms of the perspective of enlightenment, pietism has been described on the one side as an integral part of the Aufklärung [Marc Raeff, Imperial Russia 1682-1825: The Coming of Age of Modern Russia (New York, 1971), 142], its pacemaker, [Georg von Rauch, "Politische Voraussetzungen für westöstliche Kulturbeziehungen im 18.Jahrhundert," in Russen und Rußland aus deutscher Sicht, 50], and on the other as a movement utterly different from and hostile to Reason. [James L. White, The Origins of Modern Europe 1660-1789, (London, 1964), 269.] In spite of similarities and sympathies with enlightened movements, pietism remained resolutely opposed to an enlightenment which put reason above revelation. Even radical pietists like Friedrich Christoph Oetinger understood true

and many of its elements were in tune with enlightenment ideas. The importance of the individual was emphasized by the belief in the possibility of inner piety experienced individually rather than only congregationally through outward ritual. Equality among individuals was subscribed to by the belief that every Christian was a priest, a view which also challenged authority as represented by the priesthood. The pietist approach was not philosophical or dogmatic but biblical. The Bible was seen to be the source of Christian doctrine and should be accessible to all members directly and not only through the offices of the clergy. In the course of a century Halle, the centre of German pietism,<sup>170</sup> published two million Bibles.<sup>171</sup> The written word became an important medium and Halle's publishing houses disseminated prayer books, hymn books and educational materials, all of which necessitated the spread of literacy and an emphasis on education. The New Testament was the main focus of the Bible and its emphasis on the love of God through love of one's fellow men turned pietist attention from theological doctrines to human beings, from dogmatic pronouncements to "social sensitivity and ethical concern." The practice of Christianity was more important than the knowledge of faith.<sup>172</sup>

When pietism began to gain ground against orthodox Protestantism at the end of the seventeenth century, the Baltic provinces were still under Swedish dominion. Sweden followed a vigorous policy of one official religion and pietism

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enlightenment to be a religious one: "See how greatly superior the enlightenment of the disciples of John and Christ was to ours....The new birth and enlightenment are the same (and) come through water and the spirit." Oetinger declared that book knowledge kills enlightenment. [F.C.Oetinger, "On Enlightenment," in ed. Peter C.Erb Pietists. Selected Writings, (London, 1983), 278-279.]

<sup>170</sup> See page 137 below.

<sup>171</sup> Stouffer, German Pietism during the 18th Century, 55.

<sup>172</sup> *Ibid.*, 237-242. Also Philipp Jakob Spener, "Pia Desideria," (extract) in Peter Erb, ed., Pietists. Selected Writings, 31.



was forbidden. Non-orthodoxy was punishable in some cases by the death penalty.<sup>173</sup> This policy was also valid for the Baltic provinces. The General Superintendent of Livland Johann Fischer had corresponded with Philipp Jakob Spener, the recognized founder of pietism, and was sympathetic to the new movement. Sweden's policy and strong opposition, however, forced him to give up his position, which he had held for twenty-five years. Other pastors were indicted for pietist teaching.<sup>174</sup> House tutors were brought under control of orthodoxy by means of examination, and study at pietist institutions abroad was forbidden. As pietism still continued to gain hold in the provinces, Swedish counter measures increased. In 1706 censorship rules forbade the distribution of heretical works, and travel was forbidden to those who had failed through examination to show religious reliability. Before the measures could become even more stringent, Russian dominion brought changes which benefited the development of pietism in the Baltic provinces. Not only did Russia free pietism from Swedish Protestant Orthodoxy but it actively encouraged it. Pietism, however, sought out Russia rather than vice versa.

The most important centre of pietism, its *Ausgangspunkt*, was the University at Halle, founded in 1694 by Frederick III, Elector of Brandenburg, under the influence of Spener. Spener's unofficial successor, Auguste Francke, taught at the university from 1695 to 1727 and was its motivating force. Francke's pietism was eminently practical, rejecting a theology based on doctrine or "reine Lehre" for one based on "das Nützliche" (the useful). This practical Christianity led to the founding of not just the university but also by 1698 of at least twenty-three

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<sup>173</sup> Otto Webermann, "Pietismus und Brüdergemeinde," in R. Wittram, Baltische Kirchengeschichte, 149.

<sup>174</sup> *Ibid.*, 151.

institutions offering different levels and types of education for the children (boys and girls) of nobles, burghers and foreigners, as well as shelter and care for orphans, the poor and the sick.<sup>175</sup>

Halle's activities were not limited to its immediate environment. Missionary work was a very important aspect. Francke meant the "whole world" to benefit from renewed Christianity and to this end set up seminaries to train missionaries as well as schools to educate students from countries where proselytization seemed possible and desirable.<sup>176</sup> Russia, as a bridge between Europe and the Far East,<sup>177</sup> was an important aim of pietist missionary work, an interest which coincided with Peter the Great's need for knowledge and expertise from the West. Like most of his policies, Peter's use of pietism was pragmatic.<sup>178</sup> He did not encourage it as a religious influence<sup>179</sup> but rather as a means of spreading learning. Francke devoted much energy to the pietistic mission in Russia, sending some of his best students as tutors or preachers. He was able to use the German presence already in Russia as well as other foreign contacts, many

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<sup>175</sup> A list of these institutions in 1698 is given in Pietists. Selected Writings, 99. It is taken from Gustav Kramer, Francke: Ein Lebensbild vol I (Halle, 1880), 275-276.

<sup>176</sup> This was not peculiar to pietism. The Catholic church was also active in missionary education, especially through the Jesuits in China, and at the end of the seventeenth century the Anglican church had a college for Greeks, Arabs, Turks, Persians and Armenians at Oxford. Motives were not always purely religious. In a mercantilist age, commercial advantages offered by new markets and trade areas were important as were the political considerations of the balance of power between France on the one hand and Prussia, Holland and England on the other. E.Winter, Halle als Ausgangspunkt, 32-33.

<sup>177</sup> Leibniz had the same idea. See page 100 above.

<sup>178</sup> It has been suggested that there was a political consideration in Peter's decision to allow pietist activity in Moscow. Since Sweden supported Lutheranism against pietism, Peter did the opposite. [Eduard Winter, Halle als Ausgangspunkt, 276]. This view belies the fact that Lutheranism flourished in Russia before, during and after the pietist phase.

<sup>179</sup> Peter was careful with the religious aspects of pietism. He did not permit Francke to publish a protestant Russian Bible in Russia (although there was a Dutch-Russian one) nor an exposé of Christian life written by Francke. Winter, Halle als Ausgangspunkt, 68. Those who used pietist house tutors were equally pragmatic. An example of one Russian's instructions to his son's pietist tutor includes the reminder that he should not talk so much of Christianity since the Russians are themselves Christians. *Ibid.*, 80.

of which were effected through Heinrich Wilhelm Ludolf, the representative of both the English and Danish courts in Russia from 1692-1694.<sup>180</sup>

The tenuous footholds gained by pietism in the Baltic provinces under Swedish repression could now flourish unhindered and were supported by a new influx of pietist teachers and preachers from Germany. The route to Russia for Francke's pietist missionaries lay via the Baltic provinces. Until 1710, the overland and sea routes to Russia were via Narva, Riga and Reval. With the development of St Petersburg, ships were able to land directly and the Baltic ports became less necessary. Narva, however, remained important due to its geographical proximity to the new capital. The view that the provinces became a *Durchsgangland* in more than the geographical sense, that "pietism fertilized Russia via the Baltic provinces,"<sup>181</sup> must not be overemphasized. Pietist teachers were sent directly from Halle and their direct mission was Moscow. Russians also had direct contact with Halle: Russian representatives of the tsar visited Halle;<sup>182</sup> the sons of Peter's closest advisors were sent to study there. This direct contact cannot be overstressed either since the numbers of Russians registered at Halle were admittedly small, consisting of fifteen in all until 1722.<sup>183</sup>

The benevolent attitude of Russia was not the only factor which allowed

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<sup>180</sup> Ludolf arranged for Francke to send pietist preachers to the Lutheran churches in Moscow. [Winter, *Halle als Ausgangspunkt*, 32-46.] He also facilitated contact with other foreigners in Moscow. Admiral Cruys, for example, a Norwegian who had been in service in the Netherlands until Peter I brought him to Russia to help build a Russian fleet, has been described as the most important link for Halle in Russia. [Ibid., 80.] Another important non-German link was the Scot James Bruce, Peter's master-general of the ordnance. Bruce's significant contributions to Russia are described in Ibid., 82-84. Münnich was also an important link to Halle and a protector of pietism in Russia, replacing Bruce and Cruys in this role. Ibid., 87-89. Winter deals extensively with pietist contacts and presence in Russia, giving detailed examples.

<sup>181</sup> O.Webermann, "Pietismus und Brüdergemeinde" in *Baltische Kirchengeschichte*, 149.

<sup>182</sup> Winter, *Halle als Ausgangspunkt*, 58.

<sup>183</sup> By 1750, there were another fifteen. Ibid., 101. For the much larger numbers of students from the Baltic, see p 141 below.

the pietist movement to gain ground in the Baltic area. Due to war and plague, there was a serious dearth of clergy and tutors, and the missionary pietists could fill some of the vacant positions without too much competition from orthodox Lutherans. They were still, however, far from widespread. Many of the pastors who came from Germany to replace those clergy killed by war or famine<sup>184</sup> were not ideal candidates.<sup>185</sup> An impoverished area did not have much to attract good candidates. Those who came did not speak the local languages and were unfamiliar with life and customs in the provinces. They had to cover up to five parishes due to the scarcity of available clergy.<sup>186</sup> Some who came and secured positions lacked theological education, others proved to be "drunkards" or "slave-drivers."<sup>187</sup> It was very difficult to remove an undesirable pastor once he was appointed. Even the General Superintendent complained at the 1747 Landtag about a pastor he would rather see gone but whom he would have to put up with until "the wretched man ate himself to death."<sup>188</sup> The pietists and the other practical Christians among the clergy were not necessarily the rule, but by the third decade of the century, several important positions were held by pietists, including that of General Superintendent of Livland.<sup>189</sup>

The pietist influence was strongest in Estland. Narva, due to its proximity to the new Russian capital, became an important centre of pietism. Several of the

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<sup>184</sup> In Riga, twelve of fourteen pastors had died; in Reval, only three pastors remained; in Kurland fifty-four pastors, about half of the clergy, had died. W.Lenz, Der baltische Literatenstand, 7; R.Wittram, Baltische Geschichte, 125-126.

<sup>185</sup> I.Neander, "Die Aufklärung," 136.

<sup>186</sup> W.Lenz, Der baltische Literatenstand, 7.

<sup>187</sup> *Ibid.*, 8.

<sup>188</sup> I.Neander, "Die Aufklärung," 136.

<sup>189</sup> Otto Webermann, "Pietismus und Brüdergemeinde," 152.

most active pietists had originally been prisoners of war in Russia during the war with Sweden and on their release went to study at Halle. Francke welcomed these Russian speakers as a means of furthering his mission in Russia. Although several of them, most notably C.M.Rodde, after serving Halle's purposes first in Russia, did eventually come back to active work in Narva, their focus was more on Halle's mission in Russia rather than Estland as such.<sup>190</sup> Pietism in Estland owes much to the activities of one family, the Gutslauffs, especially in the Estonian language. In 1648 Johann Gutsloff demonstrated the strong Christian humanitarian ethic which preceded the Enlightenment. "All souls, whether noble or peasant, whether subjects, slaves or oppressed, belong to God." If anyone had the attitude "they are Estonian, we German, then I must answer: God sees not the person." He compiled a grammar of the Estonian language to help the "oppressed." This spirit of helping the oppressed peasant worked through succeeding generations. Several Gutslauffs studied at Halle and even sought financial support from Francke to publish a Bible in Estonian.<sup>191</sup> Gutslauffs were active in Bible translation, in founding schools, in compiling Estonian hymn books, church handbooks, and catechisms, as well as Estonian language books.

Pietism was not as strongly represented in Livland. In 1728 there were twenty-nine pietists among the clergy and school rectors in Estland, in comparison to nine in Livland. Livland sent just as many students to Halle, however. In the first half of the eighteenth century, there were 168 students from Livland at Halle compared with 135 from Estland. Only eleven of these were from the nobility.

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<sup>190</sup> E.Winter, Halle als Ausgangspunkt, 260.

<sup>191</sup> Francke was not able to help, his resources no doubt stretched by his focus on Russia, but offered to assist in seeking help from friends, especially in England. *Ibid.*, 261.

The Estonians studied mainly theology while the students from Livland, thirty-six of whom were from the nobility, concentrated more on law and went into Russian service.<sup>192</sup>

Despite its humanitarian principles, its awareness of the unjust situation of the peasants and its contributions to the development of the autochthonous languages, pietism never gained a strong hold amongst the peasants. There was an enormous gulf between the pietists' activities and the extreme needs of the peasants. This is highlighted in Hinrich Gutschlaff's appeal for financial support for his Estonian Bible: "The Estonian peasant lives in windowless huts and is dressed in rough sacking. Famine is always present. In the last decade of the seventeenth century a hundred thousand people died and in 1710 more than a hundred thousand from hunger and plague. The poor peasants do not have a *groschen* let alone a *taler* for an Estonian Bible. Ten or twenty weeks before the harvest the peasant has to beg bread from his master. And during the harvest he has to work uninterrupted for the master. The children go barefoot, in only a shirt, summer and winter. Bread and chaff is their nourishment. It is, therefore, understandable that such people are not very receptive to the Christian truth. From the mouths of their preachers, who are completely dependent on their landowners, they hear all about duty and honesty. The parishes are so big and the distances so great that it is a lot to ask of both preacher and peasants to have regular Sunday service. On top of that there is *corvée* which has to be done on a Sunday too. There is hardly any possibility of educating the children. The poor people learn the catechism by rote and the result is a terrible superstition. Because there are

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<sup>192</sup> Ibid., 286-287.

no schools, the people grow up like animals in the field."<sup>193</sup>

The role of the peasants as ready recipients of all that an active pastor, pietist or orthodox, had to offer is questionable not only because of their oppression and poverty but also because of their attitude to the pastor in general. As described in Chapter I, the status, economic situation and background identified the immigrant German clergy with the landed gentry, whose social companions they often were, especially in hunting and playing cards.<sup>194</sup> Their situation was very different from their counterparts in Germany. "A pastor in Livland would change places with a superintendent in Saxony or Prussia only if he wished for more peace, leaner meals and his comfortable carriage to stand unused."<sup>195</sup> As General Superintendent K.G.Sonntag remarked towards the end of the century, "The interests of the preacher are too closely and too diversely tied to those of the noble."<sup>196</sup> This was evident to the peasants who saw in the clergy another foreign authority like the landowner.<sup>197</sup> Such a perception was not conducive to open receptiveness of pastors' efforts on their behalf. Even Stender complained that his catechism and hymn book, "which I wrote with all the effort of my mind's strength in order to inspire," were rejected by the peasant communities in favour of a 1615 book.<sup>198</sup> That this "tremendous tenacity" against innovation owed more to the nature of the clergy than to the passive resistance

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<sup>193</sup> Cited in *Ibid.*, 261-262.

<sup>194</sup> W.Lenz, Der baltische Literatenstand, 11. See also L. Adamovich, Die Letten. Aufsätze über Geschichte, Sprache und Kultur der alten Letten, (Riga, 1930), 270-272.

<sup>195</sup> A.W.Hupel, cited in *Ibid.*

<sup>196</sup> Cited in Guntram Philipp, Die Wirksamkeit der Herrnhuter Brüdergemeine unter den Esten und Letten zur Zeit der Bauernbefreiung, (Cologne, 1974), 185.

<sup>197</sup> *Ibid.*, 183. 183.

<sup>198</sup> I. Neander, "Die Aufklärung," 145.

of peasants to change is borne out by the fact that another form of pietism was accepted by the peasants.

### Herrnhut

In June 1722 a new religious revival movement began on the landed estate of Count Nikolaus Ludwig von Zinzendorf in Berthelsdorf. Zinzendorf had strong pietist ties. His maternal grandmother had been a close friend of Spener and Zinzendorf had studied at Halle. The new community was begun by a group of Moravian brothers whose roots lay in the Bohemian movement led by Jan Hus almost three centuries before. Members of other movements joined in large numbers: Lutherans, Reformed Lutherans, pietists, separatists. Such diversity made for religious disagreement but Zinzendorf, a man of outstanding personality, was able to unify them in one cohesive brotherhood whose central belief was Christ as Redeemer of man's sins. Like the pietists, the "Herrnhuter Gemeine"<sup>199</sup> rejected all authority over dogma other than Holy Scripture. Like the pietists, they stressed the importance of missionary work and by 1742 they had 480 registered communities in over twenty lands, including America, Denmark, England, France, Holland, Norway, Sweden, Switzerland and most of the German states. Livland had one of the highest numbers of communities listed.<sup>200</sup>

Livland received Herrnhuter missionaries in 1729 but it was Zinzendorf's visit in 1736 which established his movement in the Baltic. Just two years before,

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<sup>199</sup> The Herrnhuter stressed the use of the word "Gemeine" instead of the more usual "Gemeinde." Where the latter connotes parish or church community, the former term implies the idea of commons or commonality. This demonstrates the importance of the religious and civil (or secular) constitutions combined in one. G.Philipp, Die Wirksamkeit der Herrnhuter Brüdergemeine, 3, fn.11.

<sup>200</sup> 29. The highest was Switzerland with 66. Ibid., 41.



Zinzendorf had been ordained a Lutheran minister, partly to show that he was not sectarian and still supported Lutheranism. This plus his Halle associations help to explain the ready support he received from both nobles and pastors in the provinces.<sup>201</sup> In the next few years fifty Herrnhuter brothers were invited by landowners and clergy to work as tutors, assistants to pastors, craftsmen, etc. By 1742, there were between thirteen and fourteen thousand organized Herrnhuter members in the Baltic provinces.<sup>202</sup>

The Herrnhuter held that dogma could not be valid for everyone at all times. "The way of God varies according to times, countries, climate and generations ... and the nature of the rulers in the world and teachers in religion."<sup>203</sup> This emphasis on local factors as a determinative of faith led to the belief that missionary work could only be carried out effectively by local inhabitants. "... the nationals (*die Nationalen*) should take complete care of the work and the Brothers should only have overall supervision."<sup>204</sup> This was of particular importance in the Baltic provinces. Elsewhere "a free man faces a free man, and talk flows freely as well as the exchange of experiences of the heart, while here the national, like all peoples still under the yoke of *corvée*, always tends towards caution bordering on mistrust." A second factor inhibiting the effectiveness of German Brothers was the gulf between an Estonian (or Lett) and a German. "[It] is too large for the former to turn to the German with unconditional trust; and it is often impossible for the latter to understand fully the local ways of thinking ..." The Herrnhuter were open and pragmatic about the

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<sup>201</sup> Ibid., 153-154.

<sup>202</sup> Otto A. Weberman, "Pietismus und Brüdergemeinde," 158-159.

<sup>203</sup> Cited in G. Philipp, Die Wirksamkeit der Herrnhuter Brüdergemeinde, 46.

<sup>204</sup> Ibid., 154.

solution: "We will therefore direct our main attention to the national helpers (*Nationalgehülfen*)... and our effectiveness on the larger numbers will always only be indirect through these helpers."<sup>205</sup> Although the Herrnhuter opened schools to train local teachers and sextons, a formal theological background was not necessary to hold office in the Herrnhut brotherhood. Like the pietists, the Herrnhuter believed in a universal priesthood but they put it into practice, to the advantage of both the local population and their own movement. Office did not confer rank or authority; office implied service, voluntary and often in addition to a secular occupation to the community and those who held it were third in importance after God and the *Gemeine*. Formal education was not a requirement for lay preachers and helpers. An inner conviction communicated outwardly was much more important.

This perception of local participation opened the way for the peasants to play an active role in the new communities. While one *Landrat's* claim that "the most stupid peasants, men and women" were appointed as lay helpers may be exaggerated, it was true that many peasants held office.<sup>206</sup> This was in stark contrast to the passive, powerless, subordinate role they played in the Lutheran churches. The peasants were not only given the experience of organization, trust, responsibility and dignity but also provided a distinct advantage over the Lutheran churches. Unlike the traditional pastor, they gained the trust of the peasants, as Zinzendorf had predicted, and were instrumental in the spread of the movement. In addition, the quantity of Herrnhut offices ensured a plentiful supply of helpers to care for the members, in contrast to the pastor with his large

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<sup>205</sup> *Ibid.*, 174.

<sup>206</sup> *Ibid.*, 182.

area to cover alone.<sup>207</sup>

An important characteristic which distinguished the Herrnhuter movement from the pietists and contributed to its acceptance by the peasants was its appeal to the senses and emotions. In order to communicate the redemption of man through Christ, a matter for rejoicing, Zinzendorf used strong imagery. The aim of his teaching was to reach the "heart," the centre point of will.<sup>208</sup> Through music, poetry, drama and celebrations, faith was received through the emotions.<sup>209</sup> This emotional religiosity seemed to suit the autochthonous character. The Herrnhuter placed great emphasis on singing and by 1742, their hymn book contained 1,300 songs.<sup>210</sup> The musicality of both the Estonians and the Letts was a trait observed and acknowledged and they took part most willingly and ably in the Herrnhuter "song hours."<sup>211</sup> The Herrnhuter gatherings, however, induced tears in their peasant members, to such a consistent extent that the movement almost became a "cult of sighing and weeping" which the German Brothers viewed with scepticism. The release afforded by tears may have been a "deeply rooted, unconscious reaction to centuries of serfdom" but it did become standardized behaviour characterizing the Herrnhuter.<sup>212</sup>

The peasant could feel the message of Christ much more tangibly with the Herrnhuter than in the Lutheran churches, which were more like "prisons" with

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<sup>207</sup> For more on the role of the local laity, see *Ibid.*, 241-249.

<sup>208</sup> *Ibid.*, 225.

<sup>209</sup> This period of "reckless ecstasy" was in the 1740's and although Zinzendorf eventually reacted against it, the stamp of emotionality remained with the movement. *Ibid.*, 6, fn.20.

<sup>210</sup> *Ibid.*, 231.

<sup>211</sup> *Ibid.*, 227-231.

<sup>212</sup> *Ibid.*, 226-227.

the pastor representing law and order.<sup>213</sup> Even the pietists could not compete. They were characterized by less joy and more penitence. Zinzendorf summed up the difference, "We are the court poets of the Saviour, the pietists are the prosaics and the grammaticians." He had no quarrel with the validity of pietism since both adhered, albeit loosely in his own case, to the Augsburg Confession of Lutheranism. "Pietism is not a fallacy, only another method; we ride and the pietists go on foot."<sup>214</sup> Pietism, however, had paved the way for the Herrnhut. The first Herrnhuter in the Baltic area came by invitation of pietist nobles and clergy,<sup>215</sup> and Herrnhuter communities were most numerous where pietists had been active.<sup>216</sup> This was especially the case in Estland, where pietist activity had been particularly successful. Of the thirteen to fourteen thousand Herrnhuter members in the Baltic area, eight to nine thousand were in Estland.<sup>217</sup>

The practice of equality and the attraction of an emotional approach explain why the Herrnhuter were accepted by the peasants where the Lutherans and pietists were not. It also helped that the interests and status of the Herrnhuter Brothers were, unlike those of the pastors, not identifiable with those of the landowner. The Herrnhuter enjoyed no special status or privilege and did not own land. Many of the Brothers came from simple backgrounds, not too different from their Lett and Estonian members. The Herrnhuter were not dependent on the landowners to the same extent as the pastors. They were, for example,

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<sup>213</sup> Mark Nerling, "Die Herrnhuterfrage in Livland im 19. Jahrhundert," in R. Wittram, ed., Baltische Kirchengeschichte, 171.

<sup>214</sup> G. Philipp, Die Wirksamkeit der Herrnhuter Brüdergemeine, 46, fn. 22.

<sup>215</sup> *Ibid.*, 151-152.

<sup>216</sup> Otto Webermann, "Pietismus und Brüdergemeinde," 157.

<sup>217</sup> *Ibid.*, 159.

appointed from Germany and although dependent on the good will of landowners, such landowners were not of the extreme feudal type, who would not have supported Herrnhuter in their midst. The Herrnhuter remained outside the church and its close links with the political structure of the provinces.

Despite some initial support, the Ritter slowly became more sceptical about the Herrnhuter. This was influenced in part by the increasing hostility of the other religious communities to the Herrnhuter. The orthodox Protestants could not accept a movement which allowed lay people to hold office, nor one that undermined the clerical hierarchy.<sup>218</sup> The Halle pietists grew more distant as the movement grew more emotional and the leading clergy in the Baltic area withdrew their support.<sup>219</sup> The Ritter, guardians of orthodox Lutheranism, were alarmed at the possible attack on the church (and no doubt visualized subsequent attacks on secular power): "... the only intention of these people and their followers is ... to wrest the power from the hierarchy in the church."<sup>220</sup> In 1742 the clergy and Ritter together organized a commission to investigate the Herrnhuter and in the following year Tsarina Elizabeth forbade the Herrnhuter movement, probably under the influence of a strong Ritter lobby in the capital.<sup>221</sup> The ban was lifted by Catherine twenty years later but not before the brotherhood had suffered persecution and martyrdom.<sup>222</sup> That the movement survived the ban is in no small measure due to the local lay helpers who kept the

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<sup>218</sup> Ibid., 161.

<sup>219</sup> General Superintendent Fischer of Livland withdrew his support as did Oberpastor Mcwitz in Reval. Both their successors were opponents of the Herrnhuter. G.Philipp, Die Wirksamkeit der Herrnhuter Brüdergemeine, 160,

<sup>220</sup> Cited in Ibid., 177.

<sup>221</sup> Ibid., 161-162.

<sup>222</sup> Ibid., 164.

movement in quiet motion.<sup>223</sup> It also gave the Estonians and Letts valuable experience in responsibility and leadership.<sup>224</sup>

The fears of the Ritter were unfounded as far as the actual policies of the Herrnhuter were concerned. The movement was essentially conservative. Zinzendorf, in Lutheran tradition, upheld the order of *Stand*. Each individual should stay in the *Stand* to which he belonged. Once the lessons of Holy Scripture had been properly assimilated, "only then can we become useful creatures in the world, a peasant is then a real peasant, a nobleman a real nobleman, a pastor a real pastor a servant a real servant, and a lord a real lord."<sup>225</sup> It was not the intention of the Herrnhuter to change the social order. Obedience to those who had power was their rule.<sup>226</sup> The miseries of the peasant were sympathized with. Jesus too had had humble origins. Equality and emancipation were preached and practised only in a religious context. The Herrnhuter did not follow their policies through to the social and economic contexts. Although they followed developments with interest, they took no active part in the reform process<sup>227</sup> and had no direct influence on the Landtag or in St Petersburg.<sup>228</sup> This did not save them from suspicion of such activities, however. General Governor Paulucci as well as General Superintendent Sonntag

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<sup>223</sup> In 1756, the secret leader of the movement in the Baltic reported that 8000 Estonians were in contact with the movement, of which one hundred were German, half of them nobility. In Livland, there were 2600, fifty of which were German, half of whom were nobility. Otto Webermann, "Pietismus und Brüdergemeinde," 163.

<sup>224</sup> G. Philipp, Die Wirksamkeit der Herrnhuter Brüdergemeine, 167.

<sup>225</sup> Ibid., 326.

<sup>226</sup> In cases of revolution, for example, the Herrnhut were not to take sides but to obey those who held power. Ibid., 330.

<sup>227</sup> Ibid., 325.

<sup>228</sup> Ibid., 145.

both feared political unrest in 1818-1819 instigated by the Herrnhuter.<sup>229</sup>

In the age of enlightenment, the Herrnhuter remained essentially a religious movement, removed from the realm of reason and reform. Their religious enlightenment, however, was carried over into other spheres indirectly. Where they were active, the peasants gave up their superstitious ways and their abuse of alcohol. "They were industrious and obedient to their lords, went diligently to church and prayed quietly and peacefully. In the years 1740-1745 not one criminal matter was brought before the court."<sup>230</sup> The movement had also awakened the peasants to the possibility of a different social order, had taught them organization and responsibility, had made them aware of their own language and culture and had contributed to the beginnings of a national consciousness.<sup>231</sup> The movement has been criticized for focusing only on the more well-off peasants, while the poor remained very poor, thus creating and supporting a peasant aristocracy. This may have been the case but in the last resort the movement helped create a peasant leadership, on which "the decisions of the people are largely dependent."<sup>232</sup> While the German Brothers did not orchestrate peasant uprisings, the peasant leaders they had created were often active.<sup>233</sup> It would take several more decades, however, before their impact was felt on legislation.

The movement also had some effect on the legislators, on the Ritter.

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<sup>229</sup> Ibid., 254.

<sup>230</sup> Otto Webermann, "Pietismus und Brüdergemeinde," 160-161.

<sup>231</sup> Although the Herrnhuter effectively but undeliberately started the nationalist movement by providing identity, Zinzendorf was against any element of nationalism in religion. G.Philipp, Die Wirksamkeit der Herrnhuter Brüdergemeine, 268.

<sup>232</sup> Ibid., 334, 333.

<sup>233</sup> The role of the Herrnhuter in peasant uprisings is not clear. See Ibid., 254-257.

Although the Herrnhuter had lost much noble support by the 1780s,<sup>234</sup> their teachings did have some immediate influence on some nobles.<sup>235</sup> They did not initiate thoughts of emancipation but rather a Christian patriarchalism. Rather than exercise power over their serfs, landowners influenced by the Herrnhut would strive to care for them responsibly.<sup>236</sup> While this would not change the legal status of the serfs, it may have eased conditions on some estates. On the legislative level, the physiocratic argument that serfdom was not economic would carry more weight. The patriarchal approach, however, could also be effective. Karl A. Bruiningk fought for hereditary use of the land and was instrumental in setting up a school system.<sup>237</sup> The movement owed much to such nobles, not many in number, for securing continued tolerance of their movement on the Landtag.<sup>238</sup> More importantly, these nobles also exerted influence on the movement's behalf at the Russian court. After Catherine had lifted the ban on the movement in 1764, Russian support continued, reaching its highpoint when Alexander issued a manifesto in 1817 which allowed the Herrnhut freedom to continue their work in the Baltic. Opposition factions among the nobility and the clergy sought to change this imperial benevolence and were helped by the Decembrist uprising, which had motivated a ban on secret societies. Russian support began to decrease during Nicholas's reign but by then the century of

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<sup>234</sup> Ibid., 287. Even in the period of the ban, there had been at least seventy-five noble families in sympathy with the movement. See note 223 above.

<sup>235</sup> The Herrnhut had a special school for the nobility from 1786-1802, [G.Philipp, 278] where the events and ideas of the French Revolution were discussed. [Ibid., 329.] In general, the ideas of the French Revolution infiltrated the Herrnhuter closed communities slowly.[Ibid., 17.]

<sup>236</sup> Ibid., 285, 328.

<sup>237</sup> Ibid., 286.

<sup>238</sup> Ibid., 285-290.



Herrnhut work in the Baltic was bearing fruit in the emergence of national movements.<sup>239</sup>

The efforts of the clergy in general were not directed towards legislation but rather to the lives of the peasants. Their practical work, which led to literacy, agricultural improvements, better health and hygiene and the development of the local languages, was not, however, enlightenment of the peasants in the accepted sense. It was rather practical education, perhaps a prerequisite of enlightenment. It was not their intention to create national consciousness but their recording of the local cultures and languages gave validity and open awareness to heritages other than the German one. Similarly, literacy was only the first step. One of the alleged ringleaders of the peasant uprising in 1802 claimed that he read the newspaper regularly and knew how matters stood in France.<sup>240</sup>

### Pastors as publicists

For most of the eighteenth century, the direct involvement of the clergy in the process of agrarian reform had been limited. Pastors were aware of the plight of the serf but unwilling to tackle real changes in his legal status. "Is there no way to improve the situation of the peasants without making him free or decreasing the lord's income?"<sup>241</sup> was the dichotomy they faced. The Pugachev uprising (1773-1775) ushered in a more conservative tone and Catherine's *Statthalterschaft* (1786-1796) displayed the power of the Empire over the province. This power was supported by a new generation of pastors, pastors who did try

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<sup>239</sup> For more details on the Russian aspect, see *Ibid.*, 290-304.

<sup>240</sup> Tobien, *Die Agrargesetzgebung*, 161.

<sup>241</sup> Jakob Benjamin Fischer in Riga, 1778. Cited in Neuschäffer, "Unterschlagene Machtpolitik," in *Russen und Rußland*, 409.

to influence public opinion and legislation.

The clergy's awareness of the deplorable agrarian situation was often expressed along with loyalty and praise for Russia. August Wilhelm Hupel, the pastor<sup>242</sup> with the high literacy rates, was an open publicist for the Russian Empire. From 1781 to 1791 he published Nordische Miscellaneen,<sup>243</sup> which was designed, he said, to correct the false and superficial reporting of European travellers which had resulted in Russia being viewed with contempt as the worst nation in Europe.<sup>244</sup> It was Hupel's intention to use facts and objectivity to create a more accurate picture.<sup>245</sup> Like Eisen, he compared the situation of Russian serfs as much more favourable than that of the serfs in the Baltic.<sup>246</sup> While Eisen denied that he had written such a statement, Hupel took his comparisons further. "I bet that very few Russian peasants would change places with French peasants...The French populace is free (so they think), but poor; the Russian is enserfed but for the most part well-off."<sup>247</sup> That the situation of the serfs in the Baltic had improved at all was due to measures introduced by the Russian monarch, which freed them somewhat from the power of "their petty

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<sup>242</sup> Of Oberpahlen near Dorpat from 1763 to 1804. Hupel was typical in that he was a German immigrant, had worked as a house tutor and recorded much of local customs and culture, but he was more involved in writing than in practical pastoral work. His Topographische Nachrichten (1774-1782) describes in detail the land and its inhabitants, especially the life of the peasants.

<sup>243</sup> In 28 volumes. From 1792-1798 it was published as Neue Nordische Miscellaneen in 18 volumes. It covered "the history, geography, constitution, laws, traditions, customs, housekeeping, production, commerce and such in Russia but especially in Livland, Estland and Kurland." It has been described as the central organ of the enlightenment movement in Livland. N.Wihkninsch, Die Aufklärung, 301; H.Neuschäffer, "Unterschlagene Machtpolitik," in Russen und Rußland, 413.

<sup>244</sup> Captain John Dundas Cochrane, however, found the Russian peasants better off than the Irish ones. Narrative of a Pedestrian Journey through Russia and Siberian Tartary 1780-1825, (London, 1825), 68. Also cited by Richard Pipes, Russia under the Old Régime, (New York, 1974), 148.

<sup>245</sup> Hupel's intentions are cited at length in H. Neuschäffer, "Unterschlagene Machtpolitik," in Russen und Ru land, 410-413.

<sup>246</sup> *Ibid.*, 409.

<sup>247</sup> *Ibid.*, 412.

despots." The crown peasants in the Baltic were treated properly while the nobility still had too much power over their serfs.<sup>248</sup> Although he ably described the misery of the serf's life, Hupel offered no reform plans, admitting that the matter was complicated and unresolved.<sup>249</sup> Such had been, in effect, the conclusion of Catherine's essay competition.

This later generation of pastors devoted less of their time to practical pastoral care and more to publishing. Several were openly critical of the Ritter and openly loyal to Russia. Heinrich Johann von Jannau was a native of Livland but had studied in Göttingen. Although a pastor, he owned an estate and was a noble but not a matriculated member of the Ritterschaft. Jannau, who also described the evils of the system most vividly, did not consider freedom the issue. "Freedom, in the sense that we free-born possess it, would be the most harmful present we could give [the peasants]." His reform proposals were very similar to Schoultz's,<sup>250</sup> but with strong emphasis on educating and informing the peasant. All laws pertaining to the peasants should be published in the local languages and made available to the peasants, as should the *Wackenbücher*.<sup>251</sup> Jannau's loyalty to the Russian monarch is implicit in his support of Schoultz and explicit in his praise of Catherine's agrarian policies.<sup>252</sup> Jannau could afford to criticize the Ritter since he was not one of them. He could also support Russian policy in the Baltic (this was the time of the *Statthalterschaft*) since a curtailment of matriculated

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<sup>248</sup> Mechthild Keller, "Nachrichtenbörse Berlin: Friedrich Nicolai und seine *Allgemeine deutsche Bibliothek*," in Russen und Rußland, 431.

<sup>249</sup> N.Wihkninsch, Die Aufklärung, 300-304.

<sup>250</sup> The text of Schoultz's speech to the Landtag and his reforms are an important part of Jannau's Geschichte der Sklaverey.

<sup>251</sup> *Ibid.*, 137.

<sup>252</sup> *Ibid.*, 136.

privilege could mean a gain for the non-matriculated nobility of which he was a member. Jannau also represents the native-born pastors who had a closer grasp of the situation than the earlier immigrant pastors.

The most famous publicist of this pre-reform area, Garlieb Merkel, was himself not a member of the clergy but the educated son of a pastor. As such, he is probably best described as one of the *Literaten*.<sup>253</sup> Since his first publication did have a direct effect on the Landtag, his role in the agrarian process belongs properly in the next chapter, but it is pertinent to note here the dynamic of Russian loyalty which he also evidenced. Opponents and critics of the Ritter, like Hupel and Jannau, supported Russian imperial absolutism, albeit enlightened, and criticized provincial privilege. The dynamic would not have functioned if the critics had not been aware of Russia's growing intolerance of Ritter privilege. Their criticism could be loud and clear if they were sure of Russian support. This scenario benefited the serfs since any criticism of Ritter privilege obviously, especially with the background of the French Revolution which taught the dangers of ignoring feudal practices, had to begin with the basis of their power, their serfs. Merkel even saw the very act of belonging to the Russian Empire of crucial importance for the peasants. The internal affairs of Livland were handled in the open, were even published and reached the ears of the public.<sup>254</sup> That the support was mutual is evidenced by the fact that Merkel received a pension from Catherine and from Alexander I.<sup>255</sup>

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<sup>253</sup> "What was a *Literat*? Everyone who had attended a university or institute of similar standing ... and did not belong to the Ritterschaft. *Literaten* were pastors, lawyers, doctors, teachers ... apothecaries, architects and engineers." W.Lenz, Der baltische Literatenstand, 1.

<sup>254</sup> Garlieb Merkel, Die freien Letten und Esthen (Riga, 1820), 151.

<sup>255</sup> H.Neuschäffer, "Unterschlagnene Machtpolitik," in Russen und Rußland, 402,422; Tobien, Die Agrargesetzgebung, 167.

As the century came to an end, the agrarian question was an integral part of the Empire/province relationship. It had not been solved by forces in the Baltic, despite imperial prodding, mainly because there were none committed to changing the legal and economic status of the serfs, although there had been impulses to improve the serf's lot. Pressure for change grew as publicists became a factor in the dissemination of information and expression of criticism, as the ideas of the French Revolution spread and as Russia continued to play its imperial role in the Baltic. Change and the forces behind it will be the subject of the next chapter.

CHAPTER III  
IMPERIAL AND PROVINCIAL ATTITUDES  
IN THE PERIOD OF AGRARIAN REFORM IN THE BALTIC

PART ONE: IMPERIAL INTENTION: CATHERINE II

*The Statthalterschaft*

Russia's pressure on the Ritter to reform in the middle of the eighteenth century was consistent with historical precedent. Poland had demanded improvement for the Baltic serfs, and Sweden had granted them important rights to the detriment of baronial power.<sup>1</sup> Over the centuries, the Ritter had learned to cope with imperial pressure, resisting it with varying degrees of success. The 1765 Landtag had conceded only as much as was necessary to prevent a more vigorous imperial intervention. The success of this policy of minimum accommodation to the wishes of the Empire was affected by a combination of new emphases in imperial policy in general and changes within the provinces themselves.

As the eighteenth century progressed, Russia's position as *dominium maris Baltici* was secured. The front with Turkey had also been fairly secure since 1739 and the end to the Seven Years War in 1763 brought some respite from military concerns on other fronts. Imperial attention turned to the effective management of a vast Empire.

Russian administrative policy was based on the assumptions that all its conquered territories belonged unquestionably to the Empire and that the Empire

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<sup>1</sup> Polish and Swedish intervention in the affairs of the Ritter has been dealt with in detail in Chapter I.

was ruled by one absolute ruler. Catherine II added a new perspective. Not only was she a self-confessed absolutist but also a self-professed enlightened ruler. The theories of Voltaire and Montesquieu, however, ingested before she became Empress, were not of much practical help in quelling the peasant unrest which broke out at the beginning of her reign. In October, 1762 the Senate noted, "... many peasants, misled and blinded by false and untruthful rumours ... have renounced the obedience they owe to their estate owners and lords and have become involved in many arbitrary deeds and audacities."<sup>2</sup> Such unrest was quelled by force of arms.<sup>3</sup> The enlightened Empress did acknowledge the "intolerable and cruel yoke" of serfdom and the need to alleviate it, an attitude dictated not only by enlightenment-inspired humanitarian ideals but also by the pragmatics of statecraft. If nothing was done to improve the situation for the serfs, Catherine claimed, "they themselves will force it sooner or later against our will."<sup>4</sup> This was also her attitude to the Baltic Ritter in 1765. If their behaviour towards their serfs was not improved, peasant unrest was bound to be the result, and this was a threat to the Empire. Catherine's humanitarian and liberal impulses, in general, if not directly motivated by pragmatic considerations were certainly influenced by them. She was aware, as an English contemporary noted, that "immoderate efforts are the symptoms of insufficiency, and have always more fury than force; that the security of the prince decreases in proportion to the

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<sup>2</sup> Cited in Nikolai Michailovich Druzhinin, "Der Aufgeklärte Absolutismus in Rußland," in Der Aufgeklärte Absolutismus, ed. Karl Otmar Freiherr von Aretin (Köln, 1974), 320. This article is a German translation of the Russian original in Absolutizm v Rossi (XVII-XVIII v.) (Moscow, 1964).

<sup>3</sup> According to one source, there were forty peasant uprisings between 1762 and 1772. I. Ignatovich, "Krest'yanskie volneniya pervoy chetverti XIX veka," Voprosy Istorii no.9 (1950): 68.

<sup>4</sup> Cited in Druzhinin, "Der Aufgeklärte Absolutismus," 321.

exorbitance of his despotism."<sup>5</sup>

The Baltic Ritter, however, did not perceive Catherine's early pressure on them as part of a general attitude. Any reform for the peasants effectively meant a decrease in Ritter power and could only be interpreted as a direct threat to provincial privilege. Protecting privilege, therefore, meant resisting change for the peasants, a policy which would dominate the Landtag for the next fifty years. The effect of Catherine's imperial intervention on behalf of the serfs, the lessening of landlord power, has often been subsequently identified as the motive. "In order to limit the privileges of the nobility [in Livland], she turned her attention first to the peasant question."<sup>6</sup> As Catherine herself admitted about the confirmation of provincial privileges in Livland in December 1762, however, "...in all honour neither I nor anyone knows what I will sign, if it is useful to the country or if it involves ways, customs or laws."<sup>7</sup> Catherine would find out more about provincial privileges in the Empire's interaction with the provinces. The hostile reaction to her attempt in 1764, for example, to add fifteen Swedish and German non-nobles to the Ritter matriculation on the basis of their placing on the Russian Table of Ranks focused her attention on the closed matriculation practised by the Ritter. Interaction with the provinces brought the Empire more knowledge. From this perspective and from the perspective of national security, so important to the Empress, it is difficult to subscribe to the view that Catherine "was determined to

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<sup>5</sup> Cited in William Butler, "Foreign Impressions of Russian Law to 1800: Some Reflections," in William Butler ed., Russian Law: Historical and Political Perspectives (Leyden, 1977), 90. Catherine's initial attempts to alleviate "immoderate efforts" in Russia proper included the formal abolition of the death penalty and of the use of torture, although instances of both persisted.

<sup>6</sup> Georg Sacke, "Livländische Politik Katharinas II," Quellen und Forschungen zur baltischen Geschichte Heft 5 (1944): 28.

<sup>7</sup> Cited in the original French in Isabel de Madariaga, Russia in the Age of Catherine the Great (London, 1981), 61-62.



undermine the autonomy of the non-Russian provinces [Estonia and Livonia]."<sup>8</sup>

Just as importantly, the rights of the nobility to both land and serfs were never in doubt, and Catherine never considered a change in the legal status of the serfs. Her reign was governed by the principle expressed in July 1762, "We intend to protect inviolably the landowners in their properties and estates and to keep the peasants in obedience to them."<sup>9</sup> Economic privilege could be enjoyed as long as it did not threaten the security of the Empire. Provincial political privilege was tied to another sphere of imperial policy.

Catherine's interests as Empress of Russia, even as an enlightened one, were not centred on the peasant question. Her main interest lay in the effective government of her territories. The reason she gave for confirming the Baltic privileges even although she did not know exactly what they consisted of reveals what was more important for her. "... I thought that the peace of one whole province was preferable to all the rest."<sup>10</sup> In the sphere of effective government, her enlightened studies did offer some practical help. She borrowed much from Montesquieu in the effort to organize and establish the authority of law. "Freedom is the right to do what the law allows."<sup>11</sup> The law, however, in contrast to her mentor's view of it, stemmed from her autocratic power. Rather than establish any intermediary powers which would limit autocracy, Catherine set up a bureaucracy to channel her own powers throughout her Empire.<sup>12</sup> Without an effective administration, laws could not be enforced nor could her

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<sup>8</sup> As expressed, for example, by Madariaga. *Ibid.*, 62.

<sup>9</sup> Cited in Druzhinin, "Der Aufgeklärte Absolutismus," 321.

<sup>10</sup> See note 7 above.

<sup>11</sup> Druzhinin, "Der Aufgeklärte Absolutismus," 322.

<sup>12</sup> *Ibid.*, 322-323.

own sovereignty be felt over such a vast area.

Shortly after assuming power, Catherine redivided the Empire into fifteen *gubernii* and clearly defined the hitherto rather vague duties of the Governors.<sup>13</sup> She began replacing the military organization of provincial administration with her bureaucracy, a body of civil servants. Aware of the lack of such personnel, Catherine had tried to prepare for the changeover by reforming the civil service. Her Staff Regulations of 1763 nearly doubled the number of civil servants but there were still far too few for effective administration.<sup>14</sup> By 1781, Catherine herself admitted, "Because of the great extent of several provinces there is both an insufficiency of administration and a shortage of people needed for administering."<sup>15</sup> This shortage of personnel could have been mitigated by allowing local nobles an elected share in local government, a measure considered by Catherine but initially rejected. Since compulsory state service for the nobility was abolished by Peter III in 1762, volunteers from the local nobility were hard to find. As one Governor General complained to Catherine in 1767, "From the time that the nobility was freed from all obligatory service the government of the province has had great difficulty finding people for the interminable number of

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<sup>13</sup> "In addition to the basic duties of managing the finances, collecting the taxes, recruiting soldiers, and supervising the overall administration of the province, each governor-general was to oversee whatever schools existed in his province, run the prisons and orphanages, build and repair the roads and bridges, fight fires and collect horses for the army. He was also required to take an accurate census, to have an accurate map of the province drawn up, to inform himself about the people, customs, commerce and agriculture, etc of the province, and to write reports on these subjects and submit them to the Senate or directly to the Empress herself." Robert E. Jones, "Catherine II and the Provincial Reform of 1775: A question of motivation," *Canadian Slavic Studies* IV,3 (Fall 1970): 500-501. Jones' source is the *Polnoe Sobranie Zakonov Rossiiskoy Imperii* No. 12 137. See also John P. LeDonne, "Catherine's Governors and Governors-General 1763-1796," in *Cahiers du Monde russe et soviétique* 20 (1979): 15-42. Chapter I pp. 60-70 above deals with the general function of the Governor-General in the Baltic provinces.

<sup>14</sup> The number of civil servants in both central and provincial administration in Russia in 1763 was 16,500. Prussia, with one percent of the land area of Russia, employed 14,000. R.E. Jones, "Catherine II and the Provincial Reform of 1775," 502-503.

<sup>15</sup> *Ibid.*, note 16, 503.

commissions that must constantly be filled."<sup>16</sup> The problem of administrative personnel would concern imperial government for almost a century to come. In the 1830s, Nicholas I felt thwarted in attempts at local government reform. "... (T)here was hardly any means," he claimed, "to find more than 500 reliable civil servants for these posts [district administrators]."<sup>17</sup>

This problem did not exist in the Baltic provinces, where administration was functioning efficiently, and Catherine's early attempts to organize her Empire did not affect provincial government in Livland and Estland. These early attempts, however, had not received the Empress's undivided attention. The question of provincial administration had never been dropped<sup>18</sup> but had ceded priority to war with Turkey which had resumed in 1768 and would last till 1774.

The necessity for efficient administration of the Empire was underlined emphatically in 1774 when Catherine's fears of the peasants taking matters into their own hands were realized. The Pugachev Revolt took more than a year to quell due, Catherine's generals claimed, to the weakness of the local civil authorities. Catherine herself also believed the rebellion could have been stopped by the presence of a strong local government. "I consider the weak conduct of civilian and military government in the various localities to be as injurious to public welfare as Pugachev and his motley rabble ... everywhere that the scoundrels encountered firmness and defense, there they obtained no success."<sup>19</sup>

The question of effective administration as vital to the security of her Empire now

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<sup>16</sup> Governor Johann Jakob Sievers of Novgorod, cited in *Ibid.*, 504.

<sup>17</sup> B.Schallhorn, Lokalverwaltung und Ständesrecht, 136-137.

<sup>18</sup> In the period before 1775, at least seventeen projects had been drafted, by individuals, government agencies and the Senate. R.E.Jones, The Emancipation of the Russian Nobility 1762-1785 (Princeton, 1973), 212.

<sup>19</sup> Cited in R.E.Jones. "Catherine II and the Provincial Reform of 1775," 506-507.

received Catherine's undivided attention. On November 2, 1775, less than nine months after the execution of Pugachev, Catherine presented the 491 articles of the Fundamental Law on the Administration of the Provinces. The law redivided the Empire into more *gubernii* and smaller units<sup>20</sup> and increased central control by increasing the powers of the Governors. On the other hand, it separated the judicial from the administrative, and introduced an element of representation, for nobles, citizens and crown peasants, into the former. Of some 15,000 officials added to local government from 1775 to 1796, 10,608 were elected locally.<sup>21</sup> All elected officials received a salary from the state.

Catherine's original intention had been to try the law on an experimental basis first in the province of Tver<sup>22</sup> but was persuaded by the Senate to apply it to the whole Empire. Since its organization needed time, it could not be applied simultaneously throughout the Empire.<sup>23</sup> This gave the Baltic provinces, and other parts of the Empire, time to react. Similarly, the central power had time to develop a consistent policy to the various reactions to the new law. Significant for the Baltic provinces were the reactions of Moscow and the Ukraine. Both preferred to keep their old institutions but were overruled, which did not bode well for any future exceptions. In 1782, the Ritterschaft of both Livland and Estland officially communicated their wish to reject the 1775 law, before it was applied. The reason they gave was that their own institutions had served as a

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<sup>20</sup> The five districts of Livland (plus Insel Oesel) became nine and in Estland four were increased to five.

<sup>21</sup> 2,704 peasants, 3,851 burghers, 4,053 noblemen. Jones, Emancipation of the Russian Nobility, 233.

<sup>22</sup> Along with Novgorod, under the governorship of Johann Jakob Sievers.

<sup>23</sup> It was put into practice in Novgorod, Tver and Smolensk immediately.

model for the new law and, therefore, need not be changed.<sup>24</sup>

Ironically, administration in the Baltic provinces had indeed been one of the main influences of the new law.<sup>25</sup> As far as Catherine was concerned, "the institutions of the Baltic provinces, where the German barons elected their own courts, komissars, and 'landraty,' ... had brought happiness to the people of that region for hundreds of years."<sup>26</sup> The mastermind behind the whole reform was perhaps Jakob Johann Sievers, a noble from Estland.<sup>27</sup> Sievers had been appointed Governor of Novgorod in 1764 and shortly after had described in a report to Catherine the anarchy resulting from the lack of any local administration in his province.<sup>28</sup> Sievers drafted a reform proposing the use of elected nobles in local administration but Catherine was not ready to assent to elected participation in government and rejected Sievers' reforms in 1769. Five years later, in the middle of the Pugachev Revolt, she allowed the Governor of Kazan, which had suffered under Pugachev's uprising, to use elected nobles in local administration. In the period between Pugachev's execution and the

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<sup>24</sup> J.Eckardt, Die baltischen Provinzen, 218. According to Eckardt, Vorontsov did not allow this petition to reach Catherine.

<sup>25</sup> Other sources included: the materials from the special committee appointed by the Legislative Commission and which worked on provincial reform from 1768-1771; the British legal and judicial systems as represented directly in Professor Desnitskii's proposals and indirectly in Catherine's reading of Blackstone (she supposedly began in 1774; Desnitskii's translation of the Commentaries did not appear until 1780.) See R.E.Jones, The Emancipation of the Russian Nobility, 213-220.

<sup>26</sup> *Ibid.*, 217-218.

<sup>27</sup> J.J.Sievers cannot be viewed, however, as a direct representative of the Ritterschaft or, as his biographer Karl Blum [Ein russischer Staatsmann. Des Grafen Jakob Johann Sievers Denkwürdigkeiten zur Geschichte Rußlands 4 vols. (Leipzig and Heidelberg, 1857)] would have it, as a German *Kulturträger* in the court of unenlightened Russia. Sievers left the Baltic for St Petersburg at the age of thirteen and, thanks to the great influence of his uncle at the court, enjoyed a successful career in Russian state service and in the diplomatic corps which took him to London for eight years. Robert E.Jones, Provincial Development in Russia. Catherine II and Jakob Sievers (New Brunswick, 1984), 45. See also Roger Bartlett, "J.J.Sievers and the Russian Peasantry under Catherine II," in Jahrbücher für Geschichte Osteuropas N.F. 32 (1984): 16-33.

<sup>28</sup> Eckardt, Die baltischen Provinzen, 206-207.

promulgation of the provincial law, Catherine summoned Sievers to her side to work with her on her new law. She also consulted with the Landrat of Estland and with Governor Browne of Livland.<sup>29</sup> Although Catherine's provincial law was influenced by Baltic institutions, it contained elements alien and undesirable to the Ritter.

Despite their petitions to the contrary, Livland and Estland were changed by decree into the *Statthalterschaften* of Riga and Reval in December 1782.<sup>30</sup> A flurry of activity followed in an effort to keep the old institutions intact. Jakob Sievers, the architect of the reform, wrote to Catherine from his voluntary retirement<sup>31</sup> in Livland: "I implore your Majesty, with tears in my eyes, to allow these provinces to enjoy their freedoms and privileges. Your Majesty confirmed these herself and, in my opinion, even more emphatically by using them to create the principles of the new law."<sup>32</sup> The subordination of local authority to central power representatives was obviously a real fear, but the elements which were really alien to the old system were the very elective procedures which the Ritter so exemplified. Implicit in the election of officials to the lower courts and other institutions<sup>33</sup> was the possibility of representation from other sectors of society.

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<sup>29</sup> Jones, Emancipation of the Russian Nobility, 218.

<sup>30</sup> It was implemented on 3 July, 1783.

<sup>31</sup> Sievers submitted his resignation in May 1781, on the grounds of ill health but there is some evidence to suggest that he was disappointed that the office of governor-general, and therefore he personally, was still subject to the authority and control of the Senate despite his recommendations to the contrary. Sievers never won ascendancy over his opponents at court, particularly Prince Vyazemskii. Potemkin was also successfully turning Catherine's attention to the acquisition of more territory in the south, rather than provincial reform in the north, as a means to develop the Empire and Sievers felt his influence with the Empress decrease. R.E.Jones, Provincial Development in Russia, 157-168.

<sup>32</sup> Cited in Eckardt, Die baltischen Provinzen, 270.

<sup>33</sup> For example, the Institute of District Marshals composed of one elected representative from each district or *Kreis*.

Ritter monopoly was threatened. The threat was all the more grave since there was a "class" anxious to relieve the Ritter of some of their power.

Catherine's Legislative Council, called in December 1766, had rekindled the resentments between the non-matriculated nobles and the Ritter. The former insisted on their right to elect deputies to the Commission since Catherine had summoned deputies from all nobles and landowners; the latter insisted that they were the sole representatives of the province. Imperial intervention resolved the matter in favour of the *Landsassen*, the non-matriculated nobles, a great blow to Ritter privilege, especially since it was now evident that imperial support of the Ritter could not be taken for granted. The *Landsassen* organized their own Corporation and sent deputies to join the Ritter delegates at the Commission. Ritter monopoly on political representation was now broken, with imperial support. Although the *Landsassen* were seen by their critics to conduct themselves "with embittered passion and without skill or any true political sense,"<sup>34</sup> they scored significant victories in their claims to estate ownership, the economic monopoly of the Ritter, and to representation on the Landtag, the political monopoly of the Ritter. In 1774 Governor Browne declared that non-matriculated nobles were allowed to keep any noble estates in their possession<sup>35</sup> and although their request to have their deputies matriculated (in order to receive full rights) was denied, they were given the right to representation on the Landtag in matters of tax.

The emergence of the *Landsassen* as a political force coincided with the promulgation of Catherine's Provincial Law. Perceiving the opportunity to

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<sup>34</sup> Ibid., 216.

<sup>35</sup> It will be remembered that the *Landsassen* had enjoyed the right to own noble estates under Sweden.

influence imperial policy in their favour to the detriment of the Ritter, the *Landsassen* sent delegates to lobby in St Petersburg during discussions on the implementation of the new law. The town population had also been given the right to elect their own deputies and they too sent lobbyists to the capital. The Ritter naturally had their own representatives there. The impact of these conflicting parties in the capital must have raised doubts in the Empress's mind as to whether the situation in the Baltic provinces was quite so secure after all and must have dispelled any idea there might have been of excepting the provinces from the general law.<sup>36</sup> Catherine's primary interest, after all, was security in her realm.

Despite the advantages gained by the *Landsassen*, the Ritter were initially not too alarmed by the *Statthalterschaft*. Its changes did not bring about "a change in the [Livland] constitution, since they in no way affected the system of *Stand*; the main difference from before was a change in the mechanism by which the local authorities co-operated. ...the transformation of the provincial authorities was completely compatible with the maintenance of the old institutions."<sup>37</sup> The Ritter had also been reassured by the reaffirmation of those economic rights on which their power rested. Shortly before the implementation of the *Statthalterschaft*, on 3 May 1783, Catherine decreed the allodification of feudal estates,<sup>38</sup> a move welcomed by the Ritter.<sup>39</sup> The policy was not designed

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<sup>36</sup> It is implied that Catherine did not think of applying the law to the provinces. It was rather Prince Vyazemskii's (Catherine's procurator general since 1764) initiative. Eckardt, Die baltischen Provinzen, 217. The Ritter of Estland also referred to Catherine's promise to exclude their province from a general reform. Isabel de Madariaga, Russia in the Age of Catherine the Great, 319.

<sup>37</sup> Eckardt, Die baltischen Provinzen, 223.

<sup>38</sup> The change in the title to lands from feudal tenure to complete ownership.



specifically for the Baltic provinces, however. It was part of the Charter to the Nobility, promulgated on Catherine's fifty-sixth birthday the month before, which was the next step in the rational organization of the Empire.<sup>40</sup> Rather than landed estates being perceived as part of national property on loan to the nobility in exchange for service, they now became the exclusive and inviolable property of the nobility.<sup>41</sup> The measure was a logical addendum to the Provincial Law. Local gentry would be encouraged to look after their property if they owned it and especially the serfs on it. Land ownership and its concomitant responsibilities would replace state service as the noble's obligation to the state.<sup>42</sup>

The Charter to the Nobility was not immediately applied to the Baltic provinces. Much as they greeted the reaffirmation of their right to landed property, the Ritter rejected the Charter in general. Catherine's classifications of nobles, burghers and state peasants did not match circumstances, or attitudes, in the Baltic. "The essential trichotomy in our country is: 1) matriculated nobles, 2) peasants, 3) all who do not belong to either of these two *Stände*."<sup>43</sup> In contradiction to the Ritter practice of closed matriculation, the Charter reaffirmed

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<sup>39</sup> There is the suggestion that the allodification of the estates was directly connected to the application of the provincial reform. "... the nature of the bargain Catherine was going to drive home became clear: she would view the request to merge feudal and allodial land favourably if the Livonians proved accommodating over the statute of 1775." Madariaga, Russia in the Age of Catherine the Great, 318. Madariaga bases her presentation of the *Statthalterschaft* on Friedrich Bienemann, Die Statthalterschaft in Liv- und Estland 1783-1796 (Leipzig, 1886).

<sup>40</sup> For an interpretation of Catherine's Charters as a conscious attempt to organize society by defining and limiting social categories based on economic activity, see David Griffiths, "Catherine's Charters: A Question of Motivation," Canadian-American Slavic Studies 23 No.1 (Spring, 1989): 58-82.

<sup>41</sup> For a description of the main points of the Charter, see R.E.Jones, The Emancipation of the Russian Nobility, Chapter VIII.

<sup>42</sup> In actual fact, as Jones points out, "total avoidance of service, though legal, was discouraged. ... service to the state was the source of all the nobility's rights and privileges." A noble who had not served could not vote or be an official on the assemblies of the nobility (p.280). At the same time, landless nobility could not even be enrolled in the assemblies (p.284).

<sup>43</sup> "Pro ordine civico," Baltische Monatsschrift Band 9 (1864): 268.

ennoblement in reward for service to the state and the legal equality of nobility regardless of origin.<sup>44</sup> Naturally, the Charter was exactly what the *Landsassen* wanted. Once again, the lobbyists were busy in St Petersburg. The impression of discord was underlined by increasing unrest in the provinces themselves. Despite initial hopes to the contrary, there was friction between local and government institutions, particularly in the towns, which led to disorder in administrative and judicial functions.<sup>45</sup> Strife between the Ritter and the *Landsassen* continued especially since the latter made full use of their new rights. In the assembly called in September 1783 to elect and appoint the necessary officials, they were present in large numbers and made use of their vote in the election of the district representatives.<sup>46</sup>

### **Economic Pressure**

Discord on the political level was intensified by problems in the agrarian sector. Years of serfdom, compounded by the effects of wars and imperial fiscal demands, had taken their toll on the economy. Possessing nothing, not even their own labour, the serfs followed a course of minimal activity, since fulfilling more than their norms would benefit only the landlords. Nor were they motivated to achieve much more than self-sufficiency on their own farms since surplus could be appropriated by the lord. In times of need, they could rely on the lord who was required to support them. A disinterested labour force did not benefit the economy. The attitude of minimal fulfilment was exacerbated by the absence of

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<sup>44</sup> The Charter's six categories of nobles did recognize the existence of social differentiation among the nobility.

<sup>45</sup> Eckardt, *Die baltischen Provinzen*, 229.

<sup>46</sup> *Ibid.*, 225.

any agricultural plan on the part of the landowners. Their energies went into the supervision of their unwilling labour force rather than into the rational management of their estates. Landlords were unwilling to invest in better, labour-saving equipment, and there was a tremendous waste of labour due to outdated implements and the lack of any rational method.<sup>47</sup> Such inefficiency turned once fertile soil into useless fields. In the absence of any credit institute, many landowners were in debt and saw themselves forced to demand more labour from their serfs in an effort to increase their yields. The norms agreed to in 1765 were increasingly arbitrarily exceeded. By 1798, the labour norm had doubled that of 1760.<sup>48</sup>

One relatively simple and speedy way to profit was the distilling of spirits, and concentration on it brought some economic relief. Distilling had always been a popular side enterprise on Baltic estates especially since the Ritter enjoyed a monopoly on the sale of spirits but it gained momentum at the end of the eighteenth century with new chemical and technological advances and with imperial permission, granted 1766, to sell to other countries. St Petersburg was an important market within easy reach. 1,080,000 "pails"<sup>49</sup> of spirits were produced in Estland in 1777. "Most of it," reported A.W.Hupel, "is sold in St Petersburg and other Russian towns. Thirty years ago in none of the Estonian manors was such large-scale spirit-distilling practiced."<sup>50</sup> Much was consumed by the dispirited peasants. By 1794 the price of a barrel of spirits was double the

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<sup>47</sup> A wooden harrow with one horse, for example, achieved much less than an iron one with two horses. For more details see Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 106-107.

<sup>48</sup> *Ibid.*, 112.

<sup>49</sup> A "pail" was equal to a Russian *vedro* which was equivalent to fifteen litres.

<sup>50</sup> Cited in Yuhan Kahk, Peasant and Lord in the Process of Transition from Feudalism to Capitalism in the Baltic, (Tallinn, 1982), 31.

price of the grain needed to produce it.<sup>51</sup> The land was exploited to the full to fulfil the demands of the estate distilleries and the value of estates was dependent on the price of spirits. In the 1820s this dependency, although less by then due to some agricultural diversification, would be an important factor in the economic plight of the nobles.

The *Statthalterschaft* did not improve the economic situation in the Baltic provinces. In fact, although due to no deliberate imperial policy, matters were exacerbated.<sup>52</sup> The younger generation, with more contact to St Petersburg, wanted more than the minimum their elders had been willing to put up with. Clothes, horses, carriages, etc cost money which was not there, or if it was, could be better spent. The tendency of the younger generation is evident in the "Clothes Regulation" which the Landtag passed in 1780 so that "money would stay in the country". Silk, for example, was allowed only if it was monochrome.<sup>53</sup> Foreign laces, shoes, saddles, English horses and porcelain were among the articles completely forbidden.<sup>54</sup> Another expense was the increase in education abroad. The *Statthalterschaft* had replaced honorary appointments with paid positions which encouraged the younger generation to secure positions as civil servants through education, usually abroad since Dorpat University was still closed. To meet additional expenses, landowners increased their labour demands from an

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<sup>51</sup> Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 112.

<sup>52</sup> Eckardt (in Die baltischen Provinzen, 230-231) is one of the few to claim that the economy of the Baltic provinces improved under the *Statthalterschaft*. He attributes this to good harvests and favourable trading conditions rather than to any particular imperial policy. It is important to note that Catherine did have definite economic policies. She broke with the traditions of mercantilism and passed several decrees encouraging free industry, especially that of 17 March 1775 which dispensed with the fees owed by industry to the state and declared the freedom to set up workshops or handicraft ventures without special permission.

<sup>53</sup> Girls were not allowed to wear silk until they were twelve; boys were not allowed to wear silk underwear until they were fifteen.

<sup>54</sup> Eckardt, Die baltischen Provinzen, 227.

already overburdened and weakened peasantry in the hope of better yields from ever-deteriorating arable land. Serfs increased in value and were sold to less populated areas. Landowner debt increased and expanded, with many estates mortgaged. Bankruptcy and public auction of property were often the result. In Livland in the years 1765-1770 eight estates were sold. In the period 1796-1800 the number was eighty-four.<sup>55</sup>

By the end of the century, paradoxically the larger and more populated an estate was the less it was worth.<sup>56</sup> Along with the allodification of estates, Catherine had introduced a poll tax. Every male, with exemption for nobles, had to pay seventy kopeks a year.<sup>57</sup> Taxation had previously been based on the work a peasant did on his lord's land.<sup>58</sup> Now he was directly responsible to the state. The Ritter were allowed to raise it as they saw fit, which they did in order to pay other state demands. The peasants were burdened two-thirds more by the new tax.<sup>59</sup> If a peasant could not pay, his master was responsible for his payment, which increased the burden of the landlord. In 1784, landowners were given permission to demand work in lieu of payment. Serfs increased the burden of poll tax without necessarily the yield of the estate, especially since poor farming methods had rendered much of the land unusable, bringing about the situation of too much dependent labour for too little land.

The poll tax created extra tensions in the agrarian situation. Both landlords

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<sup>55</sup> Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 112.

<sup>56</sup> Ibid., 114.

<sup>57</sup> By 1797, it had increased to one rouble twenty-six kopeks.

<sup>58</sup> The subject of taxation is dealt with in Chapter I, Part Three.

<sup>59</sup> Tobien, Die Agrargesetzgebung Livlands, 79.

and peasants were more burdened. The peasants thought the poll tax replaced their dues and there were several uprisings which had to be quelled by military force. Imperial concern was expressed by a delegation of Russian senators sent to examine the situation. Peasant discontent was another source of pressure on the Ritter. The French Revolution had not only put ideas of equality into practice, it had also shown the efficacy of insurgence.

The sector of society that was most affected by the deteriorating economic situation at the close of the eighteenth century was, apart from the serfs, the matriculated nobles since it was they who owned most of the estates. This was especially true in Estland where the exclusive right of the matriculated nobility to own estates had never been infringed upon.<sup>60</sup> Since most of the Ritter in Estland owned only one estate, they tended to manage their lands themselves rather than lease them out.<sup>61</sup> In Kurland the crown owned about one-third of all estates but most of the rest were in the hands of the Ritter. With the exception of some very large properties with thousands of serfs, most estates were of moderate size and managed by their owners.<sup>62</sup> The situation was different in Livland where more sectors of society were involved in landownership.<sup>63</sup> Estates there were generally much larger and more individuals owned several estates, which meant there was more leasing. About fifty estates belonged to non-

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<sup>60</sup> See p.58 above.

<sup>61</sup> It was perhaps no coincidence that the few Ritter with several estates were often elected officials of the Ritterschaft. Landrat von Dellingshausen owned fifteen estates, Baron Ungern-Sternberg eight, Kammerherr Buxhoevden eight, Count Peter Mantteuffel ten; the *Kreismarschall* Baron Jakob Uexküll fourteen. The situation in Livland was similar if more extreme. Landrat von Wulff owned twenty estates, the *Landmarschall* von Liphart nine, *Staatsrat* Mantyeuffell nine. These figures are for the first half of the nineteenth century. Hueck, *Darstellung der landwirthschaftlichen Verhältnisse*, 129-130.

<sup>62</sup> *Ibid.*, 131-132.

<sup>63</sup> The Ritter's exclusive right to landownership had been infringed upon at various times, for example by the *Landsassen* during Swedish times, confirmed by Governor Browne in 1774.

matriculated nobility, and about 106 to burghers. While there were only seven crown estates in Estland, there were over a hundred in Livland, half of which were leased to burghers. Thus, there were others with economic interests in Livland. In Estland and Kurland, where landowners formed more homogeneous groups, the reform process would go more smoothly. It would be in Livland that a wider range of voices would be heard.

Although the *Statthalterschaft* was immediately abolished by Catherine's successor in 1796, it was more than a historical episode. It was primarily a dynamic of change. This aspect is somewhat overshadowed by the Russian/German dichotomy in historical interpretation. It is less fruitful to ponder whether Sievers had made an ill-judged decision to apply a Baltic law to a backward Russia or whether it was really a case of applying a backward Russian law to an advanced country;<sup>64</sup> whether it was the beginning of the Empire's attack on the province<sup>65</sup> or a deliberate attempt to subdue the German provinces to a greater Russian whole, thereby sowing the seeds for a more sinister Russification later.<sup>66</sup> The motive behind Catherine's policy was the rational organization of her Empire as vital to its security. Had the Baltic provinces proved efficient in local administration, it is fair to surmise that Catherine would not have seen the necessity to impose her new law there. The efficiency was disturbed by the economic factor of rural unrest and by the emergence of the

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<sup>64</sup> Eckardt, Die baltischen Provinzen, 205-214. R.Wittram, Baltische Geschichte, 130.

<sup>65</sup> Ibid.

<sup>66</sup> "Catherine II, as is well known, viewed borderland privileges with particular suspicion and favored from the very beginning of her reign a basic 'Russification' of their administration and political institutions." Edward Thaden, Russification in the Baltic Provinces and Finland, 1855-1914, (Princeton, 1981), 16. This perspective is not limited to Baltic historiography. David Griffiths claims, "Thus the empress set about eroding the special status preserved by several parts of the Empire ..." D.Griffiths, "Catherine II: The Republican Empress," Jahrbücher für Geschichte Osteuropas XXI (1973): 330.

*Landsassen* as a political voice through the support of imperial decrees in their favour. These decrees, however, were designed for all the nobility in Catherine's Empire, again as a way to secure her Empire. The terms of the *Statthalterschaft* provided the non-matriculated nobles and the citizens of the towns with scope for development by allowing them to break into the economic and political monopolies of the Ritter. The provinces acquired public voices other than those of the Ritter. With knowledge of the Empire's support, the *Landsassen* and the *Literaten* became more vocal. It is not purely coincidental that the publicists described at the end of the last chapter expressed themselves openly during the *Statthalterschaft*. Even Garlieb Merkel wrote under its influence and supported it. In this respect, the *Statthalterschaft* opened up the way for agrarian reform. Voices of criticism were raised, either from humanitarian motives or from a wish to deprive the Ritter of power.

The *Statthalterschaft* had disturbed the traditional rule of the Ritter. When it was abolished and the old ways re-established, "numerous roots of former shortcomings had withered and could no longer thrive as fully as before."<sup>67</sup> Within the ranks of the Ritter themselves, there was support for agrarian reform which would satisfy the various political and economic pressures and at the same time retain the power of the Ritter. It is no coincidence that the reform process really started in 1795, under the *Statthalterschaft*, conceivably under Catherine's direct influence but certainly with imperial approval.

It is also worth noting that there were various sectors of society in both provinces who wanted the *Statthalterschaft* restored. Towards the end of 1802, for example, the guilds in Riga wanted its restoration and in February 1803, the

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<sup>67</sup> Garlieb Merkel, cited in J.Eckardt, Die baltischen Provinzen, 177.



matter was put to the vote. 658, mostly the smaller guilds, voted for the provincial constitution while a substantial 342 voted for the *Statthalterschaft*.<sup>68</sup> The Germans in the towns, excluded from political power by Ritter monopoly, would always tend to support Russian policy which would decrease the power of the Ritter.

## PART TWO: PROVINCIAL RESPONSE: 1795-1796

### Livland: 1795-1796

Against this background of political and economic pressures, the subject of reform was raised once more in the Landtag. The 1795 Landtag broke with recent precedent in that it was not the Governor General who introduced the subject of reform but one of its own members, "on his own initiative or under the orders of Catherine."<sup>69</sup> Friedrich Wilhelm von Sivers was elected district marshal in 1789 after a distinguished military career fighting for Russia, particularly on the Turkish front, and three years later he was voted Land Marshal.<sup>70</sup> Before the 1795 Landtag met, its members had been preached to by the General Superintendent, Pastor Sonntag, supposedly on the invitation of Sivers.<sup>71</sup> The concern of the clergy for the plight of the serfs had been evident in their pastoral

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<sup>68</sup> Tobien, *Agrargesetzgebung*, 186-189.

<sup>69</sup> Samson, *Historischer Versuch*, 93-94. Another source is more definite about Russia's role, claiming that Sivers presented his reforms "in fulfilment of the Empress's secret orders." A.Richter, "Istoriya krest'yanskago sosloviya v prisoedinennykh k Rossii pribaltiiskiykh guberniyakh," (Riga, 1860), 19.

<sup>70</sup> Under the *Statthalterschaft* this office was officially known as *Gouvernementsmarschall* but is often referred to as *Adelsmarschall*.

<sup>71</sup> Tobien, *Die Agrargesetzgebung*, 116.

activities over the past decades<sup>72</sup> but Sonntag was the first to bring it directly to a political level.<sup>73</sup> His sermon, which he himself described as "really not very complimentary,"<sup>74</sup> did not attack the basic economic and political rights of the Ritter but did focus attention on the welfare of the peasantry. "As long as the human and civic existence of the peasants is not more secure, everything which should be morally effective remains nothing more than good will."<sup>75</sup> As material for his sermon, Sonntag had apparently used the writings of a young house tutor, Garlieb Merkel, whom he had met in Riga through a group of *Literaten*.<sup>76</sup> Merkel was the son of a pastor, mostly self-educated through the French books of his father's library.<sup>77</sup> As noted in the previous chapter, he was one of those voices encouraged into the open by knowledge of Russian support. Merkel's loyalty to Russia would eventually bring him a Russian pension rather than the fate of radicals, like Radishchev, who criticized the government itself as the source of society's ills. Merkel's target was not imperial authority but rather local government: the political and economic monopoly of the Ritter at the expense of the peasants, whose cruel plight at the hands of ruthless landowners he vividly

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<sup>72</sup> This was dealt with in Chapter II.

<sup>73</sup> Others had spoken out, but in less direct terms. A few years before Sonntag's Landtag sermon, Pastor Stender had tried to remind the Ritter in Kurland of their moral duties to their neglected peasantry in his introduction to the "Lettisches Lexikon, den Liebhabern der lettischen Litteratur gewidmet," published in 1789 at the expense of the Ritter. Irene Neander, "Die Aufklärung in den Ostseeprovinzen," in Baltische Kirchengeschichte, 133.

<sup>74</sup> In his letter (9 January 1796) to Merkel reporting on his Landtag sermon, reproduced in Eckardt, Die baltischen Provinzen, 186.

<sup>75</sup> Cited in I. Neander, "Die Aufklärung in den Ostseeprovinzen," 133.

<sup>76</sup> Merkel had sent Sonntag the manuscript of his book. It would be misleading, however, to see Sonntag merely as the mouthpiece of Merkel. Sonntag, not much older than Merkel, was an immigrant German pastor to whom the Ritter system of privilege was alien. He regretted the many ways in which the interests of the clergy were tied to those of the nobility [as expressed in a letter to Merkel, reproduced in Eckardt, Die baltischen Provinzen, 188.] and tried to free the church from such secular power. I. Neander, "Die Aufklärung in den Ostseeprovinzen," 148.

<sup>77</sup> Julius Eckardt refers to Merkel as "this Baltic Voltaire." Die baltischen Provinzen, 169.

described in Die Letten, vorzüglich in Livland, am Ende des philosophischen Jahrhunderts in 1797.<sup>78</sup> Many of Merkel's contemporaries, especially those in possession of land, rejected his criticisms as exaggeration. Even a supposedly objective observer remarked, "... the work would have had more effect if it had not sinned by obvious exaggeration. This book is less a plaidoyer for the peasants than a factum against the nobility."<sup>79</sup> It is true that Merkel's use of dramatic imagery detracts from serious consideration of his ideas. He compares most graphically, for example, the vain fight of the "free Lett" in the past to that of Laocoon against the serpents. The twin "hydras" of clericalism and nobility, however, with which the free Lett had to contend, were much worse than the monsters in the original myth.<sup>80</sup> Whatever the weaknesses of Merkel's method, however, his book focused attention on the stark contrast between the ideas of the "*philosophische Jahrhundert*" and the reality of life in Livland, that huge dichotomy between fine words and practice, evidenced by the Landtag for the past few

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<sup>78</sup> Although the publication year postdates Sonntag's speech to the Landtag and the Landtag discussions, according to Merkel his work "appeared in Leipzig in the summer of 1796 under the publication year 1797." Garlieb Merkel, "Die Letten," in Thersites. Die Erinnerungen des deutsch-baltischen Journalisten Garlieb Merkel 1796-1817 ed. Maximilian Müller-Jabusch (Berlin, 1921); 16. It was this first edition which Merkel approved of. He criticized the second edition for the addition of "philosophical-political reasoning which could only harm the main purpose [of the work]." He blamed this on the pedantic effect the university had on him. *Ibid.*, 15-16.

<sup>79</sup> Bray, Essai Critique vol.3, 222-223. This attitude to Merkel is found in many of his contemporaries and in Baltic historiography. Tobien is particularly scathing in his assessment of Merkel, describing him at best as "an unscrupulous agitator, perhaps for a good cause, but never a historian." Tobien, Die livländische Ritterschaft in ihrem Verhältnis zum Zarismus und russischen Nationalismus (Riga, 1925), 33-36. Also Die Agrargesetzgebung, 167-168. There are many who would still agree that Merkel was more a polemicist than a historian. See remarks in H. Neuschäffer, "Unterschlagene Machtpolitik," in Russen und Rußland, 421-422.

<sup>80</sup> The image is worth quoting in the original for the flavour of Merkel's dramatic "exaggeration." "Wie einen zweiten Laocoon stellt uns die ältere Geschichte Lieflands dem freien Lettischen Mann dar, im Kampfe mit schrecklicheren Hydern, als selbst die Fabel gebar, dem gaharnischten Pfaffenthum und dem legalen ritterlichen Räubersinn. Er ringt, er ringt, mit immer beklemmter Brust, immer krampfhafterer Verzückung und ersterbenderm Auge, mit immer verzweiflungsvollerer Anstrengung. Umsonst! Die Ungeheuer schnüren seinen Busen zusammen; er erliegt; und wer erkennt in dem Scheusal, das ihre giftigen Bisse zerfleischen, noch das edelste Gepräge der Natur, den Ausdruck des mannhaften Freiheitsinnes und kunstloser Biederkeit!" Garlieb Merkel, Die Letten vorzüglich in Liefland am Ende des philosophischen Jahrhunderts (Leipzig, 1800), 119.

decades. In the preface to his Historischer Versuch über die Aufhebung der Leibeigenschaft in den Ostseeprovinzen, written for Count Speransky<sup>81</sup> and published in 1838, Samson von Himmelstiern,<sup>82</sup> accorded Merkel a prominent place in the reform process in Livland. "The time of accusations and feuds is past... One has no need to fear censure, as far as I know, when one openly acknowledges the great contribution Dr. Merkel made to the happy transformation of matters relating to the peasants. He spoke passionately but truly. The passion was enthusiasm for what is good and is therefore not only forgivable but fully justifiable. ... Had Dr. Merkel not spoken with the passion which fired his speech just as much as it warmed his heart, he would have suffered the same fate as his predecessors. Like them, he would not have been heard or seen. Some of the younger generation owe their noble, beneficial plans for the future to his openness in 1796 when Die Letten appeared."<sup>83</sup>

Merkel advised the Ritter to initiate the necessary emancipation reforms before they were forced to.<sup>84</sup> "The nation is no longer a slavish dog ... it is a tiger, gnashing its teeth in quiet rage, waiting longingly for the moment when it can break its chains and wash off its humiliation with blood."<sup>85</sup> His reform plan, which he admitted contained nothing very new,<sup>86</sup> would, he claimed, protect the right of the Ritter to their estates.<sup>87</sup> The most important step would be to replace

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<sup>81</sup> See Jégor von Sivers, Zur Geschichte der Bauernfreiheit in Livland (Riga, 1878), Intro. XII.

<sup>82</sup> A prominent Ritter reformer of the 1819-1846 period, to be dealt with in the next chapter.

<sup>83</sup> Samson, Historischer Versuch, Preface.

<sup>84</sup> Merkel, Die Letten, 264.

<sup>85</sup> *Ibid.*, 246.

<sup>86</sup> *Ibid.*, 343.

<sup>87</sup> "The welfare of the Letts must be established in such a way that the nobility does not forfeit its pre-eminent use of its estates." *Ibid.*, 331.

the jurisdiction of the landowners over their peasants by peasant courts (which he points out were in place during the *Statthalterschaft*) to deal with both peasant disputes and complaints against their masters. Further, labour norms should be regulated<sup>88</sup> and the expulsion and sale of peasants should be forbidden. The peasants should be prepared for freedom, which would be granted after a period of five years to all families who could pay 30-40 *taler* and who had no criminal record. The farms would be held by the peasants in hereditary tenure. Merkel's ideas were based on known Russian policy. Apart from the new idea of freedom, the same ideas had been expressed by Governor Browne at the 1765 Landtag and by Eisen as a representative of Catherine's ideas.<sup>89</sup>

Merkel's work would create "a sensation beyond (Merkel's) most eager hopes"<sup>90</sup> but Sonntag's sermon caused no great controversy. In fact, the Landtag members were apparently impressed enough to order it published.<sup>91</sup> Sonntag reported the attitude in the Landtag as positive. There was "a certain willingness among our nobility to take at last the welfare of the peasants to heart." Proposals, he said, which three years previously had been considered treasonable were now acceptable.<sup>92</sup>

There had been several such proposals, made publicly. Merkel and Sonntag were not the first to tackle the question of serfdom openly. All through the period of the *Statthalterschaft*, there had been public discussion of the agrarian question. The publicists Jannau and Hupel, discussed in Chapter II, took

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<sup>88</sup> Merkel underestimated this task, claiming it would take "maximum two winters." *Ibid.*, 337.

<sup>89</sup> Discussed in previous chapter.

<sup>90</sup> Merkel, *Die Letten*, Supplement page 38.

<sup>91</sup> And award him a golden bowl.

<sup>92</sup> Sonntag's letter to Merkel in Eckardt, *Die baltischen Provinzen*, 187.

advantage of the more open climate to publish articles on the subject. In 1788, Hupel published an article by Wilhelm Christian Friebe,<sup>93</sup> at that time an immigrant German house tutor but soon (1801) to be Secretary of the Society for the Public and Economic Welfare of Livland,<sup>94</sup> a position he would hold from 1801 to 1810. Friebe argued that serfdom was an anachronism and that free peasants were more productive than serfs but was convinced that since the peasants had been deliberately kept in servile ignorance, they would have to be prepared for freedom. The peasant "does not think any more sensibly than the horse he mechanically guides; he certainly deserves all the sympathy of mankind. ... Perhaps he should be given his freedom? By no means: this would be like the plague for him ... But to make him more active, more industrious, to teach him to protect himself from hunger: this would be a good deed of infinitely greater value than the noisy word freedom ..."<sup>95</sup> Friebe's opinions on this point were in keeping with the times. A Scottish minister visiting Russia observed in 1784, "To give liberty at once to twenty millions of slaves would be to let loose on mankind so many robbers and spoilers. Before slaves can receive freedom in full possession, they must be taught to know, relish and use its blessings."<sup>96</sup>

The problem, of course, was how to prepare for freedom without altering the system of rights and obligations, without disturbing the system of Ritter privilege. The Ritter, in general, however, were not prepared to contemplate any basic changes. They reiterated the terms of 1765 as solutions to the problems:

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<sup>93</sup> "Etwas über Leibeigenschaft und Freiheit, sonderlich in Hinsicht auf Livland," in Nordische Miscellaneen XV - XVII, ed. A.Hupel (1788), 744-768. For more on Friebe, see N.Wihksninsch, Die Aufklärung, 291-300.

<sup>94</sup> See page 184 below.

<sup>95</sup> Cited in *Ibid.*, 293.

<sup>96</sup> Cited in David Griffiths, "Catherine II: The Republican Empress," 329.

regulation of labour norms, the right of complaint against the lord and the right to own moveable property.<sup>97</sup> The even more conservative view was aired in Hupel's Nordische Miscellaneen in 1782. A Livland noble, who wished to remain anonymous,<sup>98</sup> argued that the peasant could never be practicably free of *corvée*, which was bound to the land, and which guaranteed him a certain amount of work. The labour norms must be properly regulated and obeyed for the welfare of the country. Foremost in the mind of the anonymous landowner was the guarantee of his labour force. For him, freedom for the serfs meant freedom for them to leave.<sup>99</sup> Although there was certainly more open discussion of serfdom during the *Statthalterschaft*, preservation of the labour force kept most landowners conservative. At the same time that more liberal voices were being heard, the Landtag, for example, in 1791 forbade the marriage between serfs from different areas (although there had been an imperial decree in 1716 forbidding landowners to hinder the marriage of a female serf to a male from another area<sup>100</sup>).

By the time of the 1795 Landtag, most opinions on the subject had been aired. Conservative factions had perhaps gained in confidence and influence due to the experience of the French Revolution. Austria did provide an example of imperial decree overriding landowner interests but also proved what landlord opposition could do. Joseph II of Austria's attempt to introduce emancipation by

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<sup>97</sup> As expressed, for example, in the 1787 article, "Wiederum ein Wort zu seiner Zeit oder Versuch einer Beantwortung der unserem Vaterlande der so wichtigen Frage: wie wohl der Landplage des jährlichen Bauernvorschusses am sichersten abzuhelfen wäre." See Wihksninsch, Die Aufklärung, 294-295.

<sup>98</sup> Which may indicate the presence of more liberal elements, or at least that his views were very conservative.

<sup>99</sup> *Ibid.*, 295-296.

<sup>100</sup> See Chapter I, p.81.

fiat had failed in the face of noble opposition.<sup>101</sup>

### Practical Reforms

An important new element, however, in the agrarian reform process is illustrated by Friebe. Friebe had stressed teaching the peasants how to farm better and this reflected agrarian thinking of the time. The establishment of the first veterinary schools -- in France in 1762, Denmark 1773 and England 1791 -- evidenced the new emphasis on livestock. New breeds were introduced, especially the Merino sheep originally introduced into Spain by the Moors.<sup>102</sup> Diversification, particularly with new crops like potatoes, was found to be productive. Friebe recommended the planting of potatoes and clover in 1789. The four-course field system, in use in most of Britain by 1800, was gradually being adopted in Europe. The enclosure it required replaced the thousand year old open-field system.<sup>103</sup> New agricultural machines, like Jethro Tull's horse-drawn hoe and seed drill, increased efficiency. Changes had come as far as Russia at the turn of the century. An English mechanic in Moscow sold threshing machines, while another Englishman planted and sold new seeds of all sorts, including potatoes, beans and lentils. The planting of clover was especially strong

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<sup>101</sup> Joseph had worked out a measure of compensation for the landowners, but to no avail.

<sup>102</sup> This was a much admired breed and despite a ban on its exportation, several countries were breeding Merino sheep by the end of the century.

<sup>103</sup> The Norfolk, or four-course field, system eliminated the fallow field and emphasized fodder crops, which were used to feed livestock in winter, thus ensuring not only proper feed but also good and plentiful manure to fertilize the fields for future cereal crops. It also involved enclosure to protect the individual farmer's crop from general grazing.



in the Moscow area.<sup>104</sup> Landowners began to take note of the possibility of higher productivity without losing any of their economic power over their serfs.

Friebe, a German immigrant, based his ideas for agricultural improvement mainly on the works of the German agronomist Albrecht Thaer (1752-1828), a pioneer of rational, scientific farming methods. He was also an advocate of peasant proprietorship.<sup>105</sup> Friebe's works, and others, were distributed by the Livländische gemeinnützige und ökonomische Societät (the Society for the Public and Economic Welfare of Livland). The Society had been founded in 1792<sup>106</sup> through the endowment of a Riga merchant, Peter Heinrich Blanckenhagen. Although not founded by Ritter initiative, its benefactor stipulated that it should be composed of members of the nobility, interpreted to mean matriculated Ritter.<sup>107</sup> The Society was typical of its time. In fact, it was one of the last in a series of such societies in Europe, which testify to the scientific interest in and contribution to agricultural improvement. The first had been founded in Scotland in 1723 (Society of Improvers in the Knowledge of Agriculture), followed by the London Royal Society of Agriculture in 1753. Russia was not far behind with the

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<sup>104</sup> For a description of new advances in agricultural methods in Russia at the turn of the century see Chapter XVII in Heinrich Storch, Rußland unter Alexander dem Ersten vol.I (St.Petersburg and Leipzig, 1804), 363-380.

<sup>105</sup> Friebe's work Grundsätze zur Verbesserung der Landwirthschaft in Livland, 2 vols. 1802, 1803, for example, was based on Thaer's Einleitung zur Kenntniss der englischen Landwirthschaft 1801. Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 126-127.

<sup>106</sup> The Society was formally founded on 18 October 1792 and ratified by the Ritter on 25 November 1792. Imperial permission, stipulated by Blanckenhagen, was granted in 1794 although Catherine noted that such permission was not necessary. Hans Dieter von Engelhardt and Hubertus Neuschäffer, Die livländische gemeinnützige und ökonomische Sozietät (1792-1939) (Köln, 1983), 20-21. The Society had its first meeting on 10 January 1796, which is often given as the date of its founding.

<sup>107</sup> Blanckenhagen cannot be considered a typical merchant but, since he owned an estate, rather one of the *Landsassen* with aspirations to matriculation. After receiving ennoblement from Vienna, his family was received into the ranks of the Ritter in 1795, after his death, probably in gratitude for the endowment of the Society. *Ibid.*, 20.

founding in St Petersburg of *Die Freie Ökonomische Gesellschaft* in 1767,<sup>108</sup> which also had Baltic representatives.<sup>109</sup> The Russian society, in fact, provided the example for the new Livland society. Friebe had been a member of the Russian society for several years and had received fifteen prizes for works submitted to it. August Hupel was also a member of the Russian society before becoming an honorary member of the Livland society. The Society was committed to the physiocratic principle of the improvement of agriculture as the basis of a nation's wealth and since agriculture was dependent on the peasants, they were naturally a focal point of the Society's attention. As the first Secretary of the Society noted at the 1795 Landtag, "We must improve the situation of our peasants. Self-interest should motivate us if humanity has not already made it our duty."<sup>110</sup>

While the Society professed its commitment to practical agriculture,<sup>111</sup> there was a definite dichotomy between theory and practice. A rather naive optimism could not move the more traditional landowner. In its early years, the Society was perceived to lack "persistence in recognized truths, capital to establish anything real, knowledge of how to start or see anything through, time and energy of the oppressed populace and many other basic conditions."<sup>112</sup> Practical

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<sup>108</sup> A list of the major societies founded in the eighteenth century is available in *Ibid.*, 13. Michael Confino used the publications of the Russian Free Economic Society to examine agrarian relations in Russia between 1765 and 1820 in his well-known study, *Domaines et Seigneurs en Russie vers la Fin du XVIIIe Siècle. Étude de Structures Agraires et de Mentalités Économiques*, (Paris, 1963).

<sup>109</sup> Engelhardt, Neuschäffer, *Die livländische gemeinnützige und ökonomische Sozietät*, 24.

<sup>110</sup> Cited in *Ibid.*, 29.

<sup>111</sup> At the 1795 Landtag, Parrot, the first Secretary already quoted, gave a very detailed list of areas deserving of improvement. It included: orchards, spirits, forestry, potatoes, seeds, cellars, animal feed, implements, ploughs, cultivation methods, gardens, cattle breeding, fertilizer, fire prevention, flax, silk. *Ibid.*, 29.

<sup>112</sup> This was the criticism of Parrot's brother-in-law, Johann Wilhelm Krause, who was a practical landowner and later the first professor of agriculture at Dorpat University. *Ibid.*, 32.

ideas were indeed slow to be realized.<sup>113</sup> A few attempts at innovation ended in failure. In 1798, the idea of the four course system was rejected. Attempts at sheep breeding failed as did the introduction of the threshing machine. A project which imported Angora goats from Bologna was unsuccessful as were isolated attempts to breed Merino sheep.<sup>114</sup> In 1802, the St Petersburg Society described the problem of introducing even animal feed crops in Kurland: "... but these are still only wishes, which perhaps must wait till the next generation to be put into practice. Our contemporaries do not seem to be receptive to these improvements ... preferring to farm as their fathers did."<sup>115</sup>

Farming methods in the Baltic area remained antiquated well into the nineteenth century.<sup>116</sup> Livestock, for example, were left to fend for themselves and in winter were fed poor quality hay, owing to the inefficient methods of hay-making.<sup>117</sup> As a result, animals were underfed and weak and the underfertilized fields yielded little sustenance for them or for further crops. Farming implements were the same as had been in use for centuries. Despite changes in population and demand, the agricultural yield remained as low as it had been over a

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<sup>113</sup> According to Friebe, potatoes had already been harvested in 1787 but by 1841 they had not been introduced on all farms and were limited to gardens rather than to crops. Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 124. Landowner interests often lay in more pleasurable rural pursuits like hunting. The last decade of the eighteenth century saw the development of large gardens and extensive parks rather than new farming methods. Ibid., 126. Bray describes his visits to some of these gardens which were like a "vast and beautiful English park." Bray, Essai Critique vol 3, 151.

<sup>114</sup> For failed projects, see Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 125.

<sup>115</sup> E.von Rechenberg-Linten, Zustände Kurlands, 85.

<sup>116</sup> For a detailed description of methods and implements, see Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 71-95.

<sup>117</sup> Poorer farmers were sometimes forced to feed the animals the straw from the roofs. Ibid., 90.

hundred years earlier.<sup>118</sup> Still, the Society did strive to keep landowners informed of new farming knowledge through the distribution of free leaflets and although the response was lukewarm,<sup>119</sup> the Society was a consistent reminder of the need for agricultural improvement. It is even conceivable that Sonntag was more influenced in his sermon by the Society members with whom he was on close terms<sup>120</sup> than by the writings of Merkel. It would, however, take two decades for Baltic landowners to realize that practical reforms failed because the labour force was unfree.<sup>121</sup>

### Sivers' Proposals

Sivers' proposals to the 1795 Landtag contained nothing new. The background to his proposals may have been less the increasing discussion of serfdom than the conflict of functions between local and imperial authorities. Peasants had been given the right to complain against extreme labour demands or extreme landlord discipline but it was not clear exactly where they should direct their complaints, which had to be delivered in person. In 1786, the Landtag had decided that peasant complaints should be dealt with by the *Adelsmarschall* and two *Kreismarschälle*. This decision was probably based on the fact that the terms of the *Statthalterschaft* had turned the *Ordnungsgericht*, where peasant

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<sup>118</sup> For comparative estimates, see *Ibid.*, 82. Elsewhere, agricultural yields were increasing. From 1788 to 1808 in Denmark, for example, yields and exports of grain approximately doubled. Between 1770 and 1800, the number of cattle rose by a third due to the cultivation of clover and grass through crop rotation. H. Arnold Barton, *Scandinavia in the Revolutionary Era, 1760-1815*, 368-369. It should be noted that the peasants in Denmark were emancipated in 1788, which would have affected productivity.

<sup>119</sup> Hueck, *Darstellung der landwirthschaftlichen Verhältnisse*, 127.

<sup>120</sup> Especially since Friedrich von Sivers himself was one such member. Engelhardt and Neuschäffer, *Die Livländische Gemeinnützige und Ökonomische Societät*, 33.

<sup>121</sup> See, for example, Hueck, *Darstellung der landwirthschaftlichen Verhältnisse*, 123, 125.

complaints had hitherto been directed, into the *Niederlandgericht* with peasant representation. The effect was that complaints were heard by both Ritter and government authorities. The subject was put on the 1795 Landtag agenda for clarification.<sup>122</sup> The question of labour norms was closely tied to that of peasant complaints since without regulated norms a peasant had no standard against which to measure excessive labour demands nor could his complaints be assessed. The matter had been complicated by landlords demanding extra work to cover the non-payment of the poll tax. Sivers asked that labour norms be regulated where they had not been so, so that "the most unjust treatment would not be protected by an overstrict righteousness."<sup>123</sup> This was a task given the landowners in 1765 and of which they were once more reminded in 1777.

The new mood on the Landtag, described by Sonntag, did not bear practical fruit. The Landtag's reaction to Sivers' proposal was more procrastination than action. "... since this subject requires extensive debate, it shall be left to the *Adelskonvent* to determine the principles of the most exact regulation of the peasants' obedience and dues. These regulations will then be communicated to landowners through the district convents and their opinions in turn remitted to the *Adelskonvent*, so that the latter can prepare its proposal for the next Landtag."<sup>124</sup> The *Adelskonvent* was instructed to consider as valid the surveys of peasant land done according to the Swedish method but in the measuring of new land, the crown peasants should be used as a reference point

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<sup>122</sup> Tobien, *Die Agrargesetzgebung*, 115-116.

<sup>123</sup> Samson, *Historischer Versuch*, 93-94.

<sup>124</sup> Cited in *Ibid.*, 94. Tobien rather misleadingly infers that the 1795 Landtag, by giving the matter over to the *Adelskonvent*, at least did not stall until the next Landtag, which would have been 1798. An extraordinary Landtag, however, was ordered by Catherine in 1796 to discuss another matter. Tobien, *Die Agrargesetzgebung*, 117.

in view of the higher dues demanded. This would necessitate more land being allocated or other just compensation.<sup>125</sup> This point would cause some controversy later.

The discussion of agrarian reform now gained some impetus due to a series of extraordinary Landtag sessions. The matter was discussed one year later, instead of three, due to Catherine calling a special session in September 1796 to discuss the supplying of military troops.<sup>126</sup> Twenty-three points were laid before the Landtag, none of them differing much from 1765. A final decision was postponed on the grounds that the *Adelskonvent* had not had enough preparation time and that not enough landowners were present. The *Adelskonvent* received further instructions for the final draft.<sup>127</sup>

Shortly afterwards, on 17 November 1796 Catherine died. Ten days later, her successor Paul cancelled the *Statthalterschaft* system.<sup>128</sup> An extraordinary session of the Landtag met in January 1797. The 1796 points (now twenty-seven) were finalized and submitted to the tsar. Although 1796 is often seen as the turning point in agrarian reform in the Baltic, there was in fact little change from 1765. Merkel, whose book the Governor ordered removed from public circulation, noted bitterly that the new regulations were nothing more than the usual hypocritical measures,<sup>129</sup> claiming that they even cancelled out any

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<sup>125</sup> Samson, Historischer Versuch, 94.

<sup>126</sup> Tobien, Die Agrargesetzgebung, 117.

<sup>127</sup> In his version of events, Samson implies that the 1796 Landtag merely asked the district representatives to reconsider a few minor points. Historischer Versuch, 94.

<sup>128</sup> But expanded the tax system. He reinstated the burdensome recruitment, which Catherine had abolished in 1783, "to give back to them what was wrongfully taken away, the right to protect their country." Tobien, Die Agrargesetzgebung, 83. A request to Paul to cancel recruitment was apparently refused on the grounds that it was a condition of the removal of *Statthalterschaft*. Ibid.

<sup>129</sup> In his answer to Ritter von Brasch's criticism of Die Letten, published 1798 and included as a supplement in the 1800 edition of Die Letten already cited.

improvements gained in the last two centuries.<sup>130</sup> Labour dues were to be regulated where they had not been and a new date for submission of the *Wackenbücher* was set for August of that year, some thirty years after the first ultimatum.<sup>131</sup> The procedure for peasant complaints was as limited as in 1765<sup>132</sup> and the punishment for unjustified complaints the same.<sup>133</sup> As in 1765, the task had to be fulfilled before the peasant could complain about it "because the lord, if he had overstepped the law, always had the means to compensate the peasant; the peasant, on the other hand, is seldom in the situation, when he had complained unjustifiably, to compensate for the damages incurred by his disobedience."<sup>134</sup> The end of the *Statthalterschaft* had removed the duplication of court authorities and the appropriate judicial procedure for peasant complaints was once more firmly in the hands of the local authorities, with the *Adelskonvent* the court of highest instance.<sup>135</sup> The peasant was to remain the property of his master, who would still have the right to sell him, but only to other nobles in Livland.<sup>136</sup> Recalcitrant and runaway serfs could be sold to anyone with the

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<sup>130</sup> Ibid., 110.

<sup>131</sup> Points 5,7,8. The text of the 1797 Landtag proposals is given in Samson, Historischer Versuch, Appendix B, 157-166.

<sup>132</sup> The peasant had to complain in person and orally with no legal representation (Point 19). A maximum of four peasants (previously it had been one) could complain at the one time but only if the complaint involved the whole area; otherwise there could only be one complainant (Point 24). See Chapter I, p.83 for the 1765 terms.

<sup>133</sup> Ten pairs of the rod in the first instance, twenty in the second (ten was the maximum allowed for normal punishment) and one year forced labour in the third. It was expressly stated that such punishment was to effect the peasant's own improvement and to serve as a warning to others (Point 25). If the peasant complaint was justified, the landowner was obliged to compensate him twice the value of what he had unjustifiably asked. Fines were imposed for further instances (Point 26).

<sup>134</sup> Point 23.

<sup>135</sup> Points 19-22.

<sup>136</sup> Point 1.

right to own serfs.<sup>137</sup> Discipline was to remain firmly in the hands of the lord. Minor misdemeanours were to be punishable by whip; more serious cases were to be subjected to the rod, as before, with the maximum punishment set at ten pairs of three strokes. This was also valid for the "children's rod."<sup>138</sup> The peasant could be expelled from his farm, with compensation, if the lord proved it justifiable to incorporate the *Bauerland* into the *Hofsland*.<sup>139</sup> As in 1765, the peasant was to be allowed to own what he had acquired or received but the lord would have first option on anything the peasant wished to sell or otherwise dispose of.<sup>140</sup> How much the landowner was allowed to demand in the event of non-payment of poll tax was determined and all other extraordinary duties were to be regulated.<sup>141</sup> A glimmer of peasant rights was seen in the proposals to set up peasant courts for the settlement of peasant disputes and the compilation of a law book for these courts.<sup>142</sup>

This reform proposal, little more than a reiteration of the 1765 terms, was presented to Paul, who in turn gave it to a commission of Senators for consideration. The draft was returned to the Ritter for reconsideration of several

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<sup>137</sup> Point 2. Six peasant farmers were required to confirm the peasant's culpability.

<sup>138</sup> Point 17.

<sup>139</sup> Point 16.

<sup>140</sup> Point 3. This was exactly the same as 1765. Tobien assesses the 1797 proposals as giving the peasants more property rights (Tobien, Die Agrargesetzgebung, 120) but, in fact, the terms were the same.

<sup>141</sup> How much the landlord could demand of the peasant in distilling, spinning, threshing, transporting etc. was defined as well as public duties, like the building and upkeep of roads, and public fees, for such as pastors and teachers. Points 6 and 11.

<sup>142</sup> The landowner, of course, retained full authority over the courts. Points 15 and 27.



points.<sup>143</sup> The following 1798 Landtag was characterized by divisions which would become typical of the whole reform process. It was such lack of unity which often left the way open or necessary for imperial intervention.

Out of the divisive atmosphere, a new role was implicitly assigned to imperial power. The tsar came to be regarded as someone to appeal to to settle a dispute. The delegates from the Estonian part of Livland objected to the 1798 proposals as inapplicable to their situation. They also argued that there had not been enough of them present at the discussions. In the end they protested to the tsar against the decision of their fellow Ritter. Sivers had first threatened to use the strategy of summoning imperial power to settle disagreements in the internal affairs of the province<sup>144</sup> and would use it often against the advice or without the knowledge of the Landtag. After much debate, the 1798 Landtag appointed a committee of eight to consider the final amendments.<sup>145</sup>

Imperial intervention, however, was not dependent on Ritter invitation. Peasant appeals also had some effect. In 1776, for example, the peasants of Wolmar submitted a complaint against the excessive demands of their landowner von Löwenstern to the future tsar Paul while he was travelling through the Baltic area. The complaint was found justified and Löwenstern forced to compensate his peasants (who were also punished for appealing directly to the tsar).<sup>146</sup> Any threat to the security of the Empire warranted imperial intervention and peasant unrest brought swift attention. Even Paul, seldom motivated by the liberal

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<sup>143</sup> Tobien claims that the main objection was to limiting the sale of serfs to within Livland. Russia would lose potential labour from such a measure. Tobien, Die Agrargesetzgebung, 122.

<sup>144</sup> To prevent major Landtag revisions of the 1798 draft, Sivers threatened to protest to the tsar.

<sup>145</sup> 43 were in favour, 26 against. Tobien, Die Agrargesetzgebung, 123. Samson suggests that the proposals were not ratified due to the objection of the Estland deputies. Historischer Versuch, 95.

<sup>146</sup> G.Sacke, "Livländische Politik Katharinas II," 33.

principles of his mother Catherine, felt compelled to intervene in the affairs of the Baltic when the increase in the number of peasant complaints against landlords reached his attention. Paul ordered Governor General Nagel to communicate to the Ritter, in a rather complicated manner to ensure secrecy,<sup>147</sup> that any demands made of the peasants over and above the *Wackenbuch* regulations were strictly forbidden and punishable by confiscation of their properties. Sivers assumed that he, as Landrat, was responsible for the punishment of violations of *Wackenbuch* regulations and fined two landowners for such breaches. The landlords appealed to the tsar, again an instance of Baltic factions using imperial power to solve their disputes, and Sivers was suspended until it was decided who was legally entitled to punish landlords for infringements against the *Wackenbuch* regulations. The *Landratskollegium* was able to prove that it lay within the competence of the Landrat to do so.<sup>148</sup> Despite the fact that Sivers, mainly due to his tactics, was losing popularity among the Ritter, it was more politic to ensure that enforcement rights lay formally within their own ranks than to yield them to imperial or state power because of internal differences.

The tsar communicated to the Ritter his expectation of "firm principles" to regulate the economic situation. The 1798 proposals were submitted to fulfil this imperial command but were not ratified due to Paul's death in March 1801.

#### **Estland: 1795**

Events on the Landtag in Estland went more smoothly but the end result

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<sup>147</sup> See Tobien, *Die Agrargesetzgebung*, 130.

<sup>148</sup> *Ibid.*, 129

was much the same. At approximately the same time as the Livland Landtag,<sup>149</sup> the Landtag in Estland began discussing the regulation of relations between peasant and landowner. Although the discussion was supposedly prompted by imperial concern over the peasants in Estland, there had been a few individual attempts to introduce agrarian reform which would influence the Landtag. In 1789 Baron Berent Johann Uexküll had introduced a detailed reform on his estate which regulated peasant obligations, recognized the right of the peasant to own moveable property, granted him a limited right of hereditary tenure and attempted to regulate relations between the peasant and lord in all spheres. This reform was introduced in 1791 by one other landowner, Baron Otto Friedrich Stackelberg. Due to information supplied by another Otto Stackelberg in St Petersburg,<sup>150</sup> Catherine was moved to complain that "the peasant in Estland with all his goods is the unlimited property of his lord, who can sell him or exchange him for a horse or force him to settle on barren land."<sup>151</sup> To correct this "false" impression, the 1795 Landtag submitted for legal recognition a list of measures the *Ritterhauptmann* Salza claimed were already in practice. Once more, imperial interest had motivated reform.

As in Livland, however, the proposals did not differ greatly from 1765 and should indeed have already been in force. The influence of Uexküll's reform is obvious. The *Wackenbuch* regulations were to be held to; extraordinary dues were to be regulated as well as the normal ones; the peasant was to possess all moveable property and could dispose of it as he wished, free from the lord's

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<sup>149</sup> Both sessions took place in December 1795.

<sup>150</sup> Count Otto Magnus Stackelberg, former ambassador in Warsaw and Stockholm.

<sup>151</sup> Samson, *Historischer Versuch*, 112. Also cited in Axel von Gernet, *Geschichte und System des bauerlichen Agrarrechts in Estland*, (Reval, 1901), 99.

appropriation unless he was in his master's debt; moderation was called for in corporal punishment; the lord still had the right to sell serfs but only if they were recalcitrant; gifts of serfs could only be between relatives or "blood friends". Since there was often too little land for all peasants, serfs could be sold but only in families, and only to another farm and only in Estland.<sup>152</sup> The basic rights of the lord over the peasant were not affected. Indeed, the Landtag reaffirmed the provincial law which recognized the peasant and all he owned as the property of his lord but promised not to make literal use of it as long as this promise was not published, a move which might incite the peasants to make demands.<sup>153</sup> As disagreement characterized the Livland Landtag, the concern for secrecy was to characterize the Estland Landtag.

Catherine apparently reacted favourably to the proposals<sup>154</sup> but did not respond officially. Early the next year, the Ritter, in Committee, continued with their deliberations but decided that until everything was finalized, their discussions should remain secret. "A certain unrestrained spirit of misunderstood freedom and insubordination, which has now spread over part of Europe and caused terrible catastrophes; the experience that through a misunderstood law a few years ago in the Riga Gouvernement dangerous unrest nearly broke out [poll tax 1783]; the fermentation in the feelings of the peasants here during the last Swedish war (1788-1790) -- all this leads us to decide on secrecy."<sup>155</sup> It was decided that in order to regulate peasant labour, landowners should submit by May 1796 specified information concerning the present obligations of their

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<sup>152</sup> The measures are listed in *Ibid.*, 100-101.

<sup>153</sup> Samson, *Historischer Versuch*, 113. Gernet does not report this decision.

<sup>154</sup> Gernet, *Geschichte des Agrarrechts*, 101.

<sup>155</sup> *Ibid.*

peasants, the size of their farms, and other relevant statistics. Six years later, when the Landtag was once more forced to take up reform, the data had not all been submitted.<sup>156</sup>

As in Livland, the reform process halted when imperial pressure relaxed or had been temporarily appeased by Landtag promises. In Estland, however, there was a continuing reform impulse in the private sector. Ludwig von Toll abolished serfdom on his estate, forbidding the sale of peasants or the appropriation of land farmed by the peasants. Although nominally free, however, the peasant was not allowed to leave the district. He had security of hereditary tenure and his rights, including that of complaint against his master, were protected by peasant courts.<sup>157</sup> In 1801, Peter von Löwis introduced a similar reform. Peasants who worked hard could acquire freedom after a certain number of years. He also proposed that those born after January 1801 should be free.<sup>158</sup> On the official level, however, reform had come to a halt after the 1796 Landtag.

### PART THREE: ALEXANDER I AND REFORM

When Alexander I, Paul's successor, came to the Russian throne in 1801, the reform process, despite the 1795 discussions, in both Livland and Estland had halted more or less at the 1765 level. In the absence of imperial pressure, the majority of the Ritter did not feel compelled to change the status quo. The first

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<sup>156</sup> *Ibid.*, 101-102.

<sup>157</sup> There is some disagreement about the exact date of this reform but it would seem to be between 1796 and 1802. *Ibid.*, 102-103.

<sup>158</sup> *Ibid.*, 103.

two decades of Alexander's reign, however, would see definite changes in agrarian relations in the Baltic. The dynamics of these reforms are a complex interdependence of cause and effect factors in Russia, Livland and Estland.

The new tsar's enthusiasm for reform was obviously a major catalyst in the chain of events. Alexander I, had been raised by his grandmother Catherine the Great, in the spirit of enlightenment. Under his Swiss tutor Frédéric-César La Harpe, he had studied among others Condillac,<sup>159</sup> Rousseau, Filangieri,<sup>160</sup> James Steuart and Adam Smith.<sup>161</sup> Alexander, perhaps due to an education lacking in the practicalities of statecraft, however, was overwhelmed by the seemingly insurmountable task of transferring abstract ideas and ideals into the reality of reform.<sup>162</sup> At the beginning of his reign, he did try to tackle the problem, choosing to work with a small circle of advisers, all with experience abroad, known collectively as the Secret Committee.<sup>163</sup> According to Alexander

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<sup>159</sup> Étienne Bonnot de Condillac (1715-1780) was the leading advocate in France of the ideas of John Locke.

<sup>160</sup> Gaetano Filangieri (1752-1788), wrote La scienza della legislazione in 1786, an influential work on legislation advocating unlimited free trade and the abolition of the medieval institutions that impeded production and national well-being.

<sup>161</sup> On his departure from Russia in April 1795, La Harpe left Alexander a detailed reading list, which is given in Jean Charles Biaudet and Françoise Nicod eds., Correspondance de Frédéric-César de La Harpe et Alexandre Ier 1785-1824, 3 vols. (Neuchâtel, 1978), Vol.1, No.43, 111-139. This work will be referred to throughout as Correspondance.

<sup>162</sup> Alexander even considered abdicating. Correspondance, Vol.I, letters 41,48,49,59. His later involvement in the European arena would be a type of escape from these difficulties, offering him the chance to act decisively and effectively.

<sup>163</sup> Neglasny Komitet. Alexander also called it "Comité de salut public". It is also referred to as the Unofficial Committee or the Private Committee. It was composed of Alexander and four friends he had relied on since 1797, since La Harpe's departure: Count Paul Stroganov, educated in France, student of the French Jacobin Romme and a favourite of Catherine II; Count Victor Kochubey, educated in Geneva and a diplomat in London under Paul, appointed ambassador to Constantinople in 1792, Minister of Interior 1802-1807; Prince Adam Czartoryski, a prominent Polish aristocrat devoted to the restoration of Poland who had travelled extensively in Germany, France, Switzerland, England and Scotland and was appointed Alexander's Minister of Foreign Affairs in 1804; and Nikolai Novosiltsev, who had spent four years in England and admired the English constitution. In a letter proposing constitutional reform for Russia written to La Harpe in October 1797, Alexander names himself, Novosiltsev, Stroganov and Czartoryski as the group dedicated to enlightenment and reform. [Correspondance, vol I, letter 59, p.216.]

himself, the Committee was the centre of power. "It is a council ... which rules everything; there is not a paper which has not been worked by them, not a man who has not been placed by them."<sup>164</sup>

One of the main topics<sup>165</sup> of the Secret Committee was emancipation of the serfs. The Committee members were in agreement about the need for reform but were divided on exactly what kind of reform. Alexander himself had been influenced by La Harpe, who returned to Russia after Alexander became tsar.<sup>166</sup> Although not officially a member of the Committee and never present at any meetings, La Harpe was described by Czartoryski as its fifth member.<sup>167</sup> His opinions were sought and discussed, if not always accepted.<sup>168</sup>

La Harpe's advice to Alexander was summed up in one phrase: make haste slowly.<sup>169</sup> He tried to dissuade the tsar from any plans of total or immediate

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The Committee met officially some 40 times between June 1801 and November 1803. [A.V.Predtechensky, Ocherki obshchestvenno-politicheskoy istorii Rossii, 208].

<sup>164</sup> Correspondance, vol II, letter 160, p.46.

<sup>165</sup> Other topics were the consideration of a constitution, the structure of the Senate and the organization of ministries. See Predtechensky, Ocherki, 109-110.

<sup>166</sup> La Harpe returned to Russia apparently more conservative than he had left in 1796. His rather unsuccessful personal experience of political power in Switzerland had, as Alexander Vorontsov noted in a letter to Novosiltsev in September 1801, "put a lot of water in (La Harpe's) wine." Correspondance, Intro., 26. Later observers would blame La Harpe for slowing down the liberal aims of Alexander. "It was the greatest misfortune that the man for whom Alexander felt the deepest respect, to whom he felt indebted for everything that was good in him, who had awakened in him aspirations of emancipation arrived in Russia at this time [August 1801] much changed under the influence of practical experience in his own country and produced on his protégé the most conservative pressure." Semevskii, Krest'yanskii voprosv Rossii v XVIII i pervoi polovine XIX veka (St.Petersburg, 1888), 245.

<sup>167</sup> La Harpe was aware that the perceived influence of a foreigner on any reform would render that reform unacceptable. (Correspondance, Vol.I, letter 69, note c, p.329.) He did not wish his influence to be official, public or even noticed. This was the reason he gave for leaving Russia after less than a year. Thus, the opponents of reform could not use him as a pretext for rejecting any measures introduced by Alexander. (Correspondance, vol.I, letter 139, note a), p.605.)

<sup>168</sup> For La Harpe's relationship with the Secret Committee, see Correspondance, Intr., pp.26-29.

<sup>169</sup> Hâtez-vous lentement. Correspondance, vol I, letter 61, p.229. This Latin motto "festina lente" (originally a Greek maxim) which was often quoted by the emperor Augustus (Suetonius, Augustus, 25,4; Polyaeos, Strategica, 8,24) was a very apt quotation for La Harpe's vision of Alexander.

emancipation.<sup>170</sup> While admitting that Russia would be unable to progress without the abolition of serfdom,<sup>171</sup> he advised caution and detailed preparation. The very mention of emancipation would unleash chaos. "It is certainly dreadful that the Russian people have been kept in slavery, in contempt of principles. But, since the fact exists, the desire to put an end to a such an abuse of power must not make one blind to the means to do so. It is more than true, Sire, that to restore to your people the rights which belong to them, you must proceed with tireless patience, moderation and perseverance and courageously scorn reproaches of slowness directed against you by ignorance, or perhaps even ill-will."<sup>172</sup> In fact, La Harpe stressed the need for caution to the extent that he warned Alexander not to expect the achievement of his aims during his own reign.<sup>173</sup> "But however long the career of Alexander I may be, he may not be able to put the finishing touch to his work. It will be enough for his glory and happiness to build on solid foundations the edifice of the true civilization of Russia, necessitating his successors to decorate the interior of the building, but posterity ... will proclaim him the true founder."<sup>174</sup> The solid foundations were education and legislation.<sup>175</sup> The former should prepare the people for the latter. Reforms

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Augustus moved cautiously step by step, working through institutions republican in outward form, to introduce reforms, mainly administrative, to bring stability and prosperity to an empire ruled by one man.

<sup>170</sup> Alexander had sought La Harpe's advice on this topic: "Vous avez désiré mon opinion sur les réformes que vous projetez depuis longtemps." (*Correspondance*, vol I, letter 69, p.316.) The nature of La Harpe's reply presupposes a more liberal approach on the part of Alexander.

<sup>171</sup> *Ibid.*

<sup>172</sup> *Ibid.*, p.323.

<sup>173</sup> *Ibid.*, pp.319, 322.

<sup>174</sup> *Correspondance*, vol I, letter 106, pp.491-492.

<sup>175</sup> *Ibid.*, vol I, letter 69, p.320.



should not come from laws, but rather should parallel the "formation of a new kind of man".<sup>176</sup> Emancipation as such was "a subversive doctrine so contrary to [his] sentiments and opinions".<sup>177</sup>

La Harpe's cautionary approach was obviously not what Alexander had in mind when he had asked La Harpe some years earlier for "the quickest way to enlightenment"<sup>178</sup> but it was the one that prevailed on the Secret Committee. Stroganov, who had much influence on the Committee, was not an advocate of peasant freedom. He saw the solution to agrarian tensions in the regulation of relations between the peasants and landowners. The peasants must be given rights and even some property but gradually and imperceptibly.<sup>179</sup> The cautionary approach advocated by La Harpe and Stroganov was supported by the increasing incidence of peasant uprisings. From 1801-1810, there were 83 uprisings, averaging eleven per year, an increase over the number of incidents under Catherine and Paul.<sup>180</sup> The Committee's policy towards handling these uprisings was expressed by Kochubey, the most liberal of the Committee members: "... sending a special envoy to carry out a new investigation [to areas where there had been repeated peasant unrest] is a measure which, in my opinion, presents a series of difficulties. ... we are talking about criminals ... rather than weaken the local authorities with external investigations we should strengthen them with strict confirmation. First, we have to bring the recalcitrants to order and then some time later, when everything has calmed down, we can

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<sup>176</sup> *Ibid.*, p.322.

<sup>177</sup> *Correspondance*, vol II, letter 162, p.73.

<sup>178</sup> "Éclairer les esprits en moins de temps." *Correspondance*, vol I, letter 59, p.216.

<sup>179</sup> Predtechensky, *Ocherki*, 105-106.

<sup>180</sup> I.Ignatovich, "Krest'yanskie volneniya," 49, 68.

take up the matter of their rights."<sup>181</sup> The need for secure administration of the Empire, as under Catherine, was of paramount importance. Uprisings, unsuppressed, could lead to revolution on the French model.

Serious landowner opposition to land reform was discounted by Stroganov. "Our nobility," he argued, "consists of a great number of people who ... have received no education and whose thoughts are directed only to the will of the tsar. No right, no law, nothing can rouse in them the least resistance. This class is the most ignorant, the most insignificant, the most stupid." There were nobles, especially in state service, who would welcome reforms, while the majority saw the whole meaning of their existence in obedient fulfilment of the orders of the government. "What was not done during the past reign against the rights and personal security of the nobility! If there was ever a reason to save themselves, it was at that time. But the nobility did not open their mouths. On the contrary, they fulfilled with exactitude every measure which angered them ... How can a class completely deprived of social spirit undertake something which demands social spirit ... In a country with a despotic regime, changes are significantly easier and less dangerous since they depend on the will of one person, whom all the others follow like sheep."<sup>182</sup>

The real danger was seen to lie with the nine million serfs,<sup>183</sup> whom Stroganov and others felt were on the brink of a general revolt. By November 1803, Alexander commented to the Secret Committee, "It is necessary that the

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<sup>181</sup> Cited in *Ibid.*, 51.

<sup>182</sup> Cited in Predtechensky, *Ocherki*, 150-151.

<sup>183</sup> This figure may seem somewhat low due to the method of categorization. As an indication, in 1819, of 20 million male persons, 17 million were peasants. Of these 17 million, 57.5% were serfs, 37.5% were crown peasants, 3.2% were apanage peasants, 1% were miscellaneous and 0.56 were free peasants. Roughly about half (48.8%) of the total male population were considered serfs. B.Schallhorn, *Lokalverwaltung und Ständerecht*, 77.

masses are contented. If they start to cry out and feel their strength, it will be dangerous."<sup>184</sup> The problem was how to content them. Stroganov had discounted serious noble opposition but any decrease in noble power over the serfs would allow the peasants to rise up unrestrained. The landed nobility were required to keep peace in the realm by keeping the peasants under strict control. From this perspective, reform was incompatible with state security. On the other hand, the peasant's load must be eased if discontent was not to turn into revolt. From this point of view, reform was essential to state security.

Despite Stroganov's arguments, noble opposition, working in more subtle ways than insurrection, made reform difficult. In May 1801, Alexander's proposal to forbid the sale of peasants without land was rejected by the Senate. They did not take the threat of peasant insurrection too seriously, claiming that "the simple folk are always wanting freedom."<sup>185</sup> An economic argument against the measure was that it would hinder the settlement of insufficiently populated areas of Russia. Alexander tried a second time without success.<sup>186</sup>

The cautious approach to reform had become official government policy and Alexander's enthusiasm was soon tempered. In 1804, a censorship report noted that while serfdom was an issue that had to be dealt with and which the government had been examining for some time, "... a sudden change always destroys the machinery of government and aware of this [the monarch's advisers]

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<sup>184</sup> Predtechensky, *Ocherki*, 163.

<sup>185</sup> *Ibid.*

<sup>186</sup> The law was never passed in Alexander's reign. In 1804, serfs sold without land could not be recruited into the army for three years after their sale. A law in 1808 forbade the sale of serfs without land at public fairs and auctions. In 1820, Alexander wrote, "I am quite sure that the sale of serfs without land has been forbidden by law for a long time." Investigation proved that this was not the case and that an 1807 tax instruction had incidentally authorized the trade in serfs. See Jerome Blum, *Lord and Peasant in Russia from the Ninth to the Nineteenth Century* (Princeton, 1961), 427-428.

did not want to eradicate this evil suddenly .... If the author<sup>187</sup> could find a quick but safe way to achieve the proposed aim, i.e. the abolition of slavery in Russia, he should present his plan to the government."<sup>188</sup>

During the first years of his reign, until January 1806, when reform was a major concern, Alexander issued almost 2200 decrees. Only about 300, however, were of any importance (proving perhaps that legislative activity is not always synonymous with political practice)<sup>189</sup> and of these only two were of significance in agrarian reform. The first, passed 12 December 1801, allowed merchants and crown peasants to buy land. The effects were disappointing. By 1858, less than 300,000 individuals had taken advantage of the privilege. Part of the problem was the inability of the peasant to pay. There had been a proposal to set up a Labour Bank to help state peasants without means to buy land but after it had been submitted to the Senate in 1803, it was never heard of again.<sup>190</sup>

The second reform measure was a compromise between upsetting the landowners and inciting the peasants to more demands. Introduced by Count S.P.Rumantsiev, the proposal originally sought to allow serfs to buy their freedom and land from their owners thus creating a new class of free farmers. The proposal became law, on 20 February 1803, but in Rumantsiev's name, rather than as a general law, and was to serve as an example which anyone was free to

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<sup>187</sup> The author was Ivan Petrovich Pnin and the work was his "Essay on Enlightenment with Reference to Russia." Pnin advocated freedom, property and education for the peasant class, quoting Catherine's Nakaz to support his ideas. An English translation of the essay can be found in Marc Raeff, Russian Intellectual History: an Anthology (New York, 1966), 126-158.

<sup>188</sup> Cited in Semevsky, Krestianski'vopros, 285.

<sup>189</sup> Predtechensky, Ocherki, 209, 215.

<sup>190</sup> *Ibid.*, Ocherki, 164-165.

follow.<sup>191</sup> Kochubey sent a circular out emphasizing that the decree would not change present relations. Peasants were to "remain in exactly that dependence and silent submission to their masters in which they were up till now."<sup>192</sup> The liberals were sure it would achieve emancipation gradually and painlessly while the conservatives saw little threat since few landowners would wish to part with land and few peasants would have the means to buy it. The latter proved to be right. F.V.Rostopchin commented in 1803, "No-one is emancipating peasants because the peasants are not in a position to pay the money for themselves and the rich ones want to be merchants."<sup>193</sup> Another reason was possibly that the reform was based on the principle of private individual property which contradicted the principle and practice of communal ownership.<sup>194</sup> During Alexander's reign, the law was used not more than 160 times, freeing approximately 47,000 peasants.<sup>195</sup> By 1858, the free farmers numbered only 151,895 males, less than 1.5 percent of the total male serf population.<sup>196</sup>

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<sup>191</sup> The text of the *ukaz* as well as the conditions governing the mutual contracts can be found in Heinrich Storch, Rußland unter Alexander dem Ersten. Eine historische Zeitschrift 9 vols. (St.Petersburg, Leipzig, 1804-1808), vol II, Chapter IX, 198-207.

<sup>192</sup> Predtechensky, Ocherki, 172.

<sup>193</sup> *Ibid.*, 173.

<sup>194</sup> This is suggested by Semevskii, Krest'yanskii vopros, Intro. p.XVI.

<sup>195</sup> According to Tsagalov, most of the landowners who freed the 47,153 male peasants did so because they wanted to give up their estates to concentrate on non-agricultural investments. It is also noteworthy that most of these peasants were freed with land. N.A.Tsagalov, Ocherki russkoi ekonomicheskoi mysli perioda padeniya krepostnogo prava, (Moscow, 1956), 22.

<sup>196</sup> Predtechensky. Ocherki, 172. J.Blum, Lord and Peasant in Russia, 541.

## PART FOUR: REFORM IN THE BALTIC 1802-1817

## Estland: 1802

The Baltic provinces were not a topic on Alexander's Secret Committee. There is some evidence to suggest that the Committee forbade formal discussion of emancipation in the Baltic provinces in order to avoid provoking unrest in Russia, a claim in keeping with the atmosphere on the Committee as described above.<sup>197</sup> Reform towards eventual emancipation rather than emancipation itself was the direction being taken, a policy which was close to the Ritter conservative path.<sup>198</sup> As already noted, however, the atmosphere of even limited reform was an important catalyst in the chain of events. The provinces had always reacted to imperial pressure but this time they anticipated it.

The first to react to Alexander's reform enthusiasm was Estland. Jakob Georg von Berg, elected *Ritterhauptmann* of Estland in 1800, spent many months in St Petersburg lobbying for the Estland nobility and was very aware of the

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<sup>197</sup> Predtechensky, *Ocherki*, 176. Tobien claims Livland's agrarian problems were mentioned only once by the Committee, at its meeting of 20 January 1802. He maintains the Landtag was then forbidden to discuss emancipation. [Tobien, *Die Agrargesetzgebung*, 154, 156.] Axel v. Gernet also mentions this meeting as proof that there was Russian opposition to reform in Estland and Livland for fear that such a movement would spread to other parts of the empire. [*Geschichte des Agrarrechts*, 109.]

<sup>198</sup> Apologetic Baltic historiography is perhaps guilty of some interpretative manipulation on the point of concurrence of the Secret Committee's cautionary approach and the Ritter conservative policy towards reform, the former stemming from reasons of security, the latter more from a self-preservation instinct. Quoting Semevskii, Tobien claims that La Harpe successfully persuaded Alexander that an improvement in the peasants' economic situation was more important than freedom, which is why the Russian tsar was so interested in reforms in the Baltic – by regulating labour norms, they aimed for economic improvement before emancipation. [Tobien, *Die Agrargesetzgebung*, 281.] Tobien quotes (or translated) Semevskii inaccurately. Semevskii claims La Harpe advised Alexander to use the phrase "improvement in economic situation" rather than the word freedom. [Semevskii, *Krest' yanskii Vopros*, 245.] This is a more accurate representation of what La Harpe did advise on several occasions. In a letter devoted to the subject of emancipation in October 1801, [*Correspondance*, vol I, letter 69, pp.316-326.] La Harpe recommends that limited reforms could be tried out on crown estates only, but without mentioning the word liberty. In a letter written in 1803, [*Correspondance*, vol ii, letter 162, pp.61-78.], he reminds Alexander most clearly to avoid the use of the word freedom. ["Évitez qu'on prononce le mot de liberté." Ibid.,p.73.]

liberal tendencies of the tsar. His fears were perhaps well founded. La Harpe found reason to offer the tsar the following advice at the end of 1801, "I know, Sire, that you want to put an end to abuses; but meanwhile it would seem just, prudent and above all politic to allow the provinces until then to keep their customs and privileges, which they will renounce with much less difficulty when you have something better to offer."<sup>199</sup> Berg also reported that, despite the 1795 regulations, there was a definite hostility towards the Estland Ritter and the perceived arbitrary rule over their peasants.<sup>200</sup> Such opinion was orchestrated in St Petersburg itself and directed to the tsar's attention, which in turn was directed towards reforming the ills he heard of. Some of the sources were Estland liberals. Peter von Löwis<sup>201</sup> and another member of the Stackelberg family, Baron Carl von Stackelberg, were critical of the situation in their homeland of which they informed the tsar in writing at the end of 1801. Thus, liberal factions found it an effective strategy to influence the tsar against the conservative majority in the provinces, just as Otto Stackelberg had influenced Catherine. The conservatives did not have a monopoly on lobbying.

Berg was convinced that setting limits to arbitrariness was the only way to convince the monarch that such reports were inaccurate. In May 1802, he warned the Landtag that if they retreated from reform, there was the danger that the government would take matters into its own hands. This was credible in view of Alexander's attempts in 1801 to pass the law forbidding the sale of serfs without land, a measure which would have devalued the Ritter's strongest currency, their

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<sup>199</sup> Correspondance vol 1, letter 81, 378.

<sup>200</sup> La Harpe viewed the situation similarly. He wrote to Alexander, "These provinces seem to have enemies in your presence." *Ibid.*

<sup>201</sup> It is not clear whether this was the same Peter von Löwis who had introduced liberal reforms on his own estates.

serfs. The law of December 1801 allowing merchants and other free persons as well as crown peasants to buy land was a serious threat to the Ritter monopoly on land. Berg was also no doubt aware that the topic of reform was on the agenda of the Secret Committee even if he was not privy to the substance of the discussions. Imperial power seemed to be on the move and the pragmatic step for the Ritter would seem to be, in Berg's opinion, to move first.

While the prospect of imperial intervention in local autonomy was always a grave threat, there was also the more immediate matter of imperial permission and funds for a long-awaited Credit Bank. The Ritter may have felt these would not be granted to landowners perceived as arbitrary and inhumane. The matter of agrarian reform was actually raised at an extraordinary Landtag called for the discussion of a Credit Bank for the nobility.<sup>202</sup> Opponents of the reform in St Petersburg, according to Berg, attributed this interest in a credit institute for the provincial nobility as the real motive of the reforms.<sup>203</sup> In October 1802, one month after imperial approval of the reforms, the tsar granted permission to found a Credit Bank and loaned the appropriate funds --half a million roubles at a rate of three percent, and two million at a rate of five percent.<sup>204</sup>

The 1802 Landtag was persuaded by Berg's reasoning and came up with a set of reforms which were designed to rescue the peasant from the economic plight caused, in the opinion of the Ritter, by his own lack of interest. The peasant farmer was to be given the life-long right to use the land he farmed, a right which could be inherited by his children and widow. Productivity and

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<sup>202</sup> Gernet, Geschichte des Agrarrechts, 105.

<sup>203</sup> Gernet describes these opponents as Russian dignitaries and government officials. *Ibid.*, 109.

<sup>204</sup> *Ibid.*, 110.



industriousness were to be encouraged by allowing the peasant to keep possession of all moveable inventory he acquired, for example, grain, cattle, horses, with the right to dispose of such as he wished. Security of tenure, a significant concession, was to be formally guaranteed but in practice the peasant could be transferred, even to uncultivated land, as long as he was compensated. "Carelessness and negligence" could cause expulsion from the farm but only after investigation by the peasant court which would consist of members voted by the peasants. Families could be moved if it bettered their situation; individuals only after investigation by the peasant court. Complaints against oppression by the landowners were to be directed to the district courts (*Kirchspielgericht*).<sup>205</sup> These proposals were submitted to the tsar on 4 July 1802.

The tsar took only one week to react. "... [T]he philanthropic intention of the Estland Ritter to establish and secure the political existence of their peasants has pleased me greatly. With delight I see the happy future of that land where two classes of citizens separated from one another until now will be united in the bond of mutual trust and goodwill, and where the definition of mutual rights and obligations of both classes will bring about the welfare of all."<sup>206</sup> The tsar further recognized the proposals as the voluntary initiative of the Ritter, which Berg had expressly petitioned,<sup>207</sup> and agreed to secrecy until the proposals could be executed.<sup>208</sup> Alexander's view of the future was optimistic but his expectations were obvious. The political existence of the peasant, as well as his

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<sup>205</sup> Gernet, *Geschichte des Agrarrechts*, 106-107.

<sup>206</sup> The letter is reproduced in H.Storch, *Rußland unter Alexander dem Ersten*, Vol II, Chapter IV, 125-126 and in Samson, *Historischer Versuch*, 114-115.

<sup>207</sup> See Berg's letter to Alexander reproduced in Storch, *Rußland unter Alexander dem Ersten*, vol II, Chapter IV, 121-124.

<sup>208</sup> *Ibid.*, 125-126.

economic welfare, was important. At the final ratification in September 1802, the attitude dominant on the Secret Committee was evident in the tsar's expressed expectation that the Ritter would "gradually and imperceptibly," establish the rights of the peasants.<sup>209</sup>

The Regulations were published in Estonian in January 1803 under the title *Igga Uks* (Each of You), and addressed the peasants directly, asking them if they themselves were not responsible for their own "neediness" through their own negligence.<sup>210</sup> The economic concerns of the Ritter are evident in their exhortations to the peasants to aim for industriousness, economy, and conscientiousness to achieve better harvests. The tone is feudal and the attitude paternalistic. Obedience is necessary and above all "the fulfilment without exception of all obligations to us, your lords; do not neglect any of them; have unlimited, child-like trust in us; convince yourselves of how well-intentioned we are towards you, how much we wish to turn you back from every mistake, and that your welfare now and in the future lies close to our hearts. This trust will bring you joy in the fulfilment of your obligations and you will reward us for the trouble and care we have shown you ..."

Although the Regulations guaranteed the peasant hereditary tenure, there were two significant omissions. They failed to consider the defining of labour and dues, a measure necessary to curb the arbitrary demands of landlords, and the limitation of corporal punishment, the method to enforce arbitrary demands. These deficiencies were obvious to imperial circles since Heinrich Storch<sup>211</sup>

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<sup>209</sup> Ibid., 140; Samson, Historischer Versuch, 115.

<sup>210</sup> The Regulations are reproduced in Storch, Rußland unter Alexander dem Ersten, vol II, chapter IV, 128-139 and in Samson, Historischer Versuch, Appendix D, 179-184.

<sup>211</sup> Storch is dealt with at the beginning of Chapter IV below.

specifically mentioned them as two important points not yet dealt with.<sup>212</sup> The peasants were given the right to complain but had no standard against which to measure what was extreme. The peasant courts were only competent to deal with discipline not covered by the lord's "house discipline." These omissions would be partially corrected the following year.

#### **Livland: 1802-1804**

Berg's initiative to restart the reform movement in Estland motivated Livland to take up its own 1798 proposals again. This causal relationship between the two was also the tsar's interpretation. "The plan which the Estland Ritter sent to me concerning the improvement of the situation of their peasants ... has moved the Livland Ritter to ask for confirmation of their 1796 Landtag decision to the same end."<sup>213</sup> There was now the danger that the tsar would find favour with the Estland proposals and recommend them to Livland. The Estland proposals were not well received in Livland and had, according to Berg, been subjected to "the most spiteful interpretations."<sup>214</sup> Sivvers resubmitted the 1798 proposals to the tsar in August 1802, barely one month after the tsar's warm reception of the Estland proposals.

In his petition, Sivvers mentions the tsar's approval of the Estland proposals but points out that Livland had submitted "similar and more detailed" measures as early as 1796. Seeming to anticipate imperial criticism, perhaps because of Alexander's attempts to forbid the sale of serfs without land, Sivvers assures the

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<sup>212</sup> Heinrich Storch, Rußland unter Alexander dem Ersten. Eine historische Zeitschrift 9 vols. (St Petersburg-Leipzig, 1804-1808); vol II, Chapter IV, 120.

<sup>213</sup> Samson, Historischer Versuch, 101.

<sup>214</sup> Gernet, Geschichte des Agrarrechts, 109.

tsar of two important concessions not included in 1796. He vouches for the Ritter renouncing their right to sell their serfs within the province or giving them away to relatives and promises to have the extraordinary corvée duties of the serfs, hitherto never assessed, measured according to the value of the land.<sup>215</sup> Siviers acted on his own without consulting the Landtag, despite the stipulation of the Landtag in April 1802 that the Landrat could not make any important decisions without the general consensus.<sup>216</sup> Siviers was probably motivated not so much by the anticipation of Landtag opposition to the new concessions as by the pressure of time if the tsar was to be distracted from accepting the Estland proposals for the whole Baltic area. This tactic, however, would cost the reform process much strife, especially since the promised concessions were major ones in the eyes of the Ritter.

The tsar did not respond to the Livland proposals as speedily as he had to the Estland proposals. It took him four months, during which time he had acquainted himself more with the situation in Livland, his interest prompted less perhaps by Siviers' petition than by the news of severe peasant uprisings on the estates of Kaukenhof and Kokenhof involving some 3000 peasants.<sup>217</sup> He had a detailed report of the uprising from a comparatively new personality in Livland and at the Russian court. Georg Friedrich von Parrot,<sup>218</sup> an immigrant tutor

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<sup>215</sup> The text of Siviers' petition is reproduced in Tobien, Agrargesetzgebung, 158.

<sup>216</sup> *Ibid.*, 159.

<sup>217</sup> *Ibid.*, 160-161.

<sup>218</sup> Parrot was born in 1767 in Montbéliard in France [the family is said to have originally come from Scotland. Camilla von Stackelberg, Verwehte Blätter. Erinnerungen aus dem alten Baltikum (Berlin, 1992), 31-32.] After studying economics, mathematics and physics in Stuttgart [1781-1786], he took up a position as private tutor in Normandy [1786-1788]. In 1795, he came to Livland as a tutor in the family of Jakob Johann Sievers' brother. For bibliography on Parrot's biography, see Engelhardt und Neuschäffer, Die Livländische Gemeinnützige und Ökonomische Sozietät, 27-28; Tobien, Die Agrargesetzgebung, 161-162.

who first came to Livland in 1795, was instrumental in founding the Livland Economic Society and became its first Secretary (1796-1801).<sup>219</sup> In 1802 he was appointed professor of physics and vice chancellor at the re-opened Dorpat University.<sup>220</sup> Parrot provided Alexander with information on Livland.<sup>221</sup> According to Parrot, Alexander asked him in October 1802, after Sivers had submitted the Livland proposals, to draft a reform for the peasants in Livland. "The burden was too much for my shoulders alone. I told him that although I had done my best to acquire practical knowledge, I could not trust my own powers<sup>222</sup> and requested his permission to join forces with some men of greater understanding." Permission was granted and Parrot was to form a committee with four others of his choice.<sup>223</sup> Parrot's stay in the capital lasted until

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<sup>219</sup> He also became a member of the Leipzig Economic Society.

<sup>220</sup> Baltic historiography accords Parrot an influential role in having Dorpat University reopened by means of his close relationship to Alexander. At the same time, he is viewed as having deliberately sought a Russian "nationalization" of the university in order to free it from Ritter control. See, for example, Heinrich Seesemann, "350 Jahre Universität Dorpat" Vortrag bei den 33.Deutschbaltischen Kulturtagen am 26.September 1982 in G.von Pistohlkors, T.U.Raun, P.Kaegbein eds., Die Universitäten Dorpat/Tartu, Riga und Wilna/Vilnius 1579-1979 (Cologne/Vienna 1987) vol 9 in Quellen und Studien zur baltischen Geschichte.

<sup>221</sup> Whether the Ritter would have concurred with his opinions is questionable. Parrot is not held in regard in Baltic historiography. One opinion blames him for the loss of Ritter influence to the ministries. "Zur Geschichte der livländischen Privilegien (II)," in Baltische Monatsschrift, 49 (1900), 319. The nature of the relationship between Alexander and Parrot is partly illuminated in Friedrich Bienemann, "Aus dem Briefwechsel Georg Friedrich Parrots mit Kaiser Alexander I," in Deutsche Revue XIX (1894).

<sup>222</sup> Parrot's own brother-in-law Johann Wilhelm Krause, professor of agriculture at Dorpat, would have agreed with him. He found Parrot's knowledge of agrarian matters superficial. Engelhardt and Neuschäffer, Die Livländische Gemeinnützige und Ökonomische Sozietät, 30. Krause himself is said to have had "scant agricultural experience." He was actually appointed professor of economics, technology and architecture and spent the first three years of his tenure designing the university buildings. His agricultural programme began in 1806. Architecture was overemphasized while there were no courses in crop and livestock production or in soils and soil fertility. See Elmar Jaervesoo, "The Role of Tartu University and Riga Polytechnic Institute in Introducing Rational Agriculture into the Baltic Provinces and Russia," in Pistohlkors et alii, eds. Die Universitäten Dorpat, Riga und Wilna, 197-215.

<sup>223</sup> Parrot chose Friedrich von Sivers; Johann Danckwart (General Superintendent; died in 1803); Ernst Cornelius, a pastor; and Major Peter Ekesparre, soon to become the school inspector of Wenden. Tobien, Die Agrargesetzgebung, 162.

December. At the farewell audience, Alexander reminded him about the committee and suggested that reforms could be carried out on crown estates first in order to provide an example for private estates. This was a course of action recommended to him by La Harpe. In February of that year, La Harpe had written, "The first measure [to increase the number of landowners] could be tried here and there on the estates of the crown, under the Emperor's eyes, and presented as a simple experiment at first to facilitate the acquittal of obligations and to relieve the inhabitants. If these attempts succeed (and they certainly will), it will not be long before they are imitated by private lords."<sup>224</sup>

The results of Parrot's committee, if it did meet, are not known. Parrot himself was probably busy with his work at Dorpat University and his relations with reform-minded landowners had been less intense after he had resigned office from the Livland Economic Society when he had failed to persuade its members to move headquarters to Dorpat. His main contact after that was correspondence complaining about the salary he was owed.<sup>225</sup> Whatever the reason, the tsar's recommended policy was not followed.

On 24 December 1802, some days after his audience with Parrot, Alexander responded to Sivers' petition. The policy of reform on crown estates was not mentioned, even although Sivers was to be one of the proposed Committee members. Alexander limited himself to criticism of the Livland proposals "which do not fully achieve the aim which one expects from the charitable intentions of the Livland nobility." In order to be more in keeping with the "Zeitgeist," wrote Alexander, the right to sell or give away peasants must be more limited, the

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<sup>224</sup> Correspondance, vol.1, letter 106, p.491.

<sup>225</sup> Neuschäffer and Engelhardt, Die Livländische Gemeinnützige und Ökonomische Sozietät, 30.

extraordinary labour obligations must be specified, the peasant should be freed from having to transport the estate's products such long distances, and the peasant's right to marry should be limited only by the church and the family. The tsar's last point shows the influence of the Estland proposals: "The purpose regarding the administration of justice for the peasant cannot be achieved when the lord alone is recognized as his judge. This right could justifiably be transferred to judges elected by the peasants themselves, as, for example, the Ritter of Estland have done."<sup>226</sup>

Sivers responded quickly with a list of twelve points.<sup>227</sup> As with his earlier petition, he had formulated and submitted them without the consensus of the Landtag. The pressure from Estland's example may have been a factor. The *Igga Uks* had been ratified by the tsar the previous September and was distributed to the peasants in Estland in the same month, January 1803, that Sivers submitted his twelve points. The points dealt directly with the tsar's criticisms. The sale of peasants was to be forbidden (1), extraordinary labour to be regulated (2), the peasant allowed to marry with permission of his family (6).<sup>228</sup> The lord's monopoly on the administration of justice was to be removed by establishing peasant representation on the courts of first and second instance (8 and 9). The courts were to deal with disputes among the peasants but also against their masters.

Alexander praised this compliance with his will and on 30 January 1803

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<sup>226</sup> The text of Alexander's letter is reproduced in Samson, Historischer Versuch, 93-94; and in Tobien, Die Agrargesetzgebung, 163.

<sup>227</sup> There is the suggestion that these twelve points could have been the work of Parrot's Committee (Tobien, Die Agrargesetzgebung, 163) but the short time span makes this very unfeasible. Parrot did not leave the Russian capital until mid-December 1801 and Sivers submitted his points at the beginning of the new year.

<sup>228</sup> The twelve points are listed in Samson, Historischer Versuch, 96-97.

asked Sivers to present it to the Landtag, whose members he felt sure would "with united strength found this memorial which would redound to their glory."<sup>229</sup> The Landtag scheduled for June was brought forward to February. High attendance proved interest in the subject matter but instead of the unity hoped for by the tsar, there was great disagreement. In fact, as the tsar later wrote, the only thing which united them was disunity.<sup>230</sup> Predictably, the two major concessions promised by Sivers and demanded by the tsar caused much contention, especially the regulation of extraordinary peasant obligations.<sup>231</sup> What made the differences of opinion more irreconcilable than before was the emergence of a vocal liberal faction on the Landtag. Early on, the faction made its presence felt in the proposal made by Sivers' brother to grant personal freedom at the age of twenty-one to all peasants born after Alexander came to the throne.<sup>232</sup> The proposal was supported by twenty-one members.<sup>233</sup> On 4th March 1803, after long and heated discussion, it was voted 105 to 40 (the liberals had gained some support) not to discuss emancipation. Sivers himself was not present at the vote, having rushed off to the capital a few days before to involve the tsar in the discussion which was going against the liberals. On 10 March, a few days after Sivers return, the Governor General issued a command from the tsar forbidding the discussion of emancipation on the Landtag. It should be

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<sup>229</sup> Alexander's short letter is reproduced in Samson, Historischer Versuch, 98 and in Tobien, Die Agrargesetzgebung, 164.

<sup>230</sup> In a letter 11 May 1803 to Kochubey, reproduced in full in Samson, Historischer Versuch, 101-102.

<sup>231</sup> This was very important to the Ritter since much work necessary on the estate was classed as extraordinary, for example harvesting. Of particular importance was the use of such unassessed labour in the distilling of alcohol.

<sup>232</sup> This personal freedom was not unlimited. The freed peasants would be allowed to leave their estates only with the permission of the estate community.

<sup>233</sup> There were 184 members present at the Landtag. Tobien, Die Agrargesetzgebung, 171.



remembered that Alexander had just issued the law allowing individuals to free their peasants according to private contracts. This had been as far as the Secret Committee or the Senate was prepared to go. Alexander obviously acted according to this policy when he seemed to support the conservative majority on the Landtag by forbidding a discussion of emancipation. Instead, he referred to the Rumantsiev decree and to the oft-repeated advice to regulate peasant obligations.<sup>234</sup>

The liberal faction might not have introduced the subject of emancipation had they known about the Rumantsiev decree from the beginning of the Landtag session but the decree was published three days after the session began and it would have taken some days for news of it to reach Riga.<sup>235</sup> Meanwhile, the strife continued over the regulation of extraordinary peasant labour and the right to appropriate peasant-farmed land with compensation. There were protests against decisions made and protests against protests. There was even the suggestion to postpone matters until the next Landtag in June but this was rejected on the grounds that it would invalidate decisions already made.<sup>236</sup> After forty-one days of disagreement the Landtag closed session on 31 March 1803 and sent the results to the tsar.

The reform draft was based on Sivers' twelve points, approved by the tsar, but disagreement on the Landtag had forced various amendments.<sup>237</sup> The Landtag members were willing to accept the ban on the sale of peasants as long

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<sup>234</sup> Ibid., 172-176.

<sup>235</sup> Tobien claims that news of the decree did not reach the Landtag until 30 March 1803. This would seem highly unlikely since Sivers left for the Russian capital 27 February, returning 7 March and must have heard of the decree while in Russia. Ibid., 175.

<sup>236</sup> Ibid., 180.

<sup>237</sup> The text of the reform is given in Samson, Historischer Versuch, Appendix C, 167-180.

as the landowner could move his own peasants to his own estates. Reluctant to give up the power of force over the peasant, the landowner would retain his right to "house discipline" but without the use of the rod.<sup>238</sup> Peasant representation on courts was accepted but peasant courts could deal only with peasant disputes and not with complaints against landlords as Sivers had proposed. Such complaints would be dealt with by the *Ordnungsgericht*, on which there would be two elected peasant members. The most important difference was the Landtag's decision to allow landowner appropriation of peasant-farmed land.<sup>239</sup> This was a major deviation from Sivers recommendation to forbid the expulsion of a peasant unless he had farmed negligently. The text of the reform actually states that appropriation is not allowed but goes on to list the exceptions which allow it. The peasant farmer could be evicted and the land incorporated into the *Hofslund* if he was negligent in his farming or in debt to twice the value of the farm but also if the *Hofslund* was not sufficient to support the labour force. (The landowner's right to evict the peasant was in direct contrast to the hereditary tenure which the Estland Ritter had awarded their peasants in January of the same year.) The Landtag accepted the formal regulation of peasant obligations according to the Swedish method, something they had been promising since 1765, and proposed the assessment of estates not already surveyed for this purpose. Regulation of the extraordinary duties the peasant was required to render the landowner had been a major point of contention on the Landtag. Sivers had promised that these would be regulated and the tsar had shown his interest in the

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<sup>238</sup> The rod could be ordered by the courts. In case of an unjustified complaint against the lord, the punishment was still five pair of the rod for the first instance, ten for the second and one year's forced labour for the third.

<sup>239</sup> This had been allowed by the 1796 reform. See p.191 above.

matter by recommending limitations on the amount of carting the peasant was required to do. The extraordinary duties required of the peasant formed a large part of his obligation to his master and had to be performed over and above his other obligations. They included carting of all types from fertilizer to building materials, the time-consuming task of transporting products many miles to market, spinning, weaving, harvest work. Since they were not calculated, they were uncontrolled, nor could a peasant complain against them since they were not measured. It was a large grey area over which the landlord had full control. It was also an important source of free labour for any side enterprises on the estate, particularly the distilling of spirits. By regulating these services, the cost of labour on the estate would rise. The Landtag argued that in return for these services the peasant benefited from the free use of woods, hay fields, and gardens as well as the support of the landowner in times of need. Reducing all aspects of the relationship to strictly calculated duties and obligations would not benefit the peasant. In the end, the Landtag accepted the regulation of the extraordinary services against the survey of hay and garden lands (such lands were not included in the Swedish tax system) with the proviso that if such services exceeded the extra value of the hitherto unmeasured lands, the landowner could ask for payment in kind.

The Landtag made the political mistake of submitting not only these decisions for the tsar's approval but also the objections to them for his consideration. Several factions opposed to the draft also sent petitions to the tsar. All these conflicting reports conveyed the atmosphere on the Landtag as one of confusion and disagreement and Alexander, while professing to recognize the general intentions of the Ritter to grant the peasant a political existence, the right

to property and freedom from arbitrariness, felt these aims could not be achieved by the Landtag. "To achieve this," he wrote to Kochubey, "I deem it necessary to organize a committee under my own supervision."<sup>240</sup> The affairs of the province were now to be regulated by an imperial institution, a blow to provincial autonomy caused not so much by the lack of unity on the Landtag as by involving the tsar in it. This was the logical outcome of the continued strategy of using the tsar to settle disputes, used by both liberals and conservatives since 1795.<sup>241</sup> The 1803 Landtag reform draft never became law.

The committee's brief was defined by the tsar himself. It would examine the opinions of the Landtag, compare them with the actual situation in Livland and then come up with new guidelines for reform.<sup>242</sup> It was to consist of Kochubey as chairman, Senator Kosodavlev, Stroganov and two Livland representatives.<sup>243</sup> Druzhinin would be responsible for the general leadership. Thus, two members of the Secret Committee were involved as well as a most influential advisor, Druzhinin. The affairs of the province were now well in the hands of the empire. The committee first met in August 1803 and submitted its proposed reform six months later and it was this proposal which became law on 20 February 1804.

The reform was based firmly on the principle of protective rights for the

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<sup>240</sup> Samson, Historischer Versuch, 102.

<sup>241</sup> Tobien lends the lack of unity a more positive function. It led to a refinement of the 1803 draft and ultimately a better law (implying that the objections were taken into consideration.) Tobien, Die Agrargesetzgebung, 204.

<sup>242</sup> In Alexander's letter to Kochubey, reprinted in Samson, Historischer Versuch, 101-102.

<sup>243</sup> The tsar chose Gustav von Buddenbrock and Reinhold von Anrep from four nominated by the Landratskollegium. Sivers was nominated but not appointed. The other nominee was von Richter. *Ibid.*, 102; Tobien, Die Agrargesetzgebung, 205.

peasant and went further than the 1803 Landtag draft.<sup>244</sup> The Swedish land tax system was maintained and all peasant obligations were to be calculated within the parameters set out in the reform. Since extraordinary services were to be included in the calculations, hay and garden land would be included in the taxable amount of land.<sup>245</sup> Hereditary tenure of peasant land was established and the peasant farmer protected in his holdings. The reform attempted to regulate not only the rights of the peasant farmer but also of his labourers, fixed or mobile (*Lostreiber*). The most major change, however, and one which signalled a fundamental change in thinking, was the right granted to the peasant to acquire, buy, possess, sell and bequeath all kinds of property, including land. Not many peasants were in a position to do so but the principle of land ownership was established. While these reforms improved the legal status of the peasant, he was still firmly bound to the land he worked.

Perhaps the main feature of the reform, however, was exactly what the Committee members had aimed for. In presenting the reform, they expressed the hope that they had succeeded in "leaving nothing undefined in all the relations of the peasants to the landowners."<sup>246</sup> This detailed definition protected the peasant but restricted the landowners, who would soon begin reacting against it.<sup>247</sup> Landowner discontent with the reform, however, was inherent in its

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<sup>244</sup> The many clauses of the reform are summarized in Samson, Historischer Versuch, 103-108.

<sup>245</sup> Where one *haken* was reckoned at 60 *taler*, 20 were now added to cover the extraordinary work. Guidelines were set for any necessary additional work. For example, only trained labourers could be used in the distilling of alcohol.

<sup>246</sup> Cited in Yu. Kahk, "K voprosu ob agrarnoi politike tsarizma v Liflyandii v nachale XIX stoletiya," in Istoriya SSSR 1962, No 2: 130.

<sup>247</sup> The conflicting interests of peasant and landlord in the reform are reflected in the different historical perspectives of Baltic Soviet historians. Most of them, including Kahk and Zutis, view the 1804 reforms as contributing positively to social-economic development. Others, particularly L.A.Loone, thought the *Wackenbuch* element prevented any possibility of productive change. See *Ibid.*, 136. Also L.A.Loone, "Razvitie proizvoditel'nykh sil v sel'skom khozyaistve Estonii v pervoi polovine

origins. It had not been formulated or passed by the Landtag, whose members had not even been able to agree over the much less liberal 1803 draft. It was an imperial reform, and one whose principles Russia would support until its own reform in 1861.

Landowner discontent was exacerbated by the administration of the reform. For peasant obligations to their masters to be properly quantified, estates had to be measured. Those already measured had to have their obligations checked. These tasks were allocated by the Committee, now known as the St Petersburg Committee for the Affairs of Livland,<sup>248</sup> to four Revision Commissions, one for each district of Livland.<sup>249</sup> The chairman of each commission was appointed directly by the tsar and owned no land in Livland. Six landowners were chosen as members from twelve candidates elected by the Ritter. The St Petersburg Committee would continue in existence to offer overall general supervision. Local supervision could be provided by the *Oberkirchenvorsteher*, an important office in the matter of peasant labour since the 1796 Landtag had decided that the *Wackenbuch* regulations were to be submitted, originally by August 1797, to his inspection.<sup>250</sup> It was in the capacity of *Oberkirchenvorsteher* that Sivers was active on the Wenden Commission.

The task of measuring the estates was a difficult one since very few private estates and no crown estates had been surveyed as the reform required. The Commissions were to check the regulations worked out on measured estates and

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XIX v.," in *Istoricheskie zapiski*, 60 (1957):215-247.

<sup>248</sup> It will be referred to as the St Petersburg Committee.

<sup>249</sup> Insel Oesel already had such a commission. Samson, *Historischer Versuch*, 109.

<sup>250</sup> In 1797, there were objections to this procedure on the grounds that the post of *Oberkirchenvorsteher* was normally filled by Sivers or his friends. See Tobien, *Die Agrargesetzgebung*, 121, 124.

in the case of unmeasured estates would take the number of *haken* used in the last revision (1784). If the landowner was not satisfied, he must start a new revision within a year and be finished within six. If the final result was lower than what he had estimated, he must compensate his peasants.<sup>251</sup>

The Revision project bore within it the seeds of Empire/province conflict. Not having been formulated or passed by the Landtag, it was an imperial rather than a Landtag reform and went beyond what many Ritter had found too liberal in the 1803 Landtag draft. The survey had barely commenced before objections were raised, reflecting the issues raised at the 1803 Landtag.<sup>252</sup> The Landtag of February 1805 submitted 29 points to the tsar for his consideration but the tsar refused to consider them.<sup>253</sup>

By 25 May 1806, just before the next Landtag met, the tsar was moved by continuing complaints and petitions to write sternly to the Governor General, "I deem it necessary to inform you that ... there can be no trace of any more changes [in the reform] and that allowing any requests to this effect, which only lead to prolonging the end of the Revision and continuing the unrest ... will not be allowed by the authorities. Thus I charge you to communicate to the nobility that as I firmly insist on maintaining the reform for peasant obligations in its full force, no proposals for any kind of change may be made."<sup>254</sup>

The tsar's displeasure did not ensure an attempt at unity on the Landtag

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<sup>251</sup> Samson, Historischer Versuch, 110-111.

<sup>252</sup> The landowners, for example, disagreed over the amount of taxation the hay and garden lands should be subjected to. The lower it was set, the fewer the extraordinary services the landowner could demand from his peasants.

<sup>253</sup> He later allowed two of them concerning the preparation of instructions for the peasant courts. Tobien, Agrargesetzgebung, 216.

<sup>254</sup> The text of Alexander's letter is reproduced in Tobien, Agrargesetzgebung, 220-221.

the following month. Fifty years before the Landtag would have sought and found a compromise among themselves to present a united provincial front against imperial power but the economic stakes were now much higher and a liberal faction on the Landtag made compromise a more difficult option.

While the method of taxing hay fields to the perceived detriment of extraordinary peasant obligations remained an issue, the main objection was to Sivers and the Wenden Commission. Many considered that the Commission was setting labour norms so low that they would have to be raised in the final survey thus causing peasant unrest. Governor General Buxhoevden, on the other hand, complained that Sivers had set norms on church lands that benefited the pastors to the detriment of the peasants. The Landtag raised another complaint against Sivers which was connected to constitution reform rather than agrarian reform. The former is perhaps even more indicative of the divisions on the Landtag than the agrarian reform. There had been proposals for constitutional change on the 1803 Landtag, two of which significantly recommended modified *Statthalterschaft* models, but the Landtag rejected all of them (even one proposed by Johann Jakob Sievers). Sivers sought to assign imperial power a greater role in the internal affairs of the province by attempting to have the office of Landrat ratified by the tsar and not by the Governor General.<sup>255</sup> It was against this attempt that the 1806 Landtag made a formal complaint. Obviously, Sivers felt that the only way to reform was to involve the Russian tsar while the majority of Landtag members felt that the way to stop radical reform, or prevent imperial intervention, was to have Sivers removed from office.

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<sup>255</sup> Tobien, Die Agrargesetzgebung, 196-198.



The Landtag voted overwhelmingly against Sivers<sup>256</sup> and asked the tsar to cancel the work of the Wenden Commission and remove Sivers from it. Sivers maintained he was responsible in this function only to the St Petersburg Committee and the tsar. Alexander replied swiftly through the Governor General on 22 July 1806, deploring the fact that the Ritter had not heeded his letter of the previous month. He declared all the decisions of the 1806 Landtag unconstitutional, reminding the Ritter that the Wenden Commission was responsible only to the St Petersburg Committee. The matter of Sivers, however, as *Oberkirchenvorsteher* belonged within the jurisdiction of the province and Alexander permitted the removal of Sivers from his post. The tsar's decision displays diplomatic shrewdness. Firm in upholding imperial decisions and committees against provincial undermining, he still conceded to the provincial constitution where it was appropriate, namely in the dismissal of Sivers.<sup>257</sup>

Alexander's letter also clearly expresses imperial policy. The state would not interfere in the jurisdiction of the province but the Landtag would not be allowed to concern itself with imperial institutions. Of importance in this implicit statement of policy is the way in which the Commissions are regarded as imperial institutions. Until the creation of the St Petersburg Committee to rectify the shortcomings of the 1803 reform draft, which in turn created the Revision Commissions, there had been no imperial institutions,<sup>258</sup> apart from the Governor General, within the provinces concerned with its internal affairs. The St Petersburg Committee itself gradually took on the character and function of an

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<sup>256</sup> 59 against 17 voted to raise the status of the complaint against Sivers to that of acting contrary to the laws of the province (*Landesbeschwerde*). *Ibid.*, 273.

<sup>257</sup> This did not affect Sivers' influential position as a member of the *Landratskollegium*. In any case, he was reinstated as *Oberkirchenvorsteher* in August 1809. Tobien, *Die Agrargesetzgebung*, 235.

<sup>258</sup> Apart from the obvious exception of the period of the *Statthaltertschaft*.

upper authority on agrarian matters and other related topics in Livland and (from 1809) in Estland. It must be remembered that this imperial institution empowered to oversee the affairs of the provinces originally came into existence because the Livland Ritter had called on the tsar to settle their disputes rather than because there was a direct deliberate imperial policy to intervene in provincial matters. Indirectly, the Empire had caused the disputes by exerting pressure for reform unpopular with the Ritter.

The tsar's letter did not stop the complaints. The following month, August 1806, fifty landowners from Wenden submitted complaints to the tsar about the Wenden Commission. Sivers defended the decisions of the Commission and at the same time wrote a diatribe against his fellow landowners and Ritter, accusing them of lawless arbitrariness in the past and manipulation of the new laws in order to remain arbitrary rulers over the peasants. "Their [the landowners'] interpretations would render lawful what the reform had rendered unlawful and the reform would be three times more oppressive than arbitrariness has hitherto been."<sup>259</sup> The denunciation was another wedge for imperial intervention.

Alexander's attention, however, was being drawn more and more into the European arena by Napoleon. Until 1807, Russia was involved militarily in the allied fight against Napoleon and 1806 was a particularly active year. Alexander's uneasy truce with Napoleon brought some respite from 1807 to 1812 but the tsar led campaigns against Finland, Sweden and Turkey. Since the northern front was once more involved, stability in the Baltic provinces was essential. Imperial permission was eventually given for supplementary clauses to be added to the law of 1804 but a revision of the hay field taxation, which the Ritter had fought

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<sup>259</sup> For an extract from Sivers' writing, see Tobien, Agrargesetzgebung, 230-231.

for, was excluded. By 1809, 68 amendment paragraphs had been added.

Of interest are those paragraphs dealing with farm labourers. They prove just how undeveloped the economy was and the reforms must be seen in that context. The hereditary tenure of land granted to the peasant farmer had narrowed the farm labourer's prospects, virtually excluding him from farm ownership, the basis of positive motivation towards better productivity. The peasant farmer's obligations towards his labourer were fixed in more detail. A minimum wage could not be fixed since the economy had not developed enough for peasants to deal in money, If married, a labourer was to receive a certain amount of land. If single, he was paid in board and keep and clothes.<sup>260</sup> Thus, the burden of labourers lay formally with the peasant farmer and not with the landowner. Those labourers without a fixed position were also assigned, although indirectly, to the peasant farmer. He was allowed to use them as workers even if by doing so he exceeded his labour quota per *haken*.<sup>261</sup> The landowner, however, reserved the right to move the *Lostreiber* about as labour demands dictated. Categories of peasant were further fixed in that house servants could be sold as farm labourers but not vice versa.

The most important change in 1809 was, however, the establishment of a *Messrevisionskommission* (MRK), a survey revision commission, to replace all four local commissions. Under a President appointed by the tsar and five members nominated by the Ritter, all *Bauerland*, not *Hofsland*, would be re-assessed. The landowner would assess the value of his land and the amount of peasant

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<sup>260</sup> The number of shirts, trousers, underwear, shoes, socks was specified. For details, see Tobien, Die Agrargesetzgebung, 239.

<sup>261</sup> Which the amendments set at not less than twenty persons per *haken*, ten males between the ages of 17 and 60 and ten females between the ages of 15 and 55.

obligations. If the peasants were in agreement, the norms would be entered in the *Wackenbücher*. If the peasants disagreed, a general measurement would be made (or a partial one generalized). After approval by the St Petersburg Committee, each *Wackenbuch* would be published in four copies, one in the language of the farmer for his reference. Sivvers would soon be back in an influential role as chairman of the St Petersburg offshoot committee which was to check the *Wackenbücher*.<sup>262</sup>

Despite an imperial deadline of 1815, the survey was not finished when the 1804 reform was replaced in 1819. It was held up by various practical factors such as the lack of surveyors, the time needed to send the *Wackenbücher* to St Petersburg and back, the demands of war, and the continuing complaints of the landlords, which increased as the costs of the survey, borne by the districts where the revisions were taking place, escalated.

While the imperial role in the reform process in Livland was an important one, it must be noted that it was not dictated by comparison with the serfs in Russia. They enjoyed none of the rights proposed by the St Petersburg Committee or recommended by the tsar. The Russian serf was completely in his master's power and discipline,<sup>263</sup> his labour dues were not regulated<sup>264</sup>, he had no right of complaint against his master, no legal representation, no protection

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<sup>262</sup> Apparently under the tsar's recommendation in March 1810.

<sup>263</sup> In 1833 the landlord could still inflict whatever corporal punishment he found fitting as long as it did not endanger the serf's life.

<sup>264</sup> Except in the western provinces, particularly White Russia and Lithuania, where land allocation and labour dues were regulated by the inventory system under Poland. The Russian Senate voted for the abolition of this regulation but it remained in force, almost by default, until 1840 when it was formally abolished. Soon after, however, it was reinstated. See J. Blum, Lord and Peasant in Russia, 460-463.

against eviction, transfer or sale,<sup>265</sup> no property rights. Extraordinary services were also demanded of him, especially the onerous carting obligation which often involved winter trips of up to 600 versts in the remoter provinces,<sup>266</sup> although such duties were sometimes counted as part of the *barshchina*. There were, however, two important areas of difference with the Baltic serf. Labour dues were not assessed according to the amount of land a peasant had been allocated. The landlord generally stipulated an overall sum which the peasant commune divided up. Even if the landlord did calculate per dwelling or unit, the peasant land was still allocated by the commune. Thus, the commune played a significant role in labour allocation. The land was seen to belong to the commune, to the peasants, rather than to the landowner who was acknowledged as the owner of the peasants. Secondly, the situation of serfs in Russia varied greatly from area to area<sup>267</sup> as well as from landowner to landowner. As the economy developed, *obrok* peasants could work elsewhere and instances of such serfs accumulating large fortunes were not uncommon.<sup>268</sup> While the Secret Committee had pondered almost fruitlessly the seemingly impossible task of emancipation for the Russian serf, the St Petersburg Committee had a starting point in the Baltic provinces in the existence of a system for the measurement of land and the regulation of peasant labour. In Russia, there was no such starting point. There

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<sup>265</sup> In 1771 there had been a decree forbidding the sale of serfs by public auction but serfs continued to be sold up until emancipation. In 1857, nobles with populated estates were still allowed to buy and sell serfs. I.Ignatovich, Pomeshchich'i i krest'yane nakanune osvobozhdeniya (Moscow, 1910), 22-25.

<sup>266</sup> A *verst* was equivalent to about 3,500 feet. One economist in the 1840s estimated that in summer 800,000 serfs and in winter 3,000,000 (almost one-third of the male serf population) were involved in carting. *Ibid.*, 453.

<sup>267</sup> Serfs in the non-fertile provinces paid *obrok*. *Barshchina* was the preferred method in good farming areas. The former tended to be better off. See I.Ignatovich, Pomeshchich'i i krest'yane, 45-76.

<sup>268</sup> J.Blum, Lord and Peasant, 471-474.

was no standardized allocation of peasant commune land. More was sometimes demanded of families with smaller plots since other productivity factors were probably taken into consideration.<sup>269</sup> It was a system that defied measurement and generalization. In that it had a mathematical basis, the system in the Baltic provinces was controllable. Had it not been, imperial intervention in the disputes amongst the Ritter may not have found a practicable course of action. As it was, the solution presented itself in the form of a complete survey of everything that the past had deemed measurable, land and labour, a solution which would prove to be the catalyst for further reform. This would happen first in Estland.

#### **Estland: 1804-1817**

The 1804 reform for Livland went much further than the Estland *Igga Uks*, which had not even regulated peasant obligations. In the course of 1803, however, Estland worked out guidelines for the regulation of peasant labour, not without disagreement between liberals and conservatives, but the new *Ritterhauptmann*, von Rosenthal,<sup>270</sup> was able to guide the Landtag to a decision in March 1804. He was no doubt helped by the fact that the St Petersburg Committee had issued its reform plan for Livland just one month before. The Ritter were anxious to come up with a plan more suitable to their needs than the Livland reform.

The Estland 1804 reform, more an amendment to the 1802 *Igga Uks* than a new reform, differed from the Livland reform. The principle of regulating peasant obligations based on the quantity and quality of the land as well as the size of the

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<sup>269</sup> *Ibid.*, 444.

<sup>270</sup> Rosenthal had served in the American military as John Rose and had supposedly been on friendly terms with Washington. Tobien, *Die Agrargesetzgebung*, 296.

labour force was recognized, but in practice, labour dues were to be measured according to the quantity of land and labour force only. The quality of the land was to be taken into account only when there were disputes between lord and peasant.<sup>271</sup> The Estland Ritter thus hoped to avoid the difficulties and costs of a general survey. Permission was given for landowner and peasant to make private contractual agreements, imitating the Rumantsiev decree.<sup>272</sup>

Alexander ratified the new regulations on 27 August 1804 but, perhaps influenced by the St Petersburg Committee's reform for Livland, expressed his discontent over several points. The Estland reform still allowed the transfer of peasants under certain rather undefined circumstances<sup>273</sup> and the tsar now forbade the transfer of families from an allegedly overpopulated estate without investigation by the peasant court and ratification of the district court and the *Adelsmarschall* that the estate was indeed overpopulated. The second criticism concerned part of the extraordinary services. Where the peasant did not have wood for his own heating at hand, his labour dues should be lessened to compensate for the burdensome work of getting it. Sending the peasant more than 40 versts<sup>274</sup> was forbidden.

By September 1805, most of the estates in Estland had been assessed, resulting for the most part, it was claimed, in the reduction of peasant dues. The reforms were suitably amended and published in German, Russian and Estonian. Despite this alleged reduction, the peasant in Estland still owed his master more

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<sup>271</sup> The regulations are summarized in Gernet, *Geschichte des Agrarrechts*, 114-118.

<sup>272</sup> Gernet claims that many made use of this right. *Ibid.*, 124.

<sup>273</sup> See page 208 above.

<sup>274</sup> A verst was equivalent to 3,500 feet. It would seem to have been not uncommon to send peasants distances of over twenty miles for firewood.

than his counterpart in Livland.

Whereas in 1803 Livland had feared the Estland reform would be applied throughout, the Estland Landtag was now aware that the Livland reform of 1804 could be applied to their province especially since it had been drafted by an imperial commission. Ritterhauptmann von Rosenthal was more and more convinced, as he wrote in July 1804 before imperial ratification of the Estland proposals, that the Livland reform plan, which was being studied in St Petersburg "usque ad minutissima", might be applied to Estland. "... [A]t each paragraph of our peasant reform, comparisons are made with the Livland reform which are of course not in favour of the former."<sup>275</sup>

Rosenthal was right. The comparisons started in earnest after the decree was imperially ratified. Carl von Stackelberg was once more active in lobbying for the liberals. He submitted his opinion on the new Estland reform to the tsar concluding that "the new reform has not improved the situation of the *Esten* but rather left them in misery." In December, Alexander let it be known that the Estland reform "was not considered final and should be perfected in the course of time." By the beginning of January 1806, von Rosenthal informed the Landtag Committee that he had news privately from St Petersburg "that revision commissions for the examination and introduction of the *Wackenbücher* similar to those in Livland were being considered for Estland."<sup>276</sup>

Russian opinion was supported by peasant unrest in the province. There were uprisings on several estates late in 1805, some of which had to be quelled by force. The peasants had expected more from the new reform, perhaps in the

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<sup>275</sup> Cited in Gernet, Geschichte des Agrarrechts, 125-126.

<sup>276</sup> Quotes in this paragraph cited in *Ibid.*, 125-126.



knowledge of the Livland reform and its regulation of the extraordinary labour services. One specific protest of the uprisings was against the threshing which the peasants had to do at night. The extraordinary duties were not regulated and were, as they had been in Livland, a source of exploitation. The Landtag of February 1806 passed some measures to limit the amount of threshing demanded of the peasants in an attempt to quieten the situation but did not tackle the question of the regulation of extraordinary dues in general.

Russia was keeping a watchful eye on events in its province and sent a mission headed by Senator Sacharov to Reval in April 1806 to investigate the peasant unrest and take any measures necessary to improve the situation. The Senator, however, left after short discussions with the Landtag Committee.

The Estland reform was also subjected to public criticism. The playwright August von Kotzebue<sup>277</sup> wrote a very sharp criticism, most of which he apparently later retracted.<sup>278</sup> Towards the end of 1806, Livland entered the discussion in the form of an article, dedicated to Kochubey and Novosiltsev, written by a Dorpat professor. Professor Ewers compared the "provisonal" Estland reform most unfavourably with the Livland reform.<sup>279</sup> Nothing was undertaken on the official government front, however, until the Peace of Tilsit freed Alexander from military concerns. In September 1808 he instructed his new Minister of the Interior, Prince Kurakin<sup>280</sup> to review the Estland reform. The fate

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<sup>277</sup> Kotzebue had been in government service in Estland and owned an estate in Livland (a gift from Tsar Paul after he was recalled from Siberian exile). He was pro-Russian, often critical of Germany. He was assassinated by a radical German student in 1819.

<sup>278</sup> Gernet, *Geschichte des Agrarrechts*, 127.

<sup>279</sup> *Ibid.*

<sup>280</sup> Gernet in his account of the reform process attributes the more aggressive attitude of the government towards Estland to Kurakin. *Ibid.*, 127.

of the Estland reform was tied more securely to the Livland model by Kurakin's method of investigation. Together with Druzhinin, who had worked on the Livland reform, Kurakin conducted a comparison of both provincial reforms. The results found the Estland reform insufficient and deficient and the peasant worse off than his counterpart in Livland. Kurakin concluded that the peasant could not prosper under the labour norms worked out by the Estland Landtag.<sup>281</sup>

Not only was the Estland reform now inextricably linked with the Livland reform, it was placed in the domain of imperial institutions by Alexander in July 1809.<sup>282</sup> The Committee for the Improvement of the Situation of Estland Peasants consisted of Kurakin, the Estland *Ritterhauptmann* (Otto Stackelberg), the Landrat von Klugen (replaced by Count Stenbock) and three members, Druzhinin, Ekesparre and Kaiserov, from the Livland Commission. Stackelberg and Stenbock were asked to react to the conclusions reached by Kurakin and Druzhinin. The Estland representatives maintained that the bad situation was due not to the reform, which had not had time to take effect, but to a combination of factors including bad harvests, the quartering of troops, a 400 percent increase in the price of salt, the ease with which the peasant was allowed to contract debts, and the obligation of the landowner to give the peasant advances of all sorts.

The Committee was not convinced and recommended to the tsar that the reform could not be allowed and a special Landtag must work out a new reform before 1 July 1810. The tsar ratified this decision on 20 January 1810. The new reform was to be based on the principles used in the Livland reform, a great blow to the Estland Ritter who were not prepared to grant any more than they already

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<sup>281</sup> Arithmetical calculations are summarized in Gernet, *Geschichte des Agrarrechts*, 131-134.

<sup>282</sup> Alexander had apparently seen for himself how imperfect the reform was during a journey through Estland the previous year. *Ibid.*, 129.

had, arguing that their economic position did not allow it. They also argued that more change would unsettle the peasants and lead to insubordination. By March, they had decided to reject any further changes. Baron Ungern Sternberg reflected the majority feeling: "This reform may carry the stamp of human imperfection and not stand up in every detail to the criticism of theory but the Ritter have in the essential points with the best intention and to the best of their ability cared for the improvement of the situation of the peasants, and are convinced that the future welfare of this class is dependent on its own industriousness."<sup>283</sup>

The Landtag closed session until June. Meanwhile, the Committee in St Petersburg began a statistical survey of peasants and dues in Estland. The conclusions pointed to the need to decrease peasant obligations and the Ritter decided to petition the tsar (during Kurakin's opportune absence in Paris.) The tsar, according to Kosodavlev, the new Minister of the Interior, refused to consider the petition and reiterated the deadline of 1 July 1810. The June Landtag was reminded by the Governor of the tsar's wish for the 1804 reform to be revised but by July the Ritter were once more petitioning the tsar for permission to retain the 1804 reform. The points they were unwilling to accept were the essentials of the Livland reform, the very points which they knew caused their own reform to be compared unfavourably with the Livland reform: the right of the peasant to own immovable property; the measurement of peasant land; and the regulation of extraordinary duties. The tsar rejected the petition.

There seemed little doubt that future petitions would be futile and that it would only be a matter of time before the Livland reform was imposed on Estland. The Ritter saw their right to the land threatened and their economic ruin

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<sup>283</sup> Cited in Gernet, Geschichte des Agrarrechts, 136.

assured by the decrease in peasant labour norms and the expense of survey commissions. Livland's example, by this time, was proving the difficulties of such surveys. The solution to their dilemma was to appear, ironically, in the form of a seemingly much more radical measure than the Livland reform: personal emancipation of the serf. Having first sounded out the tsar's reaction to such a proposal, the Landtag of February 1811 proposed freeing the relationship of lord and peasant from the constraints imposed by the Livland reform. The Ritterhauptmann Otto Stackelberg set the tone. He regretted that the government had not recognized the factors which had paralysed the beneficial influence of the 1804 reform, preferring to blame the reform itself, but at the same time recognized that no attempt to standardize duties and obligations could be perfect since it could not take into account the many varying local circumstances in order to do justice to each and every estate. Constant changes would bring unrest and the cost of the whole enterprise, as the Livland experience proved, was prohibitive. "All this proves that no Regulative can be found completely satisfactory and everyone would agree that it cannot be the only appropriate way to promote the welfare of the peasants, however necessary and wise the 1804 Regulative was, which accustomed both sides, landowner and peasant, to an exact, binding observation of mutual obligations, and prepared the way for legal independence. By its nature, every Regulative defines the dues on all estates according to the same scale without taking into consideration locality and other circumstances which cannot be taken into account and this injustice must affect both sides. Under these circumstances, concluding mutual voluntary contracts would seem to be the only just and immutable standard of setting obligations and, because it strengthens the bond between landowner and peasant on a legal basis and

through mutual interest, the surest way to the welfare of both parties."<sup>284</sup>

By 24 February 1811, the Landtag had agreed that the landowner would renounce his right over the personal liberty of the peasant and that the peasant's use of the land would be determined on a contractual basis with him. The land, however, would remain the unlimited property of the landowner. Although the tsar agreed to this new principle just one month later, it did not become law until 1816. The delays were caused mainly by the 1812 invasion which prevented the final drafting committee, imperially appointed but consisting mainly of Ritter meeting in Reval, from completing its work. The final draft was ratified by the tsar in May 1816, passed by the Landtag on 16 October 1816 and put into effect on 8 January 1817. The Ritter renounced their rights over their serfs, basing their future relationship with their peasants on mutual contracts. The land would remain the property of the landowners. Since 1811, a note of caution had entered and the transition from serf to citizen was to be accomplished gradually, over a period of fourteen years, "to avoid the misunderstandings and confusion which might arise from sudden transition" and to allow time for the establishment of those institutions necessitated by the change in the political and civic status of the peasants, especially in the police and judicial areas.<sup>285</sup>

The Estland emancipation reform, the details of which will be discussed in the following chapter, was the solution to a province/Empire deadlock. The Empire sought to apply new legislation or at least economic standards worked out for a neighbouring and, to a Russian way of thinking, similar German province. The 1804 Livland reform had not been drafted by the Landtag of Livland but by

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<sup>284</sup> Cited in *Ibid.*, 146-147.

<sup>285</sup> *Ibid.*, 152.

an imperial institution. The Ritter of Estland might have been able to accept the Livland 1803 draft more easily than the more liberal 1804 reform. Their reaction, therefore, was not so much against a supposedly more liberal Livland but against a more liberal imperial version of Baltic agrarian reform. The emancipation reform, however, should not be viewed only in the context of a desperate response to a severe economic threat but in the wider context of economic thinking of the time, which provided an alternative solution to that of the Russian government's policy. The context of the reform widens to include its repercussions on the other Baltic provinces. It defined the reform path the provinces would take, one which deviated from the main road of reform elsewhere. It would also affect Russian policy in agrarian reform.

## CHAPTER IV

### EMANCIPATION: THEORY AND PRACTICE

#### PART ONE: ADAM SMITH AND HEINRICH STORCH

##### The Accumulation of Wealth

The proposal of the Estland Ritter to emancipate their captive labour force was very much in tune with economic thinking of the time. The relationship between unfree labour and productivity had occupied economic theory in Europe for some decades and by 1811, when Estland first proposed emancipation as an alternative to the Livland reform, had been clearly and widely expounded.

Until the end of the eighteenth century, unfree labour was an accepted economic fact of life. The century of enlightenment was also the century of slavery, and the economic strength of the British and French Empires owed much to this institution. About the same time that the members of the 1765 Livland Landtag were being imperially chastised for their treatment of their serfs, an English slave trader claimed, "Negroes are the Sinews of a Plantation, and it is as impossible for a Man to make Sugar without the assistance of Negroes, as to make Bricks without Straw."<sup>1</sup> The French *philosophes*, Montesquieu as early as 1721 in his Lettres Persanes, had spoken out against slavery, but the abolition movement, led largely by Quakers in Britain, did not gain ground until the last decades of the century. Trading in slaves was banned in Britain in 1807 but abolition itself would take another few decades. In the new America, admired for its ideas of

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<sup>1</sup> Cited in Peter Gray, The Enlightenment, 420.

equality, slavery lasted longer than serfdom did in Russia.<sup>2</sup>

The moral reprehensibility of slavery argued by the *philosophes* and the Quakers was outweighed by its economic advantages. The slave trade was "the first principle and foundation of all the rest, the mainspring of the machine which sets every wheel in motion."<sup>3</sup> In 1771, John Millar at Glasgow University introduced a completely new perspective.<sup>4</sup> He argued that slavery was in fact unprofitable. Slaves were not trained to do anything but the most crude labour and constituted a most unwilling and inefficient labour force. Millar's teacher, Adam Smith, gave this utilitarian argument force by including it, albeit briefly, in his economic theory of the accumulation of wealth, published in 1776. Smith's perspective on slavery was purely economic, a departure from the humanitarian arguments of the eighteenth century. "The experience of all ages and nations ... demonstrates that the work done by slaves, though it appears to cost only their maintenance, is in the end the dearest of any. A person who can acquire no property can have no other interest but to eat as much and to labour as little as possible. Whatever work he does beyond what is sufficient to purchase his own maintenance, can be squeezed out of him by violence only, and not by any interest of his own."<sup>5</sup> "...[T]he work done by freemen comes cheaper in the end

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<sup>2</sup> For an interesting comparison of the institutions of American slavery and Russian serfdom, see Peter Kolchin, *Unfree Labour: American slavery and Russian serfdom* (Cambridge, Mass., 1987).

<sup>3</sup> Cited in Peter Gay, *The Enlightenment*, 420.

<sup>4</sup> In what was published in a later edition (1779) as *The Origin of the Distinction of Ranks*. See *Ibid.* 416-418.

<sup>5</sup> Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (London, 1874), Book 3, Chapter II, 298. It is clear that Smith viewed serfdom in Russia as a "species of slavery." *Ibid.*, 297.



than that performed by slaves."<sup>6</sup> It is from the economic perspective rather than from the religious or moral one that Smith viewed the Quaker emancipation of their slaves. "The late resolution of the quakers [sic] in Pennsylvania to set at liberty all their negro slaves, may satisfy us that their number cannot be very great. Had they made any considerable part of their property, such a resolution could never have been agreed to."<sup>7</sup>

Wealth could not be accumulated with unfree labour, either in agriculture or in manufacturing. "In the manufactures carried on by slaves ... more labour must generally have been employed to execute the same quantity of work, than those carried on by freemen."<sup>8</sup> Smith, however, who did not seem to presage the imminent industrial revolution, attached, in the physiocratic tradition, more importance to agriculture.<sup>9</sup> Improving agricultural productivity was of paramount importance. "The capital employed in agriculture not only puts into motion a greater quantity of productive labour than any equal capital employed in manufactures, but in proportion to the quantity of productive labour which it employs, it adds a much greater value to the annual produce of the land and labour of the country, to the real wealth and revenue of its inhabitants. Of all the ways in which a capital can be employed, it is by far the most advantageous to

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<sup>6</sup> Ibid., Book 1, Chapter VIII, 63. Bowing to certain realities which may have seemed to contradict this claim, Smith acknowledged that certain economic activities could afford slavery. The colonial enterprises of tobacco and sugar especially could tolerate unfree labour. In those "English colonies," however, where the principal produce was corn, the far greater part of the work was done by freemen.

<sup>7</sup> Ibid., Book 3, Chapter II, 298. It is interesting to surmise how Smith would have commented on emancipation in Estland, where slaves did indeed form a considerable part of property.

<sup>8</sup> Ibid., 537.

<sup>9</sup> In Smith's theory of the stages of development of society, a theory shared by others of the time, the agricultural condition preceded the last, the commercial.

the society."<sup>10</sup> Smith attributed America's rapid progress to capital investment primarily in agriculture.<sup>11</sup> Commerce and manufacturing were also considered cornerstones of the economy, but in relation to agriculture. "The greatest and most important branch of commerce of every nation, is that which is carried on between the inhabitants of the town and those of the country."<sup>12</sup>

The solution to the economic dilemma of serfdom was to be found in the essence of Smith's theory on the accumulation of wealth, namely the principle of natural liberty. This principle largely supported the principle of laissez-faire, of the advantages of natural economic laws over economic regulations, already expounded by the French Physiocrats.<sup>13</sup> All systems of economic preference or privilege or of restraint hindered productivity. "Every man, as long as he does not violate the laws of justice, is left perfectly free to pursue his own interest his own way, and to bring both his industry and capital into competition with those of any other man."<sup>14</sup> The "propensity in human nature ... to truck, barter, and exchange one thing for another" would guarantee the necessary economic activity.<sup>15</sup>

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<sup>10</sup> Ibid., Book 2, Chapter V, 280.

<sup>11</sup> Ibid., 282.

<sup>12</sup> Ibid., Book 4, Chapter IX, 539.

<sup>13</sup> Smith did, however, place more importance on the power of individual liberty than Quesnay did. In Smith's opinion, Quesnay "seems not to have considered that in the political body, the natural effort which every man is continually making to better his own condition, is a principle of preservation capable of preventing and correcting ...the bad effects of a political economy in some degree both partial and oppressive. Such a political economy ... is not always capable of stopping altogether the natural progress of a nation towards wealth and prosperity. If a nation could not prosper without the enjoyment of perfect liberty and perfect justice, there is not in the world a nation which could ever have prospered." Ibid., Book 4, Chapter IX, 529. Smith's main objection, however, was to the "capital error" of the Physiocrats in "representing the class of artificers, manufacturers and merchants, as altogether barren and unproductive" (in contrast to the productive class of farmers). Ibid.

<sup>14</sup> Ibid., Book 4 Chapter IX, 540.

<sup>15</sup> Ibid., Book 1, Chapter II, 10.

First published in 1776, Adam Smith's theory was well known in Russia by 1811. Even before it was published, Smith's ideas had been brought to Russia by Desnitskii and Tret'yakov, who had studied under him and John Millar at Glasgow University.<sup>16</sup> On their return to Russia, both Desnitskii and Tret'yakov published lectures based on Smith's teachings<sup>17</sup> and several of Desnitskii's ideas based on Smith were reputedly incorporated into Catherine's Second Supplement to her *Nakaz* in April 1768.<sup>18</sup>

After publication, Smith's Wealth of Nations was easily accessible to non-English readers in Russia. The Ministry of Finances commissioned a Russian translation of the work in 1808 and extracts were published in the St Petersburg Journal, the official paper of the Ministry of the Interior.<sup>19</sup> The first French translation had already appeared in 1779-1780, followed by others in 1781, 1788, 1790 and 1800.<sup>20</sup> The first German translations were available even earlier, in 1776 and 1778.<sup>21</sup> The effect on the Ritter, as evidenced by the decisions of the 1790's Landtag sessions and the reforms of 1802-1804, was negligible. In 1803,

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<sup>16</sup> See Chapter II, p.13 above.

<sup>17</sup> For details of their lectures and points of congruence with Smith and Millar, see A.H.Brown, "Adam Smith's First Russian Followers," in A.S.Skinner and T.Wilson, eds., Essays on Adam Smith (Oxford, 1975), especially pp. 260-273.

<sup>18</sup> For a detailed discussion of Desnitskii's direct and Smith's indirect contributions to Catherine's *Nakaz*, see A.H.Brown, "S.E.Desnitsky, Adam Smith, and the *Nakaz* of Catherine II," in Oxford Slavonic Papers (Oxford, 1974): 42-59.

<sup>19</sup> Nicolai Politkovskiy received 5000 roubles for the translation. It is worth noting that the Journal also published extracts from the works of Bentham, Bacon and Ferguson. Bentham in particular enjoyed a wide readership in Russia. According to his French translator, as many copies of Bentham's works were sold in St Petersburg as in London. Victor Leontovitsch, Geschichte des Liberalismus in Russland (Frankfurt, 1957); 43-44.

<sup>20</sup> Although the Charles Garnier translation of 1802 is considered the best of the early translations.

<sup>21</sup> Christian Garve's 1794 translation was considered the first dependable German one. Information on the translations is from Roderick E.McGrew, "Dilemmas of Development: Baron Heinrich Friedrich Storch (1766-1835) on the Growth of Imperial Russia," in Jahrbücher für Geschichte Osteuropas Neue Folge, vol 24, Heft 1 (1976): 36-37.

Baron Ungern-Sternberg of Livland could still argue in a pamphlet published in St Petersburg that slavery was inherent in human nature.<sup>22</sup> That it took longer for Smith's teachings to penetrate the Ritter ranks is due to the natural time span between a new idea and its enforcement but also in no small part to the attitude of the Russian government to the new economic thinking. While the Estland Ritter may have found the solution to their economic problems in the teachings of Adam Smith<sup>23</sup>, Russian approval was a prerequisite.

### Heinrich Storch

That there was imperial interest in and implicit approval of Smith's economic theory is evidenced in the works of one of the Russian court's official chroniclers, Heinrich Storch. Originally from Riga, Storch had studied at Jena and Heidelberg before joining the Cadet Corps as a teacher in 1787. Soon after, Catherine appointed him her secretary of literature and from then until his death in 1835, Storch enjoyed imperial favour and appointments under four Russian rulers. Under Catherine, Storch began the first of his descriptive works of the Russian Empire, using many of the statistical findings of the systematic study of the Empire initiated by the Academy some decades before.<sup>24</sup> Storch's methodology of using statistics in analysis was relatively new but it was the

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<sup>22</sup> The pamphlet was entitled, "Do proposals to emancipate the peasants conform to Russian law?" ("Ist die von einigen des Adels projektirte Einführung der Freiheit unter den Bauernstande in Livland dem Staatsrechte Russlands conform?") Ungern-Sternberg was part of the conservative contingent on the Landtag who were unwilling to grant any more than what 1765 had already granted since, in their view, the serfs were the hereditary property of the landlord. Baltic historiography prefers to view Ungern-Sternberg as "mentally ill" rather than accord his extreme conservative views historical consideration. See, for example, Tobien, *Die Agrargesetzgebung*, 282-283. Compare Semevskii's consideration. *Krest'yanski Vopros*, 287-289. Extracts from Ungern-Sternberg's work can be found in Storch, *Rußland unter Alexander dem Ersten* vol VII, p.394 ff.

<sup>23</sup> See, for example, Gernet, *Geschichte des Agrarrechts*, 145.

<sup>24</sup> By 1790, much of the data collected had been published by Ivan German (Benedikt Franz Johann Hermann) and L.Kraft.

central role he attributed to economics in the development of a nation which reflected the thinking of Adam Smith. As early as 1798, in the reign of Paul, Storch cited Adam Smith in his comprehensive work Historisch-statistisches Gemälde des russischen Reiches.<sup>25</sup> Shortly after, Storch's position as court "spokesman" was confirmed by his appointment as Alexander's chronicler. Rußland unter Kaiser Alexander dem Ersten is a description of Alexander's policies and legislation, from a mildly critical standpoint.<sup>26</sup> More significant as a source of officially approved economic thinking was the course of lectures Storch designed for the Grand Dukes Nicholas and Michael. Although the Cours d'économie politique was not published until 1815<sup>27</sup>, after the subject had first been raised by the Estland Landtag, Storch had already expressed the ideas elsewhere. In March 1806, for example, he expounded Smith's principle of natural liberty to the Academy. While the German-reading public in the Baltic provinces had ready access to Smith's work in translation and had no need to wait for Storch,<sup>28</sup> Storch's work is important as a reflection of imperial tolerance of the new economic thinking.<sup>29</sup>

This did not mean that the government had an open policy towards all

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<sup>25</sup> Historisch-statistisches Gemälde des russischen Reiches am Ende des achtzehnten Jahrhunderts, (Riga, Leipzig, 1797-1802). For examples of citations of Smith in this work, see R.E.McGrew, "Dilemmas of Development," 17, note 19.

<sup>26</sup> Storch belonged to the court circle of the Dowager Empress, which was at times "a center for intrigue and criticism of Alexander's policies." *Ibid.*, 41.

<sup>27</sup> Henri Storch, Cours d'économie politique ou exposition des principes qui déterminent la prospérité des nations (St Petersburg, 1815). Towards the end of Alexander's reign, censorship forbade a Russian translation of the work and the importation of other translations was forbidden.

<sup>28</sup> For those who did not read French, the German translation did not appear until 1819.

<sup>29</sup> It is also possible that Storch helped shape imperial policy on agrarian matters but this should not be overemphasized. He was not pro-emancipation despite his support of the principle of natural liberty. The principles expounded in the Cours were not obvious in the policies of his pupil Nicholas once he became tsar.

expressions of liberalism. Censorship was still in force. In 1806, for example, Andrei Kaiserov, a Russian student at Göttingen University, wrote his doctoral dissertation on the emancipation of serfs in Russia in which he stressed freedom as a prerequisite of productivity. The translation of Kaiserov's work into Russian (from Latin) was forbidden.<sup>30</sup> Censorship was stringent enough that the 1809 Moscow Censorship Committee forbade certain parts of Montesquieu's On the Existence of Laws dealing with the ills of serfdom, which Catherine had used for her *Nakaz*.<sup>31</sup> Acceptance of, or at least interest in, new ideas was indicated more in officially approved channels. In 1812 the Free Economic Society organized an essay competition on the relative merits of free and serf labour. The tsar indicated his interest by raising the original prize money offered.<sup>32</sup> There were fourteen entries submitted, eleven in Russian. The first prize was awarded to Ludwig Heinrich Jakob of the University of Kharkov, formerly professor at Halle, who argued that serf labour was much less profitable than free labour.<sup>33</sup> Garlieb Merkel won second prize with similar arguments.<sup>34</sup>

While Storch acknowledged the Cours to be based on the theories of Smith,<sup>35</sup> he also consciously deviated from them in his attempt to adapt Smith to Russia.<sup>36</sup> On the non-productivity of unfree labour, however, he was in

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<sup>30</sup> Heinz Mohrmann, Studien über russisch-deutsche Begegnungen in der Wirtschaftswissenschaft (1750-1825) (Berlin, 1959), 49. It is worth noting that Kaiserov became a professor at Dorpat University in 1810. He was killed in battle against the French in 1813. See *Ibid.*, Chapter IV, Part I for more on Kaiserov.

<sup>31</sup> Semevsky, Krest ianski Vopros, 286.

<sup>32</sup> From fifteen ducats to one hundred. Tobien, Die Agrargesetzgebung, 285.

<sup>33</sup> Storch refers to this "excellent work" in Cours, Book VIII, Chap. XI, p.307, note (2).

<sup>34</sup> Blum, Lord and Peasant in Russia, 563.

<sup>35</sup> Storch, Cours, vol I, p.III.

<sup>36</sup> *Ibid.*, p.IV.

complete agreement. In the process of production, slaves were no better than machines, and poor ones at that. "... [I]n a country where there were no workers other than slaves, the accumulation of capital ... could be achieved only by the economy, intelligence and application of their masters."<sup>37</sup> Storch, however, doubted the ability of the Russian landlord to compensate for the economic losses caused by slavery.<sup>38</sup>

Storch very consciously used the word slavery (*l'esclavage*) to describe the state of the peasants in Russia. Only those peasants belonging to the crown could be described as serfs.<sup>39</sup> This categorization reflects the reality of the differences between private and crown peasants in Russia.<sup>40</sup> As Storch pointed out, crown peasants (except for those in mines and factories) had the advantage of paying rent rather than working *corvée*. Storch described the rent as moderate and adjustable according to the quality of the land.<sup>41</sup> The state peasant had the right to own what he acquired and to dispose of such as he wished. He was protected by law and had judicial recourse to a tribunal, two members of which were elected by the peasants. Issued on application with a passport, he was allowed to leave the village to work elsewhere for a limited period. He was even allowed to join the ranks of merchants or bourgeois with the permission of the tribunal

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<sup>37</sup> Ibid., vol IV, Book VIII, p.282.

<sup>38</sup> Ibid., Book IX, 283-288. Storch points out that the Russian landlord is experienced only in state service and knows nothing of enterprise.

<sup>39</sup> Ibid., vol. IV, Book VIII, Chap. X, P.296.

<sup>40</sup> According to statistics used by Storch, the former numbered 6,678,000 males in 1782 and the latter 4,675,000. Ibid., Vol 6, note XX.

<sup>41</sup> In 1798, an attempt had been made to determine the rate of the quitrent according to the quality of the land. This was far from the Baltic *haken* system, however. The provinces of the Empire were divided into four classes. Peasants living in the most prosperous areas paid five roubles per person, the scale going down to three and a half roubles in the poorest area. J.Blum, Lord and Peasant in Russia, 485-486.

and commune. Under Catherine, crown villages had been given the right to buy property and under Alexander this right was extended to individuals.<sup>42</sup> Apart from the uncertainty of his fate -- he could be allocated to a mine or factory or relegated to the status of slave by being sold to a private individual, a rent-paying serf was more like a free labourer than a slave.<sup>43</sup> Reality, however, did not always coincide with Storch's categorization. Crown serfs, he admitted, were often worse off than privately-owned slaves, a paradox he attributed to the fact that private peasants were often well managed by the landlord himself whereas crown peasants were at the mercy of the crown representatives.<sup>44</sup> Many private slaves were well off, testifying to the fact that Russian landlords were often less arbitrary than landlords elsewhere.<sup>45</sup> Legally, however, the crown peasants in Russia enjoyed more rights than the serfs in the Baltic did before 1804. What the tsar urged on the private estates of the Baltic was often only what the Russian crown peasants already enjoyed.

Storch did not categorize the peasants in Livland as slaves, the reforms of 1804 having raised them to the status of serfs.<sup>46</sup> This categorization reflected Russian approval of the reforms in which Russia had had a large say. Storch was aware of their shortcomings, however. The serfs in Livland were inferior in status to the serfs<sup>47</sup> of Russia because they were still tied to the land and had to render service in kind rather than rent. Storch agreed with Adam Smith that *corvée*

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<sup>42</sup> Decree of 12 December 1801. See Chapter III, page 203.

<sup>43</sup> Cours, vol VI, note XIX, pp.266-270; vol IV, Book VIII, Chap.X, pp.292-300.

<sup>44</sup> *Ibid.*, 296-297.

<sup>45</sup> *Ibid.*, 295.

<sup>46</sup> Storch, Cours, 271.

<sup>47</sup> I.e., the crown peasants.



labour was most unproductive. Rents taken in kind or service, Smith had stated, were "more hurtful to the tenant than beneficial to the landlord... In every country where they take place, the tenants are poor and beggarly, pretty much according to the degree in which they take place."<sup>48</sup> Since labour dues in Livland were regulated in detail, however, Storch felt the serfs there enjoyed certain advantages over their Russian counterparts.<sup>49</sup>

Imperial dissatisfaction with the Estland reforms is reflected in Storch's note that the Estland peasants, despite the reforms of 1805, remained slaves. He also noted, however, that the eventual success of their discussions to emancipate their serfs would bring about a praiseworthy example.<sup>50</sup>

## PART TWO: THE PRACTICE OF EMANCIPATION ELSEWHERE

### Denmark

Along with the theory of Adam Smith, there were several practical examples of emancipation, some pre-dating the 1802-1805 reform period, to influence the Baltic Ritter. The nineteenth century seemed to begin on a wave of emancipation. Not all of these were practical examples of Smith's theories, however. In 1788, the Danish government, after repeated attempts to regulate

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<sup>48</sup> The Wealth of Nations, Book 5, Chapter II, 657. Storch expresses similar opinions in Cours, vol IV, Book VIII, Chap. VIII.

<sup>49</sup> Storch's approval of the regulated nature of the Livland reforms is in contradiction to Smith's theory of natural liberty.

<sup>50</sup> Cours, vol VI, note XIX, 271-272.

relations between peasant and lord,<sup>51</sup> finally abolished bondage or *stavnsband*.<sup>52</sup> All peasants would be free by 1800.<sup>53</sup> Although the ideas of Adam Smith had been voiced on the reform commission, they had been overruled by the "positive discriminatory state intervention" approach.<sup>54</sup> The need to protect the peasants "from the free play of economic forces"<sup>55</sup> was evident in the ordinance of 1790 forbidding the incorporation of peasant land into estate land and one year later the stipulation that all labour services were to be determined by free contract between peasant and lord with crown arbitration if necessary.<sup>56</sup> Although by 1807 sixty percent of peasant farms had become freeholds, compared with three percent in the mid-eighteenth century,<sup>57</sup> labour obligations still existed and although regulated were done so at a very high level.<sup>58</sup> In general, though, peasant lands remained in peasant hands, either as freeholds or as tenancies.

Not all peasants were protected from landlords or economic forces, however, since not all were farm tenants or freeholders. Between 1787 and 1801,

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<sup>51</sup> There were similarities with the Baltic provinces. A small group, some 300 landowners, owned 90% of the land. These landowners also filled many of the administrative and chancery positions.

<sup>52</sup> *Stavnsband* was not serfdom per se. Early in the eighteenth century, economic depression led landlords to introduce strict measures to ensure a cheap labour force. In 1733, all males between 18 and 36 years of age (in 1764, extended to between four and 40 years of age) were required to live in the villages where they were born. This requirement was attached to military service. Like serfs, the tenant peasants were required to work three days on the lord's lands and were under his private jurisdiction and punishment. 1788 removed compulsory residence, compulsory labour and landlord jurisdiction.

<sup>53</sup> Serfs in the duchies were all liberated by 1805.

<sup>54</sup> Thomas Munck, "The Danish Reformers," in H.M.Scott ed., *Enlightened Absolutism* (London, 1990), 261.

<sup>55</sup> H.Arnold Barton, *Scandinavia in the Revolutionary Era, 1760-1815* (Minneapolis, 1986), 371.

<sup>56</sup> T.Munck, "The Danish Reformers," 258.

<sup>57</sup> H.Arnold Barton, *Scandinavia in the Revolutionary Era*, 371.

<sup>58</sup> T.Munck, "The Danish Reformers," 260.

the cotter class increased by nearly a quarter in Denmark. By 1801, it outnumbered the farmers. The census of 1801 counted 261,307 persons in the farming class and 322,587 in the cotter class.<sup>59</sup> There was little protection for the cotter class, which supplied the labour for both farmer peasants and landowners. Nearly twenty years after emancipation, in 1807, landowners were given the right to impose unlimited labour services on cotters on their estates and to exercise corporal punishment.<sup>60</sup>

### Sweden

In Sweden, where serfdom had never really existed, all restrictions on peasant freehold rights were removed in 1789. From the end of the seventeenth century, a series of measures had protected peasant-farmed land from incorporation into estate land. Crown lands were once more sold on a large scale to peasant tenants and in 1789 and 1809, manorial lands were sold to commoners and to peasants. By 1809, about thirty percent of such lands had been bought by commoners, of which at least a third were peasants. By 1815, over half the matriculated land in Sweden was farmed by peasant freeholders and nearly another fifteen percent by crown tenants.<sup>61</sup> In 1806 Sweden also placed under Swedish law Pomerania and Rugen, where appropriation of peasant lands had been widespread. This gave the serfs their freedom.

### Finland/Norway

Restrictions on peasant freehold rights were also removed in Finland in

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<sup>59</sup> H. Arnold Barton, Scandinavia in the Revolutionary Era, 372-373.

<sup>60</sup> T. Munck, "The Danish Reformers," 260.

<sup>61</sup> H. Arnold Barton, Scandinavia in the Revolutionary Era, 371.

1789 but there the nobles retained the monopoly on manorial estates. This had less effect than it would have had in Sweden or the Baltic provinces since nobles held a much smaller amount of land and their estates were small. In Norway, where there were very few manors<sup>62</sup> land was sold to peasant tenants.

## Germany

In July 1807, Napoleon decreed the serfs in Poland free and Prussia, the only central European state outside the Confederation of the Rhine, emancipated its serfs in October of the same year as part of a series of reforms to revitalize the country after its demoralizing defeat by Napoleon. Much had been destroyed especially in East Prussia and agrarian reform was an economic necessity since landlords were unable to support their impoverished peasants. The reform allowed every member of every class to acquire property of any other class. On the surface, this was in keeping with free economic principles but in practice benefited only the landowners and those able to purchase land, especially peasant land. In September 1811, landowners were granted free disposition of their property. They had the right to enlarge or decrease it by purchase or sale. At the same time, however, an edict was passed to protect the peasant from economic exploitation. Peasants on rented land were to become owners and compensation was to be paid to the landowners.<sup>63</sup> The landowners, however, protested vigorously and in May 1816, the effects of 1811 were reversed when the landowners were granted the right to buy peasant land and incorporate it into

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<sup>62</sup> Barton names Jarlsberg, Larvik and Rosendal.

<sup>63</sup> The compensation norm was set at one-third of the land for a hereditary plot and half for a non-hereditary plot. The compensation could be paid in cash or in kind. Tobien, Die Agrargesetzgebung vol II, 7. Basically, this meant that by giving up half of the land he used, a peasant became owner of the other half.

their own *Hofsländ*. The peasants in Prussia, therefore, remained economically dependent on the landowners and did not attain the economic security necessary for an increase in productivity and the accumulation of national wealth. In the following decade, the agricultural situation worsened as landowners bought up peasant plots. Peasant property decreased, the number of landless peasants increased.

### Theory/Practice

In the two decades immediately preceding the emancipation reform, Estland's neighbours had provided a variety of emancipation models, none of them, with the possible exception of Sweden, true to the principles expounded by Adam Smith. State economic regulation was found to be necessary, as in the case of Denmark, to protect the freed peasants from exploitation. Where there was inadequate economic protection, peasants suffered at the hands of their more powerful lords, as in Prussia. These deviations from Smith's theory are partly signs of transition but what made it impossible for Smith's ideas to be put into practice was the lack of peasant property. In Denmark, the farmer class, secure in its land holdings, flourished; it was the landless peasants who were subjected to exploitation and therefore had to be protected. In Prussia, land eventually remained firmly in the hands of the landowners and peasants were as dependent free as unfree. As long as the peasants did not possess the means to economic independence, i.e. land, economic regulation or, in its absence, exploitation would be an integral part of personal freedom. Without land, example proved that the practice of emancipation would linger behind the theory of emancipation. In most cases, political considerations allowed only a partial application of Smith's

theory. Storch, as noted, had adapted Smith to Russian circumstances, seeing no contradiction in applying the principle of natural liberty in an absolutist society. Although Smith was not an anti-monarchist, he limited the duties of a sovereign to defence, justice and public works and institutions. Storch accorded the ruler of Russia a more active role in reform. This was also the case in Prussia, where the monarch was persuaded by the noble ranks, the mainstay of the monarchy, to reform in their favour. In Denmark too, political power rather than economic forces determined the nature of the reforms. The Estland reforms also bore the transitional signs of mercantilist mixed with laissez-faire elements and were also subjected to absolutist direction.

### PART THREE: EMANCIPATION IN ESTLAND

The emancipation measures discussed by the Estland Landtag in 1811 received imperial approval but the work of the imperially appointed committee to finalize the reforms was interrupted by the French invasion and could not be resumed until 1815. In the meantime, doubts had risen about the practical wisdom of the reforms. There was the fear expressed by the *Ritterschaftshauptmann* that the uneducated peasant would be taken advantage of by unscrupulous landowners and he recommended postponing emancipation until the next generation so that the peasants could be prepared for it.<sup>64</sup> Berg's petition to this effect found no audience with Alexander and no support from the

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<sup>64</sup> Gernet, Geschichte des Agrarrechts, 149.

Governor General, Prince Oldenburg.<sup>65</sup> The Governor General though did recommend a gradual approach so that it would take fourteen years for complete emancipation. The final draft was approved by the tsar in June 1816 and was put into effect 8 January 1817.

There were two essential pillars to the reform, on which all clauses were based: the Ritter would renounce all claims on the person of the serf, thus liberating him into an independent *Stand* with appropriate legal rights, and his relations with him would be governed by free contract. This was in keeping with Smith's principle of natural liberty. The second principle of the reform, however, was in direct contradiction to Smith's teaching. The Ritter would keep their right to ownership of the land. The peasant was thus freed with no means of economic support other than renting his labour to his lord. Smith had emphasized the need for the labourer to acquire property,<sup>66</sup> to work his own land. The right of the freed peasant to acquire land was indeed granted by the reform but was unrealistic as long as the peasant started with nothing. In addition, the leases contracted would be of short duration. Smith had pointed out that such leases restricted development, considering even the French leases of 27 years, "a period still too short to encourage the tenant to make the most important improvements."<sup>67</sup> Leases should be granted for life. In addition, the tenant should be protected from eviction, should not be required to perform any services

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<sup>65</sup> Although there was one Governor General for the three Baltic provinces after 1795, Estland had the status of a General *Gouvernement* from 1808-1819. The first Governor General in this period was Prince Peter Georg von Holstein-Oldenburg. In 1811 Crown Prince Paul August von Holstein-Oldenburg became Governor General and remained in this post until he returned to Germany in 1816. From 1819-1876, the three provinces were once more governed as one General *Gouvernement*. See Tobien, *Die Agrargesetzgebung*, 303, note 1.

<sup>66</sup> *Wealth of Nations* Book 2, Chapter III, 299. Also page 2 above.

<sup>67</sup> *Ibid.*, Book 3, Chapter II, 301.

not stipulated in his lease agreement and should not be overburdened by public duties and taxes.<sup>68</sup>

Opponents of the reform had expressed their doubts about the economic wisdom of freed peasants without land security, and Prince Oldenburg included these objections in the final report of the drafting period to the tsar in November 1816. Economic circumstances, Oldenburg argued, would ensure that the peasant would survive without land. "As philanthropic as such a fear<sup>69</sup> may appear, it is considered groundless ... by those who are convinced of the immutable truth that estate owners can in no way manage without field workers, if they do not want to lose all income from agricultural production. That they need one another, the landowner the peasant and the peasant the landowner -- that is the safest and strongest guarantee for the welfare of both classes. ... The lack of necessary people to work the land offers the peasant the security that he will not be left without employment; for one should know that Estland is not densely populated but rather belongs to those *Gouvernements* that do not have enough population in relation to their areas."<sup>70</sup> Oldenburg also pointed out that although the reform granted the peasant no land, it did grant him the right to acquire land. The prospect of owning land would encourage his industry, which would be of advantage to his lord, "who until now has had free disposition of his peasants' labour but from now on can only exploit them with their own agreement and on the basis of a contract." The fear on the landlord side that laziness and indolence, the "outstanding characteristics of the Estland peasants," would prevent any

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<sup>68</sup> Ibid., 300.

<sup>69</sup> "What will the peasants do, robbed by the new measures of the land, without property being granted them? Will not the situation of the peasants instead of being lightened and improved become worse than before?"

<sup>70</sup> The report is summarized with extracts in Tobien, *Die Agrargesetzgebung*, 305-306.



agricultural productivity was assuaged by the utilitarian argument that these traits came from serfdom and with freedom would disappear. A third group of objections concerned saw the serf as ill-prepared for freedom. Oldenburg did include a proposal for school reform with his report, on the grounds that education must go hand in hand with liberation<sup>71</sup> but for more immediate needs proposed a transitional period during which the necessary judicial and administrative steps could be taken to prepare the peasant for freedom. This transitional law, in place until all were emancipated, bound the peasant to the estate and was based mainly on 1804 regulations. In addition, since the land belonged to the lord, he had the right of police force over all communities and individuals on his estate. The complete transitional period was put under Alexander's supervision through a committee set up in May 1816.<sup>72</sup>

The Russian authorities raised no serious objections to the reform but the Senate did recommend a more restrained use of expressions like "emancipation from serfdom" which would cause in "Estland itself and in the whole Empire mistaken ideas and unfounded views which attribute to the government intentions and opinions which it did not have."<sup>73</sup>

#### PART FOUR: EMANCIPATION IN KURLAND

Alexander may have begun his reign with such intentions but strong opposition and the advice of his more moderate allies seemed to have persuaded

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<sup>71</sup> *Ibid.*, 307.

<sup>72</sup> Gernet, *Geschichte des Agrarrechts*, 156.

<sup>73</sup> Tobien, *Die Agrargesetzgebung*, 308.

him of the wisdom of gradual reform. The 1804 Livland reform had been under detailed Russian guidance and had followed principles of economic regulation rather than those of economic freedom. As late as August 1814, after he had already approved the Estland emancipation proposal in principle, the tsar wrote to Governor General Paulucci: "In view of the measures now in force regulating the rights and duties of the Livland peasants, I find it necessary to establish a reform for the good of the peasants in Kurland."<sup>74</sup> Paulucci and the Ritter of Kurland understood this, understandably, to be a recommendation of the Livland reform. The reform they submitted, however, based on the Livland model, was found deficient by Alexander in December 1816, after the Estland emancipation reform had been officially ratified.<sup>75</sup> The tsar offered the Ritter of Kurland the choice between their own reform, based on the Livland model, or the Estland one. The dynamics of the Kurland reform, however, are not simply based on imperial will being imposed on the province. It was not simply a matter of Alexander first recommending the Livland reform to the Ritter of Kurland and then changing his mind when a seemingly more progressive reform for the Baltic was offered by the Estland Ritter. As much as the Estland reform was an important catalyst, Kurland itself was part of the dynamics.

Until union with Russia in 1795, there had been no agrarian reform of any kind in Kurland.<sup>76</sup> Of all the serfs in the Baltic, those in Kurland were the closest to slave status. From 1561 until 1795, Kurland had enjoyed virtual independence

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<sup>74</sup> The text of the short letter is given in Samson, Historischer Versuch, 121.

<sup>75</sup> The reform was ratified in June 1816 and became law 8 January 1817.

<sup>76</sup> There had been a few individual attempts immediately preceding union with Russia. In 1770, Georg Dietrich von Behr granted his peasants court hearings and the hereditary right to their farms. His reforms were motivated by the desire that "God's honour" be respected in his area and several of them were restrictive, and punishment severe. In 1780 and 1793, two other estates introduced similar reforms. For details, see Tobien, Die Agrargesetzgebung, 313-315.

as a duchy under fealty to Poland. Political and economic power, however, lay in the hands of the aristocracy.<sup>77</sup> Serfdom was unlimited, the only legal restraint on landlord power being a ban on the death penalty. The landlord was free to appropriate *Bauerland*, evict peasants, sell individuals without land, administer justice, in short his power over his serfs was completely unrestricted.<sup>78</sup>

Despite total subjection, however, there was almost no peasant unrest in Kurland. Centuries of comparative peace had allowed Kurland to escape the extra demands placed on an economy by war. It had also been free from the burden of state taxes so that the landowners produced mostly for their own needs. The Ritter of Kurland lived a rather simple life style and there were few extra demands made on the estates for luxury.<sup>79</sup> Since increased income was not essential, there were few additional enterprises on estates to burden the peasants. The Ritter of Kurland were reportedly benevolently patriarchal in attitude to their serfs<sup>80</sup> and could afford to be as long as economic circumstances allowed.

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<sup>77</sup> Tobien describes it as an aristocratic oligarchy, especially strengthened in the period 1698 to 1758 when there was no reigning Duke. *Die Agrargesetzgebung*, 311. Rechenberg-Linten describes it as an aristocratic republic rather than a duchy. *Zustände Kurlands*, 146.

<sup>78</sup> For more details of unlimited serfdom in Kurland, see Rechenberg-Linten, *Zustände Kurlands*, 5-8. Tobien considers Rechenberg's work, one of the very few on Kurland's agrarian history, "clear and objective." Rechenberg was Secretary of the Ritterschaft in Kurland from 1815 to 1851, and as such had ready access to archives. His stance, however, is unequivocally that of the Ritter and at times his work is a plaidoyer for the feudal order of *Stand*, which he sees threatened by developments in the West, whose "*Zeitgeist* is not ours" (p.168). He defends, for example, the Russian Table of Ranks, whereby the rank of hereditary nobility is attained only through state service, as "a strong dam against the destructive influence from abroad on the institutions of the hereditary nobility" (p.166).

<sup>79</sup> The life style of the Kurland Ritter was based on the traditional activities of war, hunting and socializing (for which simple farming methods left much time, although it is possible to surmise that the methods were simple because the Ritter preferred socializing to farming). Rechenberg-Linten, *Zustände Kurlands*, 86. The ethics of Ritterschaft lay in honour and service rather than in amassing profit and material possessions. *Ibid.*, 162.

<sup>80</sup> *Ibid.*, 14; Tobien, *Die Agrargesetzgebung*, 319, 325. Tobien attributes this to the proximity to Prussia, where many from Kurland studied or served in the military. They were then influenced by Frederick the Great's reforms for the crown peasants in 1777. Those in Livland and Estland, on the other hand, had closer contacts to Russia, where unlimited serfdom set a negative example. (*Ibid.*) This, however, does not explain the lack of reform initiative in Kurland (nor attempts at reform in

Much as the Ritter way of life, live and let live,<sup>81</sup> might have fostered harmony, it could not support an economy endlessly. Agriculture was devoid of planning. "[It] was not a science; it was no more than mechanical activity, requiring hands and feet but no head."<sup>82</sup> There was no investment in agriculture, no planning for the future. By the beginning of the nineteenth century, the economy was not able to withstand the extra demands placed upon it by union with Russia. Like the other provinces, Kurland was expected to contribute to the Empire's revenues by the payment of taxes and customs and to its military power by supplying recruits and quartering. To meet these extra demands, the Kurland landlords were forced to try to increase income from their estates. The normal burden was increased when the Empire went to war. In November 1806, for example, Kurland was ordered to supply and armour 12,000 men for war against France. The continental blockade deprived Kurland of its market for surplus corn and in 1812 Kurland was directly affected by the French invasion.<sup>83</sup> In 1812, the Senate also saw fit to impose the sales tax on estates,<sup>84</sup> which had been imposed on Livland in 1783 but from which Kurland was supposedly exempted in 1798.<sup>85</sup>

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Livland and Estland). Rechenberg-Linten, while acknowledging the benevolent treatment of serfs, attributes the lack of reform to the fact that many served in the military of different countries - France, Prussia, Saxony, Poland - and returned with many different ideas. This made concerted action difficult especially in a political atmosphere which was conducive to factionalism. (Rechenberg-Linten, Zustände Kurlands, 145-146).

<sup>81</sup> Tobien describes this – *Leben und leben lassen* – as a traditional Kurland motto. Die Agrargesetzgebung, 319.

<sup>82</sup> Rechenberg-Linten, Zustände Kurlands, 86. See Chapter VI for details of the deficiencies in Kurland's agriculture.

<sup>83</sup> The sum of Kurland's contribution to the war effort in 1812 has been calculated at 15 million rubles, excluding the cost of destroyed buildings and ruined harvests and the losses incurred by the recruitment of peasants. Tobien, Die Agrargesetzgebung, 322, note 6.

<sup>84</sup> *Besitzwechselsteuer; Krepostposchlin*. See Chapter 1, p.90.

<sup>85</sup> Tobien, Die Agrargesetzgebung, 321.

Although the Ritter managed to postpone it until Alexander could personally decide, they had no guarantee that they would not be subjected to its considerable financial demands.<sup>86</sup>

Landowners sought to meet the new demands by increasing their lands at the expense of peasant land or by increasing corvée. Reform was not considered by the majority. When Ulrich von Schlippenbach, Landrat in Pilten,<sup>87</sup> suggested reform for the serfs, he was not taken seriously.<sup>88</sup> Schlippenbach's proposal belongs to the eighteenth century, to the era of moral indignation rather than to the economic era of natural liberty. "The will of the master alone is the serfs' law. ... Who can say the peasant is a human being and yet maintain he does not feel the yoke of serfdom? As a moral being he is destined for freedom and carries this awareness within him. But when the value of his existence is reckoned in *taler*, his labour seen as a commodity and his very being as coinage which his master can circulate and change at will, even the most callous person must feel the misery of his situation." Schlippenbach did recognize the need for legislation. The goodwill of landlords was no substitute. "In general, the treatment of serfs in our country is humane and good, and the peasant in several places is better off than even free farmers in Prussia and Lithuania but that pays tribute to the honour of the landowners in Kurland rather than to our laws, which define only the rights of the masters over their serfs and too little their duties towards them

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<sup>86</sup> The Ritter had had previous success in gaining a privileged position within the Empire. The *Statthalterschaft* imposed 27 November 1795 was removed 24 December 1796. Tobien, Die Agrargesetzgebung, 318.

<sup>87</sup> "An educated and enlightened man, also known as a poet and writer." Rechenberg-Linten, Zustände Kurlands, 20.

<sup>88</sup> *Ibid.*, 21.

... " Schlippenbach's proposals were comparable to the Livland 1804 reform.<sup>89</sup> "A law which gives [the serf] hereditary possession of property, money and goods which he himself acquires; a law which allows him the possibility of acquisition by defining his obligations and rewarding his industry with the right to acquire property, such a law does not exist, only that which makes the serf and all he has the property of his lord."<sup>90</sup> These proposals, however, found little support from landowners who had enjoyed unquestioned sovereignty over their serfs until eight years before. In the same year as Schlippenbach suggested these reforms, Baron von Wolff suggested the limitation of serfdom to the Mitau Landtag and the ensuing uproar caused him to have to leave the session.<sup>91</sup>

The Ritter, however, did have one area they wished reformed but for this they needed the Empire. Under Russia, the Kurland Ritter had lost one of their most important rights: the monopoly on the lease of crown lands. This had been an important source of revenue especially since the crown owned at least two-fifths of the land in Kurland.<sup>92</sup> While the loss of their monopoly would not have any real effect until current leases expired, the Ritter felt that state demands were placing an unfair burden on the serfs. In 1805, the situation arose whereby provincial Ritter demanded reform on imperial estates. Ritter representatives reported to the Finance Minister that the peasants on crown estates were oppressed by the extra work demanded to cover public duties, especially transporting building material to the harbour towns, wood from the estates to

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<sup>89</sup> Tobien exaggerates when he describes Schlippenbach's proposal as emancipation. Die Agargesetzgebung, 321, note 3.

<sup>90</sup> Extracts from Schlippenbach's "Über die Einschränkung der Leibeigenheit in Curland" are given in Samson, Historischer Versuch, 119, note 102.

<sup>91</sup> Rechenberg-Linten, Zustände Kurlands, 21.

<sup>92</sup> Estimates are given as two-fifths or one-third. Compare Chapter III, p.173 above.

cities, and stones for street and bridge repair. The situation was exacerbated by the decreasing numbers of crown peasants which meant there were fewer to do the same work. Some 14,000 were said to have gone over to private lands.<sup>93</sup> The Ritter claimed the serfs did not have enough time to work the *Hofsfelder* and the leaseholders, still mostly Ritter, had to support the peasants with loans in order to make sure they could still work on the estate fields. The Ritter representatives proposed replacing the extraordinary duties with money payments.<sup>94</sup> The petition reached the tsar and on 20 February 1809, he followed his normal procedure and appointed a committee to investigate the matter. In May of the following year the committee made its recommendations: some of the extraordinary duties would be rendered ordinary and the rest would be replaced by money payments. This solution would be allowed a trial period of one year.

The Russian government had reacted positively to interference in its own affairs but the problem was not solved. The development took another unprecedented turn when the crown peasants themselves appealed directly to the Russian government. In 1811, a petition was submitted by six representatives of the crown peasants in Kurland contradicting the claims of the Ritter. It was not the extraordinary but the ordinary labour services which were oppressive. "It is the defined corvée which consumes our best time and energy in the service of the managers, which takes us away from our fields and harvesting. That is the eternal living source of our misery."<sup>95</sup> In this period of agrarian reform in the

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<sup>93</sup> Perhaps because treatment was indeed better on private estates but more likely because they had been sold to increase revenues or imperially granted for services rendered.

<sup>94</sup> To solve the problem of decreasing numbers, they proposed excusing peasant farmers from military service in the hope of encouraging runaways from military service from other provinces. Tobien, *Die Agrargesetzgebung*, 323.

<sup>95</sup> Cited in *Ibid.*, 324.

Baltic, these are the first peasant voices officially heard on the subject of their own oppression. Other voices, although strong in uprising, had been less articulate. The complaint itself and the solution proposed propelled the matter into a broader context and more firmly into imperial hands. The peasants suggested the abolition of serfdom and the replacement of *corvée* by annual money payments based on the size and quality of the land. Such rents would first go to the leaseholders for the hire of farm labour for the duration of current leases, on the expiry of which no new leases would be granted. Instead, each crown estate should be divided among the peasant farmers who would then pay rent to the government. To take care of farmless labourers, uncultivated land should be at their disposal for six years after which they would be able to pay rent.<sup>96</sup>

It is indicative of Alexander's open attitude to agrarian reform proposals that he accorded this peasant petition due consideration, assigning it to the Committee for Livland Affairs in St Petersburg for an opinion. In 1813, hardly a suitable year to consider any measures which might adversely affect state finances, the Finance Minister<sup>97</sup> rejected both the committee decision of May 1810 and the peasant proposal. The peasants, he claimed, would be unable to pay rent especially after the cost of war.<sup>98</sup> By December 1814, the crown peasant matter was relegated to the files, probably not so much from lack of imperial interest but because another course of action was being pursued. In August of that year, the tsar had written his letter asking the Kurland Landtag for reform, based on the

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<sup>96</sup> Tobien cites from the peasant petition but summarizes most of the points. That the peasants specifically mentioned emancipation is not evident from the parts quoted. *Ibid.*

<sup>97</sup> Now Count Guriev; the original proposal had been submitted to Count Vasiliev.

<sup>98</sup> And, according to Tobien citing a memo written by Gur'iev to Minister of the Interior Kosodavlev, because Alexander wished to sell the crown lands in Kurland. Die Agrargesetzgebung, 324-325.



Livland idea.<sup>99</sup> Thus, the Ritter request for the tsar to alleviate matters on crown estates in Kurland had brought imperial attention, and ultimately reform, to private estates.

The tsar, however, may seem to have been a little behind the reform impetus. While approving the emancipation proposals made by the Estland Ritter in 1811, he recommended in 1814 to the Kurland Ritter the Livland reform of 1804, even although there had been talk of more far-reaching reform on crown estates in Kurland itself in 1809. Alexander was still very much caught up in foreign affairs. Napoleon had taken up much of his attention in the past decade. His attention partially returned to domestic affairs, he took up where he had left off, at the Livland reform. Paulucci was convinced enough of this to persuade the Kurland Ritter of the necessity of a Livland-style reform. It is also feasible that Paulucci advised the tsar to recommend the Livland reform, judging it, justifiably, more acceptable to the Kurland Ritter than the Estland reform.

Due to Paulucci's advice, the Ritter had not been invited as a whole, as a political body, to discuss the reform. The matter was to be taken care of by a committee, with Ritter representation, appointed by the tsar under the chairmanship of Governor General Paulucci.<sup>100</sup> This was not a total deviation from imperial political practice. The Livland 1804 reform had been drafted by imperial commission and the Estland emancipation reform had been suggested because the proposals of the imperial commission were unacceptable. Each Landtag, however, had had the chance to discuss the matter first. Paulucci

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<sup>99</sup> See page 257 above.

<sup>100</sup> Its members, named by the tsar on the recommendation of Paulucci, included von Schoeppingk, von Medem, von Schlippenbach (which proves that he was taken seriously in some circles), von Manteuffel and two district marshals, von Fölckersahm and von Fircks. See text of tsar's letter to Paulucci in Samson, *Historischer Versuch*, 121.

reportedly felt it advisable to obviate probable factionalism on the Kurland Landtag.<sup>101</sup> Experience in the Baltic had perhaps taught that the matter would come to imperial commission in any case. While there was always a political undercurrent in any province/Empire interaction, it is not clear whether the Kurland Ritter viewed the tsar's reform procedure as a violation of their political rights or whether they used the political objection to voice their dissatisfaction with the committee's reform.

The committee was to "draft a plan concerning the duties of the peasants in Kurland which would be to their good as well as to that of the landlords" and submit it to the tsar "within two or latest three months."<sup>102</sup> Almost on schedule, the committee submitted its plan in December 1814. Its report showed a cautious awareness of the Estland emancipation. "To suddenly free the enserfed peasants would be dangerous and disadvantageous to both sides, landowners and peasants ..." Kurland felt itself able to compare serfs with free farmers. In certain areas of Kurland there were farmers who had never been serfs and who owned their land based on enfeoffments dating back to the fourteenth century. These free farmers, however, were reported to be generally worse off than serfs because they led a "lazy, disorderly life."<sup>103</sup> The serfs, on the other hand, were well looked after. "The legal situation of the Kurland serf is completely different from the actual situation ... (and) there are very few individual cases of needy peasants in Kurland. In spite of the difficult circumstances at the end of the recent war, their welfare was protected because their landowners, although themselves

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<sup>101</sup> Tobien, Die Agrargesetzgebung, 326.

<sup>102</sup> Ibid.

<sup>103</sup> Cited in Ibid., 328. Thus, the principle of the productivity of free labour was completely reversed.

impoverished, paid their state taxes for them, as well as the dues imposed on them by the enemy, and they replaced stolen horses and cattle, maintained them in times of need and tried in every way to protect and care for them." If anyone needed help, they implied, it was the crown peasants. "... the peasants on private estates are in a better position than those on crown estates." Schlippenbach's opinions had obviously not found support on the committee, which maintained that legal measures were not necessary when other guarantees were in force. "Although the serfs had no legal protection against arbitrary and cruel treatment, humanity, a sense of honour and public opinion guaranteed them protection. The landlord who mistreated his serfs was always loudly and generally despised, in fact shunned, and the Ritter insisted on his being strictly punished ..." The committee, however, agreed to propose reforms which would, as the tsar wished, protect by force of law the mutual rights and duties of landowners and peasants from all abuses but would also, as the Ritter wished, "maintain the tender bond which tied the peasants to the landowners like children to parents."<sup>104</sup>

Although the Kurland reform was supposedly based on the Livland model, there were important deviations. While, as in Livland, the peasant remained bound to the soil, he was not guaranteed hereditary tenure. The committee argued that such a concession would violate the Ritter's exclusive right to the land. In addition to the historical right argument, they brought two more points to their case. Granting hereditary right of tenure to peasant farmers would deprive the farmless labourers of any prospect of owning land and therefore of any productive effort. It would further encourage the development of a privileged peasant class, which would not encourage industrious efforts in the advantaged

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<sup>104</sup> Quotations in this paragraph from citations in Tobien, Die Agargesetzgebung, 327.

or the disadvantaged class, the former because they had no need to, the latter because they had no prospects. The landless labour class was indeed a problem in the Danish reform and was fast becoming one in Livland. Instead of hereditary tenure, the Kurland reform proposed life-long tenure and the right to buy any land that burghers could buy.

Another deviation from the 1804 Livland reform, and one which showed the ambivalent attitude of the time, was the proposal to regulate peasant labour dues by free agreement. This was a principle of economic freedom applied not only in an economically regulated situation but to a captive labour force. The free contracts would be on a twelve year basis to be confirmed by court, a step necessary to protect the serf from exploitation. In the absence of free agreements, a norm would be set for *corvée*. This norm could be established without surveying the land. This was a major deviation from the Livland model.

Despite these regressive deviations, the reform did not find favour with the Ritter.<sup>105</sup> A representative was sent to the tsar at the Congress of Vienna to request that the Ritter be allowed to propose their own reform, "one which would not endanger the peaceful existence of anyone."<sup>106</sup> The fact that the tsar had not first given the matter to the Landtag to discuss obviously lent a political dimension to the Ritter request<sup>107</sup> but it is fair to surmise that had the committee report found favour with the Ritter, this would not have been a factor.

Opinion on the proposed reform was divided even on the committee.

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<sup>105</sup> Rechenberg-Linten, Zustände Kurlands, 22.

<sup>106</sup> *Ibid.*

<sup>107</sup> Tobien presents only the political motivation. He does not mention dissatisfaction with the draft but rather the objection to the Landtag being bypassed. The fact that these objections were raised after the committee report was finished, which Tobien does not clearly indicate, would support the view that there was more than political discontent involved. See Die Agrargesetzgebung, 326.

Schoeppingk in particular raised objections and Paulucci himself could not agree with all of it. Faced with Ritter discontent and a divided committee, the tsar asked the Governor General for a report on the appropriateness of the committee draft. Paulucci did agree that the peasant should remain bound to the soil, on the economic grounds that it would ensure state taxes and a rural labour force, but wanted hereditary tenure of land, as in the Livland reform. Making hereditary tenure dependent on being bound to the land should alleviate the fears of the landowning class. Paulucci, however, was against a land survey as a means of setting labour norms. It would be a costly and perhaps not completely standardized work, as in Livland, and since agriculture was much simpler than in Livland, norms could be more easily set. These arguments and other clarifications of the reform and the opinions surrounding it were set out by Paulucci and submitted to the tsar in November 1815.

Paulucci had played an important intermediary and advisory role.<sup>108</sup> He had apparently recommended the committee approach to Alexander as a way of obviating party factionalism and opposition to reform.<sup>109</sup> The Ritter sent representatives directly to Alexander at the Congress of Vienna to plead their case and were told by Paulucci that the Ritter would be allowed to meet as a body if the reform draft was rejected, a seemingly sure indication that the tsar had either changed his mind or Paulucci had misread him originally. Paulucci seemed now

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<sup>108</sup> Marquis Paulucci enjoyed the confidence of Alexander and seemed to have worked closely with him. As an Italian and a Catholic, however, he was always viewed as a foreigner in the provinces during his seventeen years as Governor (1813-1829). More significantly, he was viewed, even by a non-Ritter, as one of those "who followed their philanthropic aims with military severity ... [and] strove for the elimination of all differences, limited the rights of the privileged classes for the good of the oppressed, without being very exact about the way they did it, hated everything which smacked of medieval superstition or feudalism ... Geographical and historical boundaries were crossed with cosmopolitan enthusiasm..." Paulucci was instrumental in pressurizing the Baltic Ritter into reform. For a short contemporary portrayal of Paulucci, see Eckardt, *Die baltischen Provinzen*, 244-249.

<sup>109</sup> See Tobien, *Die Agrargesetzgebung*, 329.

to have foreknowledge of Alexander's preference for the Estland reform.

It took Alexander one year to react. In that year, in June 1816, he gave his formal approval to the Estland reform. In December, shortly before it became law, Alexander wrote to Kurland: "Although I recognize the Livland 1804 plan as the basis of your plan submitted for the improvement of the peasants in Kurland ... it seems to me that the proportion of dues to be allocated the peasants on the basis of the composition of the plots cannot be achieved without a survey and evaluation of the land."<sup>110</sup> Alexander thus reminded the Ritter of Kurland that a survey was an integral part of the imperially approved Livland model. The Estland Ritter had also tried to use the Livland model without a survey. He then gave the Landtag the choice between the plan they had submitted, imperial approval of which, however, would seem to be conditional on a survey, and the Estland reform, which, perhaps mindful of Russian Senate advice, he did not refer to as emancipation.

Alexander's choice represented two different ages, eighteenth century economic regulation and nineteenth century economic freedom. It is unlikely that the tsar was trying to force the Estland reform model on Kurland. If he had so wanted, he could have ordered them to discuss a reform plan on the lines of the Estland model. The real disincentive to the Livland reform was not so much the supposed wish of the tsar for the Estland reform but the prohibitive costs of the surveys involved in the Livland model. Adam Smith had referred to the "laborious and expensive" expedient of surveying and valuing the land for tax purposes (the "simple and obvious" expedient being a register of leases) and warned that the survey and evaluation of all the lands in Bohemia was said to

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<sup>110</sup> Alexander's reply is in Samson, Historischer Versuch, 121-122.

have been the work of a hundred years.<sup>111</sup> Livland had not provided an encouraging example. In fact, it may have been problems there which made the tsar reconsider the Estland reform as a model for the Baltic area. Alexander's support of the Livland reform had been consistent, however. He had allowed no variations from it in Estland. In 1809, he reaffirmed its principles by establishing the overall survey commission in Livland itself. He gave Kurland a choice. The Livland reform would be acceptable as long as it was applied *in toto*, inclusive of survey. There is nothing to suggest that had the Kurland Ritter opted for the Livland model with the survey, the tsar would not have accepted it. At the same time, the tsar must have known from the Estland experience, the Kurland Ritter themselves and Paulucci's advice that the Ritter would not accept the survey. Alexander's choice perhaps showed political shrewdness. The disincentive of the survey must have been quite strong for the Kurland Ritter to even consider the emancipation implied by the Estland reform so soon after centuries of unlimited power over their serfs.

The tsar's reply to the Kurland Ritter letter had been written 5 December 1815. Two weeks later Paulucci appeared before the Kurland Landtag and argued against all he had argued for in November 1815. Serfdom was not in keeping with the times, nor did its abolition require preparation. There was also the question of Baltic rivalry. Kurland should not be seen to lag behind Estland. Paulucci convinced the Kurland Ritter that the Estland reform was what the tsar really wanted. In April 1817, 236 against 9 voted to adopt the Estland proposal.

Behind this vote lay political considerations. Humanitarian or enlightened

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<sup>111</sup> Wealth of Nations Book 5, Chapter II, Part II, 659.

ideas alone could not have affected such a swift change from unmitigated serfdom to emancipation in just two decades, and economic circumstances had not had enough time to become pressing. "Under the rule of the duchy anyone who even dared to propose limitations to the arbitrary power [of the Ritter] would have been branded a traitor to his fatherland."<sup>112</sup> While it may be true to assert, as Rechenberg does, that there would have been no reform without Russia's intervention,<sup>113</sup> it must not be overlooked that it was the Kurland Ritter themselves who invited imperial intervention when they demanded reform on crown estates in Kurland. This invitation was prompted by the new burden, mostly economic, of belonging to the Russian Empire. The Empire had changed matters in the province, and the province sought to redress this. As soon as the Empire was involved, a new dynamic of province/Empire interaction was set off, just as in Livland and Estland. Provincial request required imperial response which in turn implied provincial reaction or compliance. The alternative of non-compliance was not politically feasible. As a province, Kurland could not afford the enmity of the Empire. The politically feasible solution was to comply but simultaneously seek political concessions from the Empire which would ease the position of province within the Empire. The Kurland Ritter had three petitions which till this point had not found favour with the Empire and they determined to submit them opportunely with their agreement to emancipation. The Ritter wanted the sales tax on estates (*Besitzwechselsteuer*) abolished, the monopoly of leases on crown estates restored and state taxes reduced.<sup>114</sup> What was new was

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<sup>112</sup> Rechenberg-Linten, Zustände Kurlands, 20.

<sup>113</sup> *Ibid.*, 21.

<sup>114</sup> Tobien, Die Agrargesetzgebung, 334.



the expressed desire to set up an autonomous upper authority for justice and administration of the three Baltic provinces. There would be one judicial authority, under a President appointed by the tsar, and one administrative under the Governor General for administration, police, finance, commerce, industry, school and church. This proposal, however, did not get further than the Landtag in April 1817. Opinion was divided and lack of unity forced the matter to be dropped. It would not be taken up again until the Livland Landtag made a similar proposal in 1837.

The other three petitions were partially granted. The *Besitzwechselsteuer* was abolished<sup>115</sup> and state taxes would not exceed those imposed on other parts of the Empire. The Kurland reform was approved by the Senate and imperially ratified by 25 August 1817. One year later, on 30 August 1818, Alexander came to Mitau to celebrate its promulgation.

## PART FIVE: EMANCIPATION IN LIVLAND

By 1817, two of the three Baltic provinces, with imperial approval, had emancipated their peasants. Livland was still under the economic regulation of the 1804 imperially approved reforms. In fact, the basis of the whole reform, the survey of land, was still in progress. The interests of standardization alone would indicate that emancipation in Livland was inevitable. Although imperial policy still seemed to support the 1804 reforms, as evidenced by the choice given to Kurland, it was clear that the tsar also approved of the new emancipation reforms.

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<sup>115</sup> It had supposedly been abolished for Kurland 22 August 1798 but this had been disputed.

Even if there were no imperial intention to force Livland to adopt a similar reform, the pressure of example would be strong enough to undermine the system in Livland. It would be very difficult to maintain a completely different philosophy and practice alongside neighbours of the same nationality, language, religion, culture and history.<sup>116</sup> Perhaps of graver concern would be the influence of neighbouring freedom on the peasants in Livland. There was enough doubt about economic security to allow for the airing of new ideas. The 1804 reform had not solved the economic problems, which increased – as in Kurland – in proportion to imperial demands. Livland was required to furnish 20,000 men for war against France in 1806. The continental blockade in 1808 deprived the Baltic of one of its most important export markets,<sup>117</sup> causing grain prices to fall. The value of estates consequently decreased<sup>118</sup> and landlords were forced to seek more credit. Although increased imperial demands contributed to the deterioration in the economic situation in Livland, landowner credit was substantially supported by imperial loans.<sup>119</sup>

By the time the Estland emancipation reform was ratified, "not one person [in Livland] spoke out in the press or on the Landtag against emancipation."<sup>120</sup> The "times when this word was detested in our fatherland, when for centuries only that which was inherited from our ancestors was considered salutary, when

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<sup>116</sup> See Samson, Historischer Versuch, 123.

<sup>117</sup> In that year the value of exports from Riga fell to less than half the 1803 level. For export figures for Riga from 1803 to 1820, see Tobien, Die Agrargesetzgebung, 276.

<sup>118</sup> For detailed figures for the years 1761 to 1829, see Hagemeister, Geschichte der Landgüter Livlands, 26.

<sup>119</sup> For detailed figures of imperial loans, see Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 137.

<sup>120</sup> Jégor von Sivers, Zur Geschichte der Bauernfreiheit in Livland. Wiederabdruck einer Reihe von Flugschriften und Zeitungsartikeln aus den Jahren 1817-1818 (Riga, 1878), XIX.

he who dared to see what was venerable as obsolete could expect to be branded a dangerous innovator" had been in the course of a few years replaced by times "when every page of modern history warns us to take the consequences of the causes, when a more benevolent sense of human happiness and human rights is more at home amongst us, when it can finally be permitted to discuss this topic."<sup>121</sup> The Ritter were fully aware of the pressures upon them to deal with emancipation. "...[O]ur agriculture is threatened by a crisis which can only be solved by the freedom of the peasants; ...the spirit of our century cannot be resisted, it is our duty to take up problems which will otherwise fall on our children; ... this great step will not be against the will of our ruler, since our neighbouring province is involved in it with the highest permission; ... the inevitable cannot be avoided for long, sooner or later that must happen which will be salutary for all..."<sup>122</sup>

The inevitable, however, was not necessarily the Estland emancipation model and while there were few voices raised against emancipation as such, there was disagreement about the actual modality of emancipation. There were those who believed a different model was necessary for Livland, one that had yet to be worked out. "...[H]ow shall it [emancipation] happen, how shall it be organized so that everything which has guaranteed our existence up until now will not be lost in chaos? ... No one has yet attempted to answer this question."<sup>123</sup> Heinrich von Hagemester attempted an answer in August 1817 and the debate occasioned by his proposal continued vigorously in the press until the Landtag in June of the

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<sup>121</sup> Heinrich von Hagemester, "Vorschläge, allen livländischen Gutsbesitzern zur Beherzigung empfohlen" (13 August 1817) in Jégor von Sivers, 2.

<sup>122</sup> *Ibid.*, 3.

<sup>123</sup> *Ibid.*

following year.<sup>124</sup> At the core of the debate was the land question. As one landowner acknowledged openly, even at the end of the debate: "The right to serfdom is an inhuman one, which all landowners in Livland would renounce, if only there was no need to fear the loss of the all too human right to hard-earned property."<sup>125</sup>

Hagemeister and the majority of Livland landowners, like their counterparts in Estland, took for granted their unlimited right to the land, as reaffirmed in the Estland emancipation reform. Those few who openly questioned this right were not of the Ritter ranks. Merkel did suggest that where once the peasant had belonged to the land, the land should now belong to the peasant.<sup>126</sup> There was a suggestion published anonymously that the peasant should be allowed to purchase the land with the help of credit set up by the government, as in Denmark.<sup>127</sup> A surveyor of crown lands purported to speak for the peasants when he also suggested peasant purchase of land,<sup>128</sup> but these proposals were not taken up in the debate. The principle of landownership was never seriously threatened, especially since it was a privilege imperially upheld.

The landlord's exclusive right to the land, however, as noted earlier, was incompatible with the principle of laissez-faire, which the Estland reform

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<sup>124</sup> The debate took place in the press from August 1817 to June 1818. Twenty-seven articles, mostly from Neue Inländische Blätter, were collected and reprinted by Jégor von Sivers in 1878. See note 121 above for full title.

<sup>125</sup> Peter von Sivers, "Auflösung einiger Hauptknoten zur Auflösung der Leibeigenschaft in Livland" (1 June 1818) in Jégor von Sivers, 167.

<sup>126</sup> Garlieb Merkel, "Ansichten über die Art, wie die persönliche Freiheit den Bauren [sic] des Livländischen Gouvernements zu ertheilen wäre" (4 December 1817) in Jégor von Sivers, 63. Merkel's ideas progressed with developments. In 1797, he had advocated a reform that would protect the right of the Ritter to the land. He had also supported hereditary tenure. See Chapter III, p.180 above.

<sup>127</sup> A.B.C. "Eingesandt" (11 May 1818) in Jégor von Sivers, 147.

<sup>128</sup> C.M.Schroeder, "Ideen und Vorschlaege zur Realisirung eines Grundeigenthums fuer die Livlaendischen Bauern" (23 February 1818) in Jégor von Sivers, 96.

purported to represent. While the Estland reform process had concerned itself little with the fate of the peasants without land in a free market, the matter was a central point in the reform debate in Livland and the various proposals mooted in the press indicate attempts to reconcile incompatible elements, to mould laissez-faire into the strictures of landlord privilege or landlord privilege into the system of laissez-faire. One of the main reasons for concern in Livland about the economic plight of the freed peasant was the fact that the serfs there would be freed from a protected economic situation where they had secure hereditary tenure of the land. Although personally unfree, the Livland serf enjoyed a certain amount of economic security. The Estland reform would grant personal freedom and economic insecurity.

### **The Emancipation Debate in the Press**

In his attempt to answer the question of how emancipation should be dealt with in Livland, Hagemeister tried to combine economic protection with personal liberty. He was not an ardent supporter of 1804, pointing out that peasant discontent with it was a strong motive for a new reform,<sup>129</sup> and he fully subscribed to the principle of landownership as expressed in the Estland reform. "To each his own"<sup>130</sup> was the formula whereby he stressed that each should keep what was his, the landlord the land and the peasant his labour. He did, however, believe that without security of land there were economic dangers in emancipation and proposed to protect the peasant with hereditary tenure, which

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<sup>129</sup> Hagemeister cites the peasant opinion of the 1804 reform as "the same old horse with a new saddle." Hagemeister (13 August 1817) in Jégor von Sivers, 2.

<sup>130</sup> "Jedem das Seine." *Ibid.*, 3. This would become a motto of the conservatives, of those who strove to exclude the peasants from any land ownership at the expense of the landowners.

was an integral part of the 1804 reforms. Hagemeister viewed 1804 as a preparation for freedom, as a bridge to emancipation, and as such an integral part of emancipation. If the Estland emancipation was applied, it would cancel 1804 completely and remove an economic right already granted to the peasant. "Free competition may be more applicable where hereditary use of the farm has not been granted to the peasant farmers by already existing laws."<sup>131</sup> Hagemeister also argued that emancipation without land security was not economically advantageous to the country. Limited leases would encourage the peasant to farm from a short-term perspective without long-term plans for land improvement. Good land would be systematically exhausted.<sup>132</sup> Other defenders of economic protection shared this view. "The shorter a lease, the greater the concern about immediate profit and the less attention paid to long-term agricultural planning."<sup>133</sup>

The majority of Ritter were opposed to hereditary tenure. Their opposition was motivated by two main considerations, which varied in emphasis according to the standpoint. The Ritter in Kurland had used the same arguments when removing the hereditary tenure clause from their version of the Livland 1804 reform.<sup>134</sup> There were those who viewed it as a violation of the landowner's exclusive right to the land, as a subterfuge for forcibly taking the landlord's land from him to give to the peasant. "What is hereditary tenure (*Erbpacht*) really but a modified hereditary ownership (*Erbbesitz*)?... Hereditary tenure is nothing more

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<sup>131</sup> H.von Hagemeister, "Bemerkungen zu dem in Nr.9 der inländischen Blätter, unter der Unterschrift: 'Lückenbützer,' enthaltenen Aufsätze" (23 March 1818) in Jégor von Sivers, 113.

<sup>132</sup> Ibid.

<sup>133</sup> Karl von Bruiningk, "Einige Bemerkungen zu der in Nr.3 der Inländischen Blätter erschienen Gegenerklärung des Herrn Landrichters von Bock" (2 February 1818) in Jégor von Sivers, 91.

<sup>134</sup> See pp.266-267 above.

than a purchase, with the difference that the price will never be paid."<sup>135</sup> Baron von Buxhoevden pointed out that possession of the land had been gained through the "most sacred contracts" and since the land was the incontrovertible property of the landowner, his free administration of it could not be limited by law.<sup>136</sup> In May 1818, shortly before the Landtag discussed the issue, Buxhoevden spoke for many when he claimed that granting the peasants hereditary use of the land would cancel out the property rights of the lord. Like Rennenkampff, Buxhoevden believed that hereditary use of the land was synonymous with hereditary possession of the land. Hereditary tenure had been acceptable under serfdom, since serfdom was the condition governing it. When this condition was removed, the right to unlimited possession of the land should be restored to the landowner.<sup>137</sup>

It was hardly surprising that hereditary tenure was a policy with little support. It had never received the vote of the Landtag. The 1803 reform had implicitly allowed appropriation of peasant land (although the Estland 1802 reform had supported hereditary tenure). It was the 1804 reform, drafted by imperial commission, which had established hereditary tenure of land for the peasants.<sup>138</sup> A new reform would give the Ritter a chance to remove a policy they had never really supported.

The second consideration against hereditary tenure had less conservative

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<sup>135</sup> Gustav von Rennenkampff, Bemerkungen über die Leibeigenschaft und ihre Aufhebung (Copenhagen, 1818), 124-125. Jégor von Sivers includes an extract (pp.2-56) which mainly reiterates the known arguments against serfdom rather than the specific economic suggestions to be found in the latter half of the book.

<sup>136</sup> Peter von Buxhoevden, "Ein Wort über das Recht des Erbherren auf den Boden" (6 April 1818) in Jégor von Sivers, 123-124.

<sup>137</sup> Peter von Buxhoevden, "Gegenerklärung" (18 May 1818) in Jégor von Sivers, 150-151.

<sup>138</sup> See Chapter III, p.220.

roots. It was stressed by the liberal group led by August von Bock who were motivated less by the perceived violation of landlord privilege than by economic considerations. For Bock, hereditary tenure was a privilege given to some peasants at the expense of the majority, whom it deprived of the prospect of land. This was what Denmark had experienced but Bock used the example of 1804. It meant that potentially good farmers were excluded from farming by often less able hereditary tenure holders.<sup>139</sup> This argument was also used by the first, more conservative, group, who used the plight of the underprivileged to strengthen their defence of Ritter privilege. Buxhoewden, for example, who believed hereditary tenure was a violation of a sacred right, argued that "Freedom does not mean making the farm-hand a slave of the farmer and creating two classes from one."<sup>140</sup>

Unlike Hagemeister, Bock was not disturbed by removing a right already granted. For him, 1804 was not a bridge to freedom. "I also think the present situation is a transition to something better, not in the form of a bridge, however, but much more in the form of a crutch which can be confidently thrown away as soon as one can and wants to walk on healthy feet."<sup>141</sup> Bock firmly believed in Smith's principle that free competition not laws must be the only economic regulator. "Free competition will help everywhere and where in force no-one who wants to work can end up in need ... privileges and monopolies suffocate

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<sup>139</sup> Heinrich August von Bock, "Gegenerklärung auf die in Nr.30 der Inländischen Blätter v.J. erhaltene Erklärung der Herrn K.von Bruiningk" (19 January 1818) in Jégor von Sivers, 74.

<sup>140</sup> P.von Buxhoewden (6 April 1818), Jégor von Sivers, 124.

<sup>141</sup> H.A.von Bock, (19 January 1818) in Jégor von Sivers, 76. Bock's choice of image was influenced, or enhanced, by the rhyme of *Krücke* (crutch) and *Brücke* (bridge). In his reply, Bruiningk wrote: "... in no way could I consider the good and salutary that we have, just because of a rhyme, as a crutch which can be thrown away." Bruiningk, (2 February 1818), Jégor von Sivers, 92.



generally all industriousness and seldom bear good fruit."<sup>142</sup> Bock supported the Estland model by which the economic fate of the peasant and lord should be regulated by free contracts on a free market, but however much Bock subscribed to liberal economic practice, he and other like-thinking Landtag members were firmly committed to Ritter privilege. "Prosperity founded on the destruction of another can never bring any good."<sup>143</sup> Bock coined the phrase "Land mein Zeit dein" to summarize the fact that the land belonged irrevocably to the landowner, while the peasant was at liberty to hire out his time.<sup>144</sup> No further laws than this were necessary.<sup>145</sup> Other contributors stressed the economic wisdom of such an approach. It would work because the landowner and peasant were mutually dependent. "Whoever has cultivable land needs, seeks and finds hands; whoever has free hands needs, seeks and finds cultivable land."<sup>146</sup>

Not all opponents of hereditary tenure or other land security for the peasants<sup>147</sup> were against 1804. One of the most prominent names in Baltic history, Reinhold Johann Ludwig Samson von Himmelstiern had much praise for

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<sup>142</sup> H.A.Bock, "Noch einige Worte auf Veranlassung der von Hagemesterschen Vorschläge" (8 December 1817) in Jégor von Sivers, 68.

<sup>143</sup> *Ibid.*, 66.

<sup>144</sup> *Ibid.*

<sup>145</sup> Bock may have changed his views. Tobien mentions his commentary on the 1812 essay competition of the Free Economic Society, wherein he supposedly stated that a free worker with no land or property, living from hand to mouth, would have a less secure existence than a peasant tied to the land. The solution would be a free peasant with the use of land paid in cash or kind. Tobien, *Die Agrargesetzgebung*, 286.

<sup>146</sup> "Lückenbützer zu einer viel besprochenen Materie, an Niemand besonders gerichtet" (2 March 1818) in Jégor von Sivers, 104.

<sup>147</sup> Hereditary tenure was not the only form of economic protection proposed. Peter von Sivers, for example, recommended life-long rather than hereditary tenure (1 June 1818) in Jégor von Sivers, 183. Kurland had also proposed life-long rather than hereditary tenure in their adaptation of 1804. See p 266 above. Karl Budberg had suggested a compromise of 25 years of economic protection, based on the *Wackenbuch* regulations, before the introduction of free contracts. K.Budberg, "Ansichten über die Art, wie die persönliche Freyheit den Bauern des Livländischen Gouvernements zu ertheilen wäre" (9 October 1817) in Jégor von Sivers, 23.

1804.<sup>148</sup> Samson had studied law at Leipzig at the same time as Merkel, for whom he had a high regard. Samson, in his own words, was "vividly moved by Die Letten. Amongst the academic friends and countrymen a fraternity came into existence whose aim was to do everything possible in the future for the improvement of the peasant class."<sup>149</sup> As notary for the Ritterschaft from 1802 to 1807 Samson was present at and recorded the discussions of the 1803 and 1806 Landtag sessions, which had concerned themselves with the question of reform and the behaviour of Friedrich von Sivers, a man much admired by Samson. Samson believed that 1804 had already conferred freedom. "We can say out loud: the peasant is free, because he is."<sup>150</sup> Due to regulated labour, hereditary tenure, protection of the law, the right to acquire and possess property, the serf was actually a "free *glebae adscriptus*", deprived only of mobility.<sup>151</sup> If necessary, however, "let us free the bird, which prefers the blossoming spring at the top of its native tree to a delicate cage, the sparse nourishment of the open air to the ample food of an excellent dwelling, let us free him into God's wide sky to rejoice in the spring, in his existence!"<sup>152</sup>

The "delicate cage" was preferred by August von Sivers, who argued that

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<sup>148</sup> Samson would later judge 1804 much more harshly. In 1838, he wrote, "I recognize no merit whatsoever in the 1804 reform. I concede rather that it was the signpost to what must eventually come." Historischer Versuch, 149.

<sup>149</sup> Jégor von Sivers, dedication to R.J.L.Samson von Himmelstiern, XII. The sixteen Baltic students at Leipzig with Samson and his brother, who might have formed the "fraternity," are listed p.XI.

<sup>150</sup> R.J.L. von Samson, "Über Herrn v. Hagemeister's Vorschläge, allen Livländischen Gutsbesitzern zur Beherzigung empfohlen" (3 November 1817) in Jégor von Sivers, 33.

<sup>151</sup> *Ibid.*, 34.

<sup>152</sup> *Ibid.*

there was no need for a new reform.<sup>153</sup> "... [We] have no reason to allow changes, which would throw out everything that has gone before, immediately after the introduction of a new reform, which our monarch most certainly does not want to snatch away from us. What is driving us? Are the arrangements of the neighbouring provinces really so beneficial to both sides? Why not wait to find out what results the gradual introduction of these arrangements will have at the end of the set time period of fourteen years? ... Why should we rashly give away the certain good for the uncertain?"<sup>154</sup> As far as August von Sivers was concerned, there were only two valid reasons for giving up 1804. One was the fear of peasant unrest, but Sivers considered this fear unfounded due to the gradual nature of the reforms in the neighbouring provinces. He did not say what the second was. "I would rather not touch on the second reason."<sup>155</sup> One can only surmise that he was referring to imperial pressure, a subject best not dealt with in the press.

August von Sivers was perhaps the only one in the debate whose argument had internal consistency. Those, like Hagemeister, in favour of hereditary tenure were trying to combine economic regulation with personal freedom. The conservatives refused to consider any land concession to the peasants and conveniently used the principle of free competition to support their arguments for continued privilege. Those more genuinely committed to liberal economic theory opposed hereditary tenure as conservative economic practice but upheld Ritter

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<sup>153</sup> It is difficult to view August von Siver's motivation as anti-peasant since he was one of those Landtag members who supported his brother Peter's proposal for emancipation in 1803. See previous chapter p.215. Also, Jégor von Sivers, XXIII. (August was the grandfather of Friedrich von Sivers. Ibid., XXII.)

<sup>154</sup> August von Sivers "Ein Wort zu seiner Zeit" (26 January 1818) in Jégor von Sivers, 81.

<sup>155</sup> Ibid., 83.

privilege in the form of landownership. The categorization of conservatives and liberals was unclear. Those who favoured a liberal economic policy often had conservative motives, while those who supported economic regulation did so out of a desire to help the peasants, which meant some sacrifice of land rights.<sup>156</sup>

As long as the land belonged exclusively to the landlord, any attempt to apply Smith's theory would be inherently inconsistent. The economic liberals were forced to allow elements of not only regulated economy but of feudalism in the practice of their theory. Immediately after his poetic imagery of the freed bird, Samson, for example, asked the sober question: "But should the freed peasant stop *corvée* altogether?" Samson himself found *corvée* "a leftover from slavery" and agreed with current economic theory that *corvée* was work badly and unwillingly performed, the most expensive form of labour and harmful to both peasant and lord.<sup>157</sup> Still, he conceded that "personal freedom and *corvée* are not incompatible." Free contracts could be based on labour, produce or money.<sup>158</sup> It was obvious to most that free contracts in the free market would probably have to be based on *corvée* or kind rather than money since the peasants did not have the wherewithal to transform their labour or products into cash, and more importantly, indebted landlords had no cash to pay for peasant labour. The sparsely populated province did not have enough markets. One contributor noted that he had offered money rent to his peasants but they had refused because they would not know how or where to convert their products into money. In addition, currency in the early nineteenth century was far from standardized and there

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<sup>156</sup> Tobien does not agree with Jégor von Sivers' categorization. Sivers names Bruiningk and Hagemeister the liberals, while Buxhoewden is labelled conservative. Jégor von Sivers, XXIII. Tobien sees the defenders of 1804 as the conservatives. Tobien, Die Agrargesetzgebung, 339 and note 4.

<sup>157</sup> Samson (3 November 1817) in Jégor von Sivers, 33.

<sup>158</sup> *Ibid.*, 34.

were many types of coins with different values in circulation, which would confuse the peasant.<sup>159</sup> Peter von Sivers, however, had successfully employed farm labourers on a cash basis since 1805 and had published an article on this venture in 1816.<sup>160</sup>

Another leftover from serfdom which many thought should be retained in the new economic system was the *Wackenbuch*. It would form a general guidance for drawing up free contracts and would be of particular help to the peasants. Bock rejected the *Wackenbuch* regulations as the basis for free contracts. There could be no general norm to cover the "infinite" number of local variations. Only free contracts could regulate these.<sup>161</sup> The issue of *Wackenbuch* regulations forming the basis of free contracts would be an important part of the Landtag discussion. Rejecting the *Wackenbuch* would nullify the work of the *Messrevisionskommission*, a difficult move to support in view of the tremendous cost expended on it.

The one common element which united all these voices was the belief in the unlimited right of the lord to the land. In fact, there was the feeling that emancipation was the one sure way to imperial affirmation of their land rights, rights which they perceived as limited by 1804. "Should the landowners of Livland renounce their right to the serfdom of their peasants, his imperial majesty would restore to the landowners the unlimited exercise of their legally acquired rights to their properties."<sup>162</sup> This is the most convincing of all the arguments used in favour of emancipation: freedom of the serfs in return for unconditional

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<sup>159</sup> A.B.C. "Eingesandt" (11 May 1818) in Jégor von Sivers, 145-146.

<sup>160</sup> Jégor von Sivers, XX.

<sup>161</sup> H.von Bock, (19 January 1818) in Jégor von Sivers, 75.

<sup>162</sup> P.von Sivers, (1 June 1818) in Jégor von Sivers, 176.

disposition of property. Samson would later sum up this attitude from the vantage point of two decades hindsight: "The 1804 reform took from the landowner what he legally and justly had and unconditionally owned and gave him what he should never legally and justly have and unconditionally own. It took from him the free disposition of his property and left the peasant in bondage."<sup>163</sup> Emancipation would return to the landlord what was rightfully his.

### **Gustav von Rennenkampff**

The paradoxical interdependence of privilege and freedom is well represented in the debate in the press but also in a book published in May 1818 towards the end of the debate and just before the Landtag discussions.<sup>164</sup> The author, Gustav von Rennenkampff, had studied agrarian relations elsewhere, particularly in Denmark and Germany. Rennenkampff's proposals have been highly praised as "appropriate and attainable," "far ahead of their time," displaying "a deep understanding of agrarian-political organization, a far-sighted view of what is worth striving for and what is practicable..."<sup>165</sup> His significance, however, lies more in what he represented. Like many of his fellow Ritter, he was an ardent supporter of Ritter privilege who sought to effect a reform which would fit into feudal concepts of right as well as nineteenth century ideas of equality. Although Rennenkampff argued most persuasively against serfdom,

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<sup>163</sup> Samson, Historischer Versuch, 148.

<sup>164</sup> Gustav von Rennenkampff, Bemerkungen ueber die Leibeigenschaft in Liefland und ihre Aufhebung (Copenhagen, 1818).

<sup>165</sup> Tobien, Die Agrargesetzgebung, 342, 344.

using emotional arguments of moral indignation<sup>166</sup> as well as the more rationally expounded economic ones, the society he envisaged was not based on equality but on *Stand*. "The servant should serve, the higher ranks should rule ...."<sup>167</sup> Civil freedom should be enjoyed by all estates of the state ...; but respect, power and influence should only be enjoyed by those who know how to use them in a salutary fashion. The appropriate regulation ... of the rights and duties of each *Stand* will protect against all restrictions and there will be no need for welfare measures to protect the supposedly weak against the strong. If there are clearly defined limits to the rights of each *Stand*, there can be no stronger or weaker, since only deficient laws make one *Stand* stronger than another, and not wealth, *Stand*, or property."<sup>168</sup> Although the peasant should rise in status, "anything which encourages him to raise himself above his *Stand* ... or allows him to think that he is the most useful and significant in the state, or justifies him in setting himself as his better's equals must all be avoided."<sup>169</sup> Treating a man higher than his station in life stems from "fanatic philanthropy, an evil which even the wisest governments have not always managed to avoid if it was part of the spirit of the times, like an epidemic disease in the air ..."<sup>170</sup>

Not only was the status of the peasant strictly defined in terms of *Stand*, but his contribution to society was also defined. Every effort should be made to keep him to his, admittedly difficult and monotonous, work in the fields.<sup>171</sup>

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<sup>166</sup> It is these arguments which are represented in the extract in Jégor von Sivers, 193-232.

<sup>167</sup> Rennenkampff, Bemerkungen über die Leibeigenschaft, 206, footnote.

<sup>168</sup> *Ibid.*, 206.

<sup>169</sup> *Ibid.*, 208.

<sup>170</sup> *Ibid.*, 205-206.

<sup>171</sup> *Ibid.*

Rennenkampff believed Livland's future economic well-being lay in agriculture. It could not compete with the established industries of England, France, Germany, Switzerland and the Netherlands since it had neither a surfeit of people or money.<sup>172</sup> Agriculture was, as Adam Smith had said, the foundation of a nation's prosperity. Rennenkampff further believed in the theory of population expounded by Thomas Malthus in 1798, that a nation's population was determined by its food supply.<sup>173</sup> This was an important consideration in an age when nations reckoned wealth on their "human capital." In 1817, David Ricardo solved the limitations imposed by the Malthusian principle<sup>174</sup> with the idea of a global division of labour, with each country concentrating on what it was best at. Free trade would then ensure an effective division of goods. Britain, for example, would not concentrate on food supply but on industrial goods, which would be exported while food would be imported. Rennenkampff's proposal that Livland concentrate on agriculture and import what few luxury goods it needed<sup>175</sup> was consistent with Ricardo's economic theory. While the theory may not have appealed to landowners in industrializing countries, it was consistent with the economic interests of the landowning class in rural economies. As long as land was of prime economic importance in Livland, the landowners would be the chief beneficiaries of economic progress.

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<sup>172</sup> *Ibid.*, 167.

<sup>173</sup> Rennenkampff actually quotes the statistician Oeder but it is a clear summary of the Malthusian principle. *Ibid.*, 170-173.

<sup>174</sup> Ricardo referred to the situation in Britain but his conclusions involved other countries. As the labour force increased, more food would be needed. This could only be produced by extending cultivation or intensifying capital and labour on areas already under cultivation. The former was not always possible and the latter resulted in diminishing returns. Ricardo's solution was to import cheap wheat from abroad.

<sup>175</sup> *Ibid.*, 167.



Rennenkampff was of the opinion that agriculture would not only increase the wealth of the nation and support population growth, it would also guarantee the moral standards of the lower classes. Unlike factory work which turned men into machines<sup>176</sup> "agriculture ... has a beneficial influence on those involved in it .... The success of the work of a farmer is dependent on the favour of heaven. He gets used to pleading for it. He lives in hope, which is often disappointed, and he accepts it; he is therefore devout and resigned. Due to this ... nations which are dependent on agriculture have a better ordered life and better morals than those which are not..."<sup>177</sup>. Rennenkampff considered it the political and moral duty of any reform to bind<sup>178</sup> the peasants to agriculture.

Rennenkampff agreed with Samson that there was much to praise in the economic regulation of 1804. "Of the various transitions from serfdom to freedom which I know, I have never seen one that was more appropriate, a more perfect preparation for a peaceful, salutary changeover... we have only a very easy step to take to general freedom."<sup>179</sup> This "very easy step," however, involved the very difficult land question: how to keep the freed peasant bound to the land without giving him any. Rennenkampff rejected hereditary tenure as synonymous with possession of the land<sup>180</sup> and rejected emancipation with land security. Although he had experience of other emancipation models, he supported only those which upheld the principle of complete landlord disposition of land. The

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<sup>176</sup> Ibid., 177.

<sup>177</sup> Ibid., 176.

<sup>178</sup> He used the word *fesseln* which conveys the meaning of "chain." Ibid., 178.

<sup>179</sup> Ibid., 53-54.

<sup>180</sup> See his remarks p.278 above.

mistakes of other countries were to be avoided.<sup>181</sup> From the 1786 Danish Commission, he cited: "The peasant is a human being like others. He should be granted the rights which his class in other countries enjoys but one should not take from others to make him happy. ... He must have freedom but his farm will not become his property. When he is given freedom, he will be like the farmer in England, a free contractor. ... If the landowner is to lose his right over the people, then he should be allowed unlimited rights over land and property ..."<sup>182</sup> The emancipation model which he found most appropriate was that of Germany. He praised it for what it afforded the peasant,<sup>183</sup> but ignored the reality of landlord free disposition of property.<sup>184</sup> He was, however, aware that the German emancipation worked in the landlord's favour. "Without the example of Germany," Rennenkampff reportedly claimed, "such a uniform decision in Estland or in Kurland or here in Livland would not have come about ... One knew from experience that abolishing serfdom and releasing the peasants from the land in no way meant, as originally feared, that property, income from the land or credit were in any danger."<sup>185</sup> Rennenkampff admitted the advantages of hereditary tenure were often obvious elsewhere<sup>186</sup> but thought these advantages could be gained by methods other than those which infringed on landlord rights.<sup>187</sup> Hereditary tenure was in any case, he argued, economically harmful to the state

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<sup>181</sup> *Ibid.*, 62.

<sup>182</sup> Cited *Ibid.*, footnote, 146-147.

<sup>183</sup> *Ibid.*, 162.

<sup>184</sup> See page 251-252 above for German emancipation.

<sup>185</sup> Jégor von Sivers, XX.

<sup>186</sup> He even purported to be personally in favour of voluntary hereditary tenure. Rennenkampff, Bemerkungen, 137.

<sup>187</sup> *Ibid.*, 131.

since it encouraged indolence rather than productivity amongst the peasants, who could not be expected to value land simply given to them.<sup>188</sup> The peasants must be motivated by some sort of external force, and free competition would supply that force.<sup>189</sup>

Like many of those involved in the emancipation discussion, Rennenkampff admitted that free contracts would have to be based on *corvée*. Even although it was one of the major disadvantages of serfdom, it could not be abolished along with serfdom since the peasant would be able to assess his contract only on the basis of what he had experience of.<sup>190</sup> He offered a compromise solution whereby the farmer would not have to do any more *corvée* than he could manage with the farm-hands he already had for his own needs. He should not have to hire more in order to complete his *corvée*.<sup>191</sup>

Rennenkampff was not unaware of the economic dangers of free competition coupled with landlord ownership of the land and quoted the poverty in England as an example.<sup>192</sup> His solution was economically convincing but equally supportive of landlord privilege. A certain proportion -- Rennenkampff originally proposed two-thirds<sup>193</sup> -- of peasant land would be guaranteed for peasant use. The landlord would be entitled to sell, divide, give, or lease peasant land as he pleased, but would be prevented from adding more than one-third to

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<sup>188</sup> *Ibid.*, 136.

<sup>189</sup> *Ibid.*, 126-127.

<sup>190</sup> *Ibid.*, 144-145.

<sup>191</sup> *Ibid.*, 185

<sup>192</sup> *Ibid.*, 158-160. Meat, for example, was not within the reach of the English worker. Every tenth person had to live from porridge (the Scots, rich or poor, willingly). *Ibid.*, 159, footnote.

<sup>193</sup> *Ibid.*, 164.

the *Hofsland*.<sup>194</sup> Rennenkampff's proposal may have offered an alternative economic protective measure to hereditary tenure but it was one which served landlord interest. Admittedly, it would protect the peasants from the fate of their German counterparts, where landlords had appropriated large tracts of peasant land. In Livland, however, it would be a regressive step since landlords were forbidden to appropriate any peasant land. Before this was permanently fixed by law, as in Denmark where emancipation had forbidden landlord appropriation of peasant land, with no chance for readjustment, Rennenkampff judged it wise to introduce some leeway for future adjustment. Expressed differently, his proposal allowed the landowner to appropriate up to one-third of peasant land. In addition, the landlord should be compensated for allowing two-thirds to remain in permanent peasant use by every peasant-farmer working three years for the landowner as a labourer.<sup>195</sup>

In addition to the appropriation restriction, Rennenkampff proposed setting a minimum and maximum farm size to protect the peasant. A farm should be large enough to support a family but not large enough to require the hiring of extra labour. In the latter case, the tenant farmer would become more a manager than a practical farmer. This restriction also worked in the landowner's favour. Smaller farms were more easily managed, more easily leased, more easily controlled, more easily sold than large farms. It was not in landlord interest to have large tracts of "their" land owned by one person, possibly even burghers.<sup>196</sup>

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<sup>194</sup> *Ibid.*, 161, 164.

<sup>195</sup> *Ibid.*, 202.

<sup>196</sup> "The larger a farm, the more work a tenant can free his own hands from, the more other people ... will be attracted to leave the cities and take up the comfortable life of such a tenant farmer; the industrious farmer will be pushed out by lazy, inexpert townsmen, the land will be flooded by bankrupt-headed farmers, the cities will be emptied ..., the landowners will see their property devalued by lazy tenants and the state will be infinitely poorer..." *Ibid.*, 183.

Smaller plots would keep the farmer properly occupied in the landowner's interest.

Rennenkampff was very clear about the role the government should have in reform. The government should not interfere in economic relations. A general economic law could not be applied to widely varying local conditions, which were best regulated by independent economic laws. The government had a right to intervene in matters of human and political rights but not in economic matters.<sup>197</sup> Rennenkampff felt this warning was justified. The government should not be viewed as the representative of the lower classes in confrontation with higher classes.<sup>198</sup> "As well as the indubitably great interest the government has in the farmer, it should not deny its deep interest for equally important classes (*Stände*), nor favour the former at the expense, or even ruin, of the latter."<sup>199</sup> Throughout Rennenkampff's book, there is an awareness of government pressure for emancipation and the fear that such pressure would result in reform detrimental to Ritter land privileges. While government pressure was certainly a factor to be reckoned with, it seemed unlikely in view of the terms of the Estland emancipation that the government would do anything but uphold the Ritter right to the land. It did, however, support the policy of hereditary peasant tenure of land, which was viewed by many Ritter as a violation of their own property rights.

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<sup>197</sup> *Ibid.*, 144.

<sup>198</sup> *Ibid.*, 204.

<sup>199</sup> *Ibid.*, 117. See also p.142.

## The Landtag Debate

The public debate was brought to an official level on 1 June 1818 when Samson von Himmelstern formally proposed that, pending imperial permission, the Landtag should declare the peasants in Livland free.<sup>200</sup> At about the same time, the Ritterschaft of Oesel made the same proposal as did the guilds of Riga, Dorpat and Pernau concerning the serfs on the lands owned by the city corporations.<sup>201</sup> The Landtag was opened on 18 June 1818 by Baron Schoultz who set a cautious tone by warning the members to "distinguish the truly good and useful from the apparently good and useful and not to be misled, even when fine-sounding verbiage and high-sounding phrases reverberate amongst us, behind which ....self-interest and fame-seeking often attempt to hide."<sup>202</sup> On the next day, Marquis Paulucci unequivocally set the Landtag its aim by warmly recommending the example of Estland and Kurland.<sup>203</sup>

The Landtag began its discussions on 26 June 1818 with the consideration of Samson's proposal and Paulucci's directive. With regard to the former, the *Konvent* had recommended first seeking imperial permission to discuss emancipation in light of the fact that one reform was already in process. As long as one reform was valid, a new one could not be discussed without imperial cancellation of the first. This was not really obstructionist since a new reform would nullify the costly survey and the validity of the *Wackenbücher*, steps which

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<sup>200</sup> The text of his proposal is in Samson, Historischer Versuch, 123-124; and Tobien, Die Agrargesetzgebung, 348-349.

<sup>201</sup> It is not clear when Oesel made its proposal. The Riga guilds discussed the decision between 7 and 10 June. The fact that these various proposals were made simultaneously leads Tobien to describe the movement towards emancipation as "spontaneous." Die Agrargesetzgebung, 346.

<sup>202</sup> Tobien, Die Agrargesetzgebung, 349.

<sup>203</sup> The text is available in Samson, Historischer Versuch, 124-126.

could not be taken without safe guarantees. Paulucci's instructions, however, had made imperial wishes clear and the recommendation redundant. The majority of the *Konvent* were in favour of emancipation but, like the Kurland Ritter, decided to use the opportunity to gain some concessions from the imperial government.<sup>204</sup> Most of these concessions had been granted to the Kurland Ritter. The Livland Ritter wished exemption from paying state taxes for their peasants, exemption from state estate sale tax, and a gradual introduction of the new law so that emancipation would be complete, as in Kurland, in 1831. Two other points were of importance and would cause much debate. The first was that the survey commission should continue its work until all peasant land was surveyed. This was in keeping with Samson's proposal which stipulated that emancipation should take place "as soon as the survey commission had completed all Wackenbücher for public and private lands."<sup>205</sup> In addition, the government should replace the three million roubles spent on the survey which would be made obsolete by free contracts. This was all the more necessary since landowner debt to the Credit Society was 7.5 million roubles.

The matter of the survey reflects the ambivalence of the reform model contemplated. On the one side, it was argued that the survey should be halted at once since the free contracts of the new reform did not need it. On the other, it was argued that contracts needed norms and these could only be provided by a survey, especially since contracts would be mostly in labour or in kind. A survey would also help to estimate state taxes correctly and would enable the peasant to estimate his own abilities in drawing up a contract with his landowner.

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<sup>204</sup> See Tobien, Die Agrargesetzgebung, 350-351.

<sup>205</sup> Samson, Historischer Versuch, 124.

It would also be a reason to keep the peasant where he was rather than going off into circumstances with which he was economically unfamiliar. The majority of land councillors and district deputies were in favour of the survey being continued. Free contracts could then be based on the results but there would be no compulsion to do so.<sup>206</sup>

A dissenting minority was led by August von Sivers on the Chamber of Deputies. He repeated the arguments he had already published against a new reform.<sup>207</sup> He still advised waiting to see how the reforms worked in Estland and Kurland, where reform had been necessary since they had nothing comparable to 1804. Sivers' opinions are interesting from the political perspective of province/Empire. He was convinced the government would not force the new reforms on Livland. He was also convinced that the government would never violate the landowner right to the land. He viewed fears of imperial intervention as the prime motivators of the reformers. He also felt that the reformers were using the opportunity of emancipation to secure from the tsar their right to the land.<sup>208</sup>

Sivers proposed to the Chamber the rejection of Samson's proposal and Paulucci's directive. The Livland Ritter, he argued, should not suggest reform to the government but rather wait to see if the government would force the Estland reform on Livland. This proposal was supported by five other deputies, thus making six votes against and six in favour. The vote of the Land Marshal, who chaired the Chamber, went to those in favour. The close vote allowed Sivers to

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<sup>206</sup> Tobien, Die Agrargesetzgebung, 351.

<sup>207</sup> See pp. 281-282 above.

<sup>208</sup> This view had already been expressed publicly by his brother Peter. See pp.284 above.



propose that the whole Landtag vote the following day, 27 June 1818, on whether to change the 1804 reform or not. The vote also proved that there was a distinct possibility that the Landtag would vote for retaining 1804. In this case, emancipation would be rejected before it was discussed. Paulucci certainly saw this as a possibility and appeared unexpectedly at the Landtag before the vote took place. He gave the members the choice of voluntarily asking the tsar for the Estland model of emancipation or accepting his resignation as Governor General.<sup>209</sup> The Landtag subsequently voted not to carry out the vote proposed by August von Sivers for that day, i.e to discuss whether the 1804 reform should be changed or not. This vote caused confusion. It was interpreted by some as a vote in favour of emancipation while others thought emancipation had still to be discussed. Samson, who was present at the Landtag, is unequivocal: "On 27 June 1818, the unanimous decision was made to declare the peasants free, pending imperial permission."<sup>210</sup>

That the "unanimous decision" was actually a vote in favour of emancipation is made questionable by a proposal made 1 July after much uncertainty and discussion. The Landtag would offer to emancipate their peasants if the tsar so wished if certain conditions were first<sup>211</sup> met.<sup>212</sup> Despite objections raised by those, like Samson, who thought emancipation should be declared voluntarily by the Ritter and those, like August von Sivers, who opposed a new reform, the proposal was accepted with minor modifications.

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<sup>209</sup> An extract of Paulucci's speech is in Tobien, Die Agrargesetzgebung, 353.

<sup>210</sup> Samson, Historischer Versuch, 126.

<sup>211</sup> The "first" was later eliminated.

<sup>212</sup> Tobien, Die Agrargesetzgebung, 354-355.

The concessions requested<sup>213</sup> were mainly concerned with the tax exemptions already mentioned but there was a significant addition. The Ritter asked for the removal of the Committee for Livland Affairs,<sup>214</sup> the upper authority for the survey, in both St Petersburg and in Riga. This was a political consideration. Since its creation in 1804, the Committee had gradually taken on the role of an imperial supervisory body for the affairs of the province and its absence would mean more political leeway for Livland. That this had more to do with political independence than economic activity is evidenced by the fact that the Landtag did not intend to propose halting the survey which the Committee was supposed to supervise. The committee in Walk should finish the survey of private estates and the *Wackenbücher* would be ratified by the Governor General alone. This implied that the landowners intended to use the *Wackenbücher* as the basis for free contracts. They did not, as originally intended, ask the tsar to pay the three million roubles the survey had cost, no doubt because they had not recommended to discontinue it. They did ask for a ten-year extension on their credit. They also asked for reorganization and higher salaries for the provincial authorities, whose duties would be increased by emancipation.

Paulucci was satisfied enough to guarantee the tsar's acceptance of the proposal, which came 13 July 1818, just one week after its submission.<sup>215</sup> The tsar gave his permission for a committee to discuss any adaptations of the Estland and Kurland reforms necessitated by local conditions. He stipulated that membership should not only represent the Ritter but also Oesel, the towns and

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<sup>213</sup> See Samson, Historischer Versuch, 126-127.

<sup>214</sup> See Chapter III, pp. 221; 224-225.

<sup>215</sup> The text of the tsar's letter to Paulucci is given in Samson, Historischer Versuch, 127-128.

the crown estates.<sup>216</sup>

The committee, which began its work in October, had completed its draft by December 1818. In essence, it followed the Estland emancipation reform. The principle of free contract in a free market was upheld as the basis for reform. Rennenkampff, supported by Hagemeister, submitted his proposal that a proportion of peasant land be guaranteed to the peasants, but the committee considered this a violation of landowner rights and refused to discuss it. The Estland reform also provided the basis for a system of justice and law for the peasants as well as a school system. The Livland draft proposed a less complicated and shorter transitional period than in Estland and Kurland since 1804 had prepared the peasants for freedom. The timing of emancipation was to be based on the completion of the *Wackenbücher*, which could then be used as the basis of free contracts. The survey should be completed by 23 April 1823, when half the farmer serfs would be freed. The second half would follow in 1824 and by 1826 all domestic servants and labourers would be emancipated. They would not immediately have freedom of movement, however. Landlords were still afraid that freedom would encourage their valuable labour force to abscond. For the first three years the freed peasants were to be bound to their parish districts, the area of mobility being extended in the next three years and by 1832, when Estland and Kurland serfs would be completely free, Livland peasants would be allowed to move anywhere in the province.

The second modification of the Estland/Kurland reform was a major area of contention. At the time of emancipation, Kurland had cancelled all the debts the peasants had incurred as serfs. In Livland, the serfs were also indebted to

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<sup>216</sup> There is a list of members in Samson, 128-129 and in Tobien, *Die Agrargesetzgebung*, 357 note 2.

their landlords. In 1795, the landowner's duty to supply his serfs with grain in times of need was changed to supplying them with a store which they had to keep supplied. The onus was now on the serfs. In years of poor harvests, like 1807, the serfs became more indebted to the landlord for grain supplies. The situation of peasant debt was complicated by the land survey. 1804 had stipulated that unmeasured estates could use the 1784 estimates but that if a landlord was dissatisfied, he could initiate a new survey. If the new survey showed peasant labour had been estimated too low, then the landlord had the right of compensation from his peasants. Cases of peasant compensation added to peasant debt. Landowners, however, were also indebted to their serfs. If the peasant quotas had been estimated too high, the landowner was bound to compensate the peasant and there were several cases of this. In 1818, many of these compensation cases had not been settled. The Commission, believing that a peasant burdened with debts could not cope in the free state, recommended that all mutual debts between landlord and peasant incurred before 1 January 1818 be cancelled.

The Landtag which met in December 1818 to ratify the Commission's draft objected to the abolition of peasant debts. Even Friedrich von Sivers spoke out strongly against it. His concern seemed to be the effect such a move would have on landlord credit but he was perhaps motivated by his general hostility to the new reform.<sup>217</sup> He felt strongly enough about it to use his usual tactic of threatening to petition the tsar. Sivers was supported by Rennenkampff, who

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<sup>217</sup> He wrote shortly after in his complaint to the government about the peasant debt proposal, "Why ... should we diverge from our original principles and without reason but with a false show of generosity trouble the order of society, destroy the fortunes of individuals and reverse a law given to us by his Majesty, based on supreme justice?" Cited in the original French in Tobien, *Die Agrargesetzgebung*, 368, note 2.

viewed peasant debt as a separate issue from compensation owed by peasants to their landlords. Those landowners who had managed their peasants well and had not given any loans had no peasant debts, but they would lose what their peasants owed them in labour which had been estimated too low.<sup>218</sup> Peasants who had accumulated no debts but were owed compensation would also suffer. It was Rennenkampff's opinion the peasant could not expect the rights of freedom without facing up to its duties -- and debts.

Once again provincial dispute was settled by imperial intervention, in the form of the Governor General. Paulucci said debts up to 1 January 1819 must be cancelled if the situation of the peasants was not to be worsened by freedom. The Landtag succumbed with the compromise date of 1 January 1813. Thus, the Livland serf escaped being emancipated landless and indebted.<sup>219</sup>

Imperial ratification was not immediately forthcoming. On 7 January 1819 Friedrich von Sivers had apparently carried out his threat to complain to the tsar about the debt issue.<sup>220</sup> The discussion continued among delegates in the capital until, under Paulucci's guidance,<sup>221</sup> the original draft secured imperial approval on 26 March 1819.<sup>222</sup>

The reform had not had an auspicious start. Although the debate about emancipation in Livland had begun in the provincial press and not by imperial

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<sup>218</sup> There may be a correlation here. Peasants who worked low labour quotas for the landowner had more time to work their own fields and therefore more chance of self-sufficiency.

<sup>219</sup> Tobien, *Die Agrargesetzgebung*, 349-357.

<sup>220</sup> *Ibid.*, 368.

<sup>221</sup> Paulucci reportedly added modifications, albeit inessential, without consulting the Ritter. This apparently caused tension in future dealings, especially between the Land Marshal and the Governor General. *Ibid.*, 369, note 1.

<sup>222</sup> The emancipation decree was formally celebrated in Riga 6 January 1820.

order (as might have been expected after the Estland and Kurland reforms), the Landtag had not been enthusiastic about the emancipation reform. Later historiography has attributed this reluctance to factors other than lack of motivation. "If the Landtag negotiations were carried out hesitatingly and with many difficult interruptions and unclear points, part of the blame lies with the less than skillful chairmanship of Baron Schoultz ..."223 Were it not for Paulucci's timely interventions, the Landtag may have followed the advice of August von Sivers and decided to keep the 1804 reform until imperial dissatisfaction became evident. Paulucci certainly thought so. If Paulucci was acting under the tsar's orders to cajole rather than force Livland to adopt the Estland model of reform, then the imperial role in the reform process was considerable. If the tsar really did view 1804 as an acceptable alternative to the Estland reform, then Paulucci's role was more one of adding to his own laurels by persuading the province into a more progressive move which would please the tsar. In either case, the matter was not resolved by the Landtag independent of imperial interference.

In his closing remarks to the Landtag, the Land Marshal Löwis of Menar voiced the general doubt and presaged the reform's future. "If the farmer peasants gain little more from this than the name of free people, at least the more numerous class of domestic servants and labourers will enter into a much better and happier situation. Perhaps the new road will at first seem rough to the peasants, humanity and cleverness will be needed to lead them with a fatherly hand along the unfamiliar path... Some of us may doubt that the people for whose future happiness we have sacrificed will recognize with thanks what we have

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<sup>223</sup> Jégor von Sivers, XXI.

done for them! ... And if ingratitude should indeed be our reward, so let the knowledge that our intentions were genuine and good give us the courage never to regret what we have done."<sup>224</sup> There would indeed be ingratitude and regrets, and these, along with a closer look at the content of the reform, will form the basis of the final chapter.

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<sup>224</sup> Cited in Tobien, Die Agrargesetzgebung, 367.

CHAPTER V  
THE FREEDOM OF EMANCIPATION

PART ONE: FREEDOM LIMITED IN THE BALTIC

Emancipation did not prove to be the economic cure it was hoped for. "Hardly three decades have gone by [since emancipation]," noted an official committee report in Estland, "and there is hardly anyone in the country who is not severely affected by the general unease caused by the ever-increasing confusion in the agrarian situation. No-one dares to hope that time alone will bring improvement and whoever has observed the depressing symptoms and thought about their cause seeks in the hopeful past and its admittedly well-intentioned legislative efforts the root of these ills which are already harming the present and if left to develop undisturbed will threaten the future even more."<sup>1</sup> Blaming the emancipation reforms was justified but not because Adam Smith's principle of natural liberty was not practicable in the Baltic provinces. The Baltic emancipation reforms retained elements which were essentially feudal and incompatible with economic laissez-faire policy.

**Political Restraints**

While the Ritter had formally recognized their serfs as free individuals, they ensured that they maintained firm control over them in practice. The 1804 reforms had granted the peasants several important civil rights -- for example, the right to citizenship, the right to own property, the right to be protected by law -- as well as a certain amount of self-administration. These rights were diluted rather than strengthened by the emancipation reforms. Before emancipation, the

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<sup>1</sup> Cited in Gernet, Geschichte des Agrarrechts in Estland, 164.



landowner was the local authority, the essential link, as Catherine had seen it, in state security. There was no alternative form of local authority to supervise the serfs once freed. 1819 created the means for local organization of the peasants in the peasant commune, or *Gemeinde*. The *Gemeinde*, answerable for all peasants on the estate, had a wide area of responsibility including collecting taxes, supplying military recruits, administering the grain store and the *Gemeinde* finances, coping with the poor and the sick, arranging a school system and maintaining roads on the estate.

The peasant could only leave the *Gemeinde* if all his dues had been fulfilled and if the *Gemeinde* agreed. He was then obliged to register in a new one. The freed peasant, however, was restricted in his mobility. In Estland the peasant was not allowed to leave the province until the number of male peasants reached 140,000.<sup>2</sup> In Livland, mobility was more vaguely promised by a future decree.<sup>3</sup> The restrictions on mobility would continue into the 1860s when they came into conflict with Russian pressure for unrestricted mobility.<sup>4</sup>

The *Gemeinde* represented the peasant to such an extent that one observer commented that the peasant had few rights as an individual and had validity only as a member of the *Gemeinde*.<sup>5</sup> While the *Gemeinde* filled an administrative gap, it also allowed the landowner control over the peasants. The landowner directed the general meetings of the *Gemeinde* and its decisions had to be ratified by him. He also had the right to veto any new member and choose peasant officials from

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<sup>2</sup> In 1845, the number was 122,000.

<sup>3</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 148; Gernet, Geschichte des Agrarrechts, 177.

<sup>4</sup> Tobien, Die Agrargesetzgebung, vol II, 245-258.

<sup>5</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 128.

candidates offered. Peasant court decisions were also to be ratified by the landowner.<sup>6</sup>

Much of this supervision was deemed necessary since the peasants were perceived to lack the experience needed to run the *Gemeinde* themselves. A contemporary Ritter report noted that the peasants were not mature enough and that the national character did not lend itself to community spirit. Instead of fighting this, one had tried to get round it and as a result, peasant communities existed only formally, with no inner solidarity. "A *Gemeinde* had been created which was controlled by the government and the landowners. ... Because the *Gemeinde* officials were in no way equal to the demands made of them, the lords had to take control again to avoid complete confusion, which made the hoped for independence of the *Gemeinde* completely impossible and opened the way for arbitrary power..."<sup>7</sup>

More intrusive than the landlord's supervision of the political life of the peasants was his right to safeguard law and order on his estate. 1804 had lessened the judicial power of the landlord over his peasants by forbidding the use of the rod without a hearing and by the setting up of peasant courts.<sup>8</sup> Although the peasant courts were retained, 1819 restored full "house discipline" to the landowner in a different, but more encompassing, form. The task of keeping law and order was given to the estate police (*Gutspolizei*), who were armed with wide powers of arrest and the right to inflict a certain amount of corporal punishment without trial. While at work on manorial lands, the peasant

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<sup>6</sup> Samson, Historischer Versuch, 136-141; Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 148, 159.

<sup>7</sup> Cited in Gernet, Geschichte des Agrarrechts, 167-168.

<sup>8</sup> See Chapter III, p.217 above.

farmer, whom 1804 had protected from corporal punishment, could be punished without investigation by the overseer with up to fifteen strokes of the rod. Many peasant farmers preferred to send their workers to the lord's fields rather than be subjected to such arbitrary power. In Estland especially this type of corporal punishment apparently led to suicides.<sup>9</sup>

### Economic Restraints

What really ensured the freed peasant's dependence on the landowner, however, was his landless state. Hereditary tenure of the land granted by the 1804 reforms had given the peasant farmer security and a reason to work the land well. As its critics had pointed out, it was in effect tantamount to owning the land. 1819 delivered a free peasant to the free play of economic forces, without land tenure or long-term leases. The peasant's landless situation was made more precarious by the right of the landowner to freely dispose of his lands, whether peasant or estate land, as he wished. 1804 had firmly forbidden the appropriation of peasant land or the expulsion of peasants without due cause but the emancipation reforms allowed the landowner to incorporate, appropriate, separate, sell or divide the land as he wished. The new freedom of disposition of land coincided with the change to rational agriculture.<sup>10</sup> It was admittedly a slow change -- by 1839, only 180 of 616 estates in Estland had adopted new agricultural methods, with a similar number in Livland<sup>11</sup> -- but combined with

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<sup>9</sup> Samson, Historischer Versuch, 141-142; Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 175, note 1.

<sup>10</sup> See Chapter III, pp.183-187 above.

<sup>11</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 147. Since Livland had more estates, it should have had a higher number on new methods. In Kurland about twenty estates had adopted new methods. As Hueck points out, rational agriculture was more successful in Estland, where most estates were owned and managed by local nobles, than in Livland where there were more absentee

landlord free disposition of land, it marked a detrimental tendency for the peasants. Since most new farming methods, especially animal breeding, clover and potatoes, required more land, landowners were able to make good use of the right to dispose of their lands as they wished. When the unused land available did not suffice for their needs, they incorporated neighbouring peasant land without having to compensate the peasants they displaced.<sup>12</sup> In Estland, where estates were close to the villages, often villages of four to fourteen farms were broken up. In many cases, there was not even a good economic reason for appropriation of peasant land.<sup>13</sup> Since land was not scarce, the peasants could normally be settled elsewhere, but the process added to the peasant's insecurity and his reluctance to farm with a long-term view to improvement of the land.<sup>14</sup>

The lack of land security was compounded by another feudal element, namely *corvée*. From the 1810-1820 *Wackenbuch* surveys of 726 estates in Livland, over 27,000 farms were on *corvée* and only 73 on cash rent.<sup>15</sup> By 1838, the number of peasant farmers who paid money rents had risen to 3424 but the large majority in the Baltic provinces still worked labour dues.<sup>16</sup> *Corvée* meant that

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landlords and more leasing. (Ibid., 144.) In Livland, estates were also larger and more divided. The smaller estates in Estland lent themselves to more effective planning. (Ibid., 206)

<sup>12</sup> The peasants were supposed to be compensated but the wording of the clause was so vague that it could easily be evaded.

<sup>13</sup> Gernet, *Geschichte des Agrarrechts*, 161.

<sup>14</sup> Tobien claims that although there were individual cases of injustice against peasants, the peasants benefited overall from landlord economic manipulation of land. From 1819 to 1846, 248 *haken* of peasant land were incorporated into *Hofsländ* but in the same period, there was a total of 270 *haken* of new peasant plots on *Hofsländ*. (*Die Agrargesetzgebung*, 417.) 248 *haken* of appropriated land constituted, according to Tobien, no more than 3.76% of Ritter *haken*. Ibid., vol II, 200.

<sup>15</sup> Tobien, *Die Agrargesetzgebung*, 432.

<sup>16</sup> They farmed a total of 559 *haken*, about eight percent of the total peasant land. Tobien, *Die Agrargesetzgebung*, 427.

the peasant could not take advantage of his freedom. The guiding principle of the reform "Land mein, Zeit dein" had no practical meaning when the peasant's time was in the hands of the landowner. The peasant was unable to work for his own gain, for example by selling surplus produce for cash. Money could have alleviated the harshness of the peasant's landless state but without it, his right to buy non-noble land was purely theoretical.

In addition to tying the peasant to the landowner, *corvée* was ill-suited to the rational approach to agriculture. It was not flexible enough to meet the needs of rational planning and an effective division of labour, important elements in the Baltic area since most agricultural work had to be completed during the short summers. *Corvée* also demanded close supervision of the peasants especially since they were free to go at the end of their contracts, thus avoiding any consequences or penalties for work poorly done. In this respect, *corvée* was more suited to serfdom than to free labour.<sup>17</sup>

Contracts between peasant and landowner were based for the most part on *Wackenbuch* norms which had been worked out based on the old methods of farming, but new methods and crops, like potatoes, often demanded more labour than the old norms stipulated and landlords had to demand more from the peasants. Before emancipation, the amount of labour the landlord could demand had been regulated by law but the peasants lost this legal protection through emancipation. *Corvée* increased in both Estland and Livland at a time when peasant holdings decreased owing to the other concomitant of new agricultural methods, landlord appropriation of peasant land.<sup>18</sup> As Hueck remarked in the

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<sup>17</sup> Hueck, *Darstellung der landwirtschaftlichen Verhältnisse*, 172-173.

<sup>18</sup> *Ibid.*, 153.

early 1840s, "... where rational economy flourishes best, there the situation of the peasants is the most wretched."<sup>19</sup> It was not an easy economic step, however, to change to hired labour. Juhan Kahk has shown that without the means to make the necessary investments to change to hired labour, landlords were just as well off staying with corvée.<sup>20</sup> Ungern-Sternberg, who studied agriculture at Dorpat University during this period, concluded, "In most cases the profits received when the landowner works with his own workers remain considerably below the value of the corvée work one gets from the peasant-tenants ..."<sup>21</sup> His view was supported by others. Some thought hired labour could only be used when the necessary agricultural machines were available while others saw that it would necessitate a complete reorganization of land and the appropriation of peasant plots into estate land for general management of the estate. Even if it were feasible, there was just no money to pay wages.<sup>22</sup> The change from corvée to hired labour would be a slow one.<sup>23</sup> That landlords found corvée more profitable than hired labour did not mean that it was economically effective in the long-term, however. It allowed them to maintain an income from their lands but demanded no re-investment or land improvement.

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<sup>19</sup> Ibid., 182.

<sup>20</sup> Juhan Kahk, Peasant and Lord in the Process of Transition from Feudalism to Capitalism in the Baltics, (Tallinn 1982), 70-74.

<sup>21</sup> Cited in Ibid., 75.

<sup>22</sup> Ibid., 75-76.

<sup>23</sup> Kahk lists three possibilities for the landlord: "a) to abandon the corvée system at once and without compensation, resulting in the economic ruin of the feudal landlords (by losing 70% of their profits stemming from the unpaid work of the corvée peasants and by having to buy draught animals and agricultural implements for the sum equal to 50% of their yearly income); b) to change the corvée for money rent at once (in one year) landlords would lose 50% of their income, having to spend it on the purchase of draught animals and inventory; c) to change the corvée for money rent over a longer period, with landlords losing 3-4% of their yearly income (money needed for the gradual exchange of the peasant inventory for the personal inventory)." Ibid., 76-77.

## Economic Circumstances

The inefficiency of corvée was compounded by inefficient agricultural management. Landowners lacked the economic background to make rational agricultural decisions and forecasts.<sup>24</sup> There was still the belief that no special training was needed to manage an estate and law or military service still provided the educational background of most landowners.<sup>25</sup> Little money was re-invested in agriculture<sup>26</sup> and when it was, often ineffectively.<sup>27</sup> The introduction of new methods needed capital investment and capital was one thing the Baltic nobles did not have. The general economic climate did nothing to alleviate their problems. The continental blockade had caused a sudden drop in grain prices in 1809, which meant a drop in the value of estates, especially for those who had bought during the period of high grain prices between 1805 and 1808. 1816 to 1819 saw an increase in the value of grain due to poor harvests in Germany; Livland had a particularly good harvest in 1819. Emancipation started off on a good economic wave and belief in the higher productivity of free labour seemed to be justified. It was short-lived. Due to good harvests all over Europe from 1821 to 1827, grain prices fell again.<sup>28</sup> By the end of the 1820s, of the 547 estates

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<sup>24</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 207.

<sup>25</sup> C. Hehn, Die Intensität der livländischen Landwirtschaft (Dorpat, 1858), 71. Hehn pointed out that agriculture as a science rather than a collection of local observations had only just begun (*Ibid.*, 3) but felt strongly enough about the lack of agricultural background of landowners to list as the first of his theses for his doctoral dissertation: "The study of law for future landowners is not to be recommended." *Ibid.*, 111.

<sup>26</sup> J.Kahk, Peasant and Lord, 66.

<sup>27</sup> Animal feed, for example, could freeze in front of the animals in the barns because proper flooring had not been thought of. Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 206.

<sup>28</sup> *Ibid.*, 137.

in Livland in noble hands, 477 were indebted to the Credit Society and had an annual interest payment of 492,000 silver rubles to keep up with.<sup>29</sup> Estland's position was no better with 511 estates owing a yearly interest of 382,000 silver rubles.<sup>30</sup> Kurland's estates were also severely indebted. Substantial imperial loans were necessary to keep the credit institutes in the Baltic provinces functioning.<sup>31</sup>

Although a growing amount of estates were trying new methods to overcome the economic crisis, the majority persisted in the old ways. Estland Ritterhauptmann Grünewaldt noted, "We know no land improvement other than distilling ... We do not utilize the real treasures of our estates."<sup>32</sup> Many landowners still relied on the distilling of alcohol as the quickest way to increase income.<sup>33</sup> Of 736 estates in Livland, 600 were involved to some degree in distilling.<sup>34</sup> Most of the alcohol was exported to Russia, where since 1827 each region was guaranteed a certain quota. In 1838, Livland undertook to deliver 118,000 "pails"<sup>35</sup> of alcohol to the province of St Petersburg.<sup>36</sup> During the difficult mid-1820s, Estland was able to persuade the government to guarantee acceptance of a quota of 250,000 pails if a large number of estates were not to fall

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<sup>29</sup> For comparison, the imperial government collected 500,000 silver rubles from Livland's poll tax. *Ibid.*, 143.

<sup>30</sup> The lower interest payment is explained by the lower land value in Estland, which had not been subjected to the same amount of land speculation as in Livland and Kurland. *Ibid.*, 140.

<sup>31</sup> Hueck, *Darstellung der landwirthschaftlichen Verhältnisse*, 137.

<sup>32</sup> *Ibid.*, 206.

<sup>33</sup> See Chapter III, pp.170-171 above.

<sup>34</sup> Tobien, *Die Agrargesetzgebung*, 419, note 8.

<sup>35</sup> One "pail," a Russian *vedro*, was about fifteen litres.

<sup>36</sup> Hueck, *Darstellung der landwirthschaftlichen Verhältnisse*, 218. Also Tobien, *Die Agrargesetzgebung*, 420, particularly note 5.



into ruin.<sup>37</sup> With a guaranteed market, there seemed little economic reason for landowners to give up distilling. The rest of the alcohol was sold domestically at prices fixed by the Landtag but trade was also permitted. The landowner was allowed to trade spirits for grain and flax, at specified amounts, with his own peasants.<sup>38</sup> In 1836, however, the Livland Landtag voted to ban trading in alcohol, a move motivated not only by the recognition that high peasant alcohol consumption was a hindrance to economic activity but also by the appearance of competition on the market. When the imperial government granted the peasants the right to sell their produce on the open market (1810-1812), merchants were swift to take advantage. Alcohol played a significant part in this trade. Peasants would sell their grain at values set by the merchants often in exchange for spirits. The government did not support the Landtag in its proposed ban on the grounds that it did not conform to imperial law. Support, however, did come from the towns, which complained that agricultural supplies to their markets were being stopped by traders and that the number of merchants in the towns had also decreased sharply. The cities wanted trade limited to the cities. Imperial support was not forthcoming. By 1842, however, the ban on trading in alcohol was allowed.<sup>39</sup>

Legislative attempts to regulate alcohol consumption were supported by the increase in moderation unions organized by local clergy. The local nobility, especially those with vested interests in distilling, were not always in favour of such unions and there were cases of landlords persuading their peasants to leave

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<sup>37</sup> Gert von Pistohlkors, Ritterschaftliche Reformpolitik zwischen Russifizierung und Revolution, (Göttingen, 1978), 53.

<sup>38</sup> Tobien, Die Agrargesetzgebung, 420.

<sup>39</sup> *Ibid.*, 420-423.

the unions.<sup>40</sup> The unions were forbidden, however, by the Russian government in 1839. Russia's economic interest in alcohol was evident from its market demands. The tax it imposed on the Ritter for the privilege of distilling added to its revenues, some 300,000 silver rubles in the case of Livland.<sup>41</sup> By the 1850s, distilling was widespread in Russia<sup>42</sup> and imperial dependence on provincial output was less.

The economic viability of distilling on a large scale depended on market prices. In the mid 1820s, prices began to sink and income from distilling dropped sharply.<sup>43</sup> By the 1830s, the rye used to produce the spirits sold for more than the spirits it produced. Landlords in the Baltic, however, could produce the grain at little cost due to their unpaid *corvée* workers. Still, there was diminishing income from distilling and without diversification, its decline affected the general economy of the provinces. As long as the economy concentrated on distilling, the provinces were dependent on the vagaries of the European market, on the good will of the Russian government and on *corvée* as the most economic form of labour.<sup>44</sup>

Hampered by the decreased productivity of bonded labour, inefficient management, lack of capital for improvements, outdated methods and lack of diversification, landlords resorted to demanding more peasant labour as the only way left to increase yields. Without legal protection against unduly high labour

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<sup>40</sup> J.Eckardt, Die baltischen Provinzen, 408-409.

<sup>41</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 143.

<sup>42</sup> J.Kahk, Peasant and Lord, 81.

<sup>43</sup> The fluctuations in the price of spirit production and market prices from 1780 to 1850 are given in graph form in J.Kahk, Peasant and Lord, 79.

<sup>44</sup> Pistohlkors, Ritterschaftliche Reformpolitik, 53.

demands, the peasants bore the brunt of the deteriorating economic situation. The peasant farmer became poorer, having little time left over from *corvée* duties to till his own land. The pressure came not only from the landowner but also from his own workers. 1804 had stipulated how much the peasant farmer had to pay his workers, or *Knechte*, and how much he had to feed, clothe and house them. After emancipation, the *Knecht* was free from regulations and could demand his own price on the open market. In order to keep his labourers, a peasant farmer had to give in to their demands. He was also obliged to furnish them with a plot of land.<sup>45</sup> The *Knechte* often worked only annual contracts, neglected the farmer's property and animals, his only capital, and left him with *corvée* dues outstanding.<sup>46</sup> Contrary to the fears that emancipation would produce a poor landless proletariat, the *Knecht* class initially benefited economically from emancipation, able to demand good conditions for their labour. It was the peasant farmers who suffered.<sup>47</sup>

With the ever-imminent threat of expulsion, high labour demands and high labour costs, the peasant farmer was prepared to sign only short-term contracts, from one to three years. Later the landowner was unwilling to grant long-term contracts in case he lost control over the land. Short-term contracts were a major obstacle to economic growth, as Adam Smith had pointed out.<sup>48</sup> The peasant farmer had no interest in improving land which neither belonged to him nor guaranteed him long-term security. He worked for short-term gain, often exhausting the soil in the process, and used his freedom to move on in the hope

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<sup>45</sup> Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 178.

<sup>46</sup> From an official report cited in Gernet, Geschichte des Agrarrechts, 167.

<sup>47</sup> Tobien, Die Agrargesetzgebung, 419.

<sup>48</sup> See Chapter IV, p.254 above.

of a better contract elsewhere. In Livland especially, this behaviour was almost systematic and many farms were threatened with ruin. Short-term contracts were a major factor in the lack of agricultural growth.<sup>49</sup>

The feudal anomalies in the emancipation reforms were focused on by the peasants at the very beginning.<sup>50</sup> Even before the emancipation decree was published, it was obvious that the peasants had a different understanding of freedom from that of their legislators. By November 1822, peasant farmers had to decide whether they would continue their leases under the *Wackenbuch* regulations or cancel them. In August many farmers resigned their leases but refused to move from the land,<sup>51</sup> and in the years 1822-1823 more than 3,000 peasant farmers (about fifteen per cent of all peasant farmers in Livland) refused to perform corvée duties and also refused to leave their holdings.<sup>52</sup> They were convinced that the land had been given to them, to use not to own, by the tsar. In autumn 1822, a pastor tried to explain this attitude to the authorities. The peasants, he said, "interpret liberation as not only the abolition of their serf status, but also and even above all as the liberation from the hated manorial corvée; and the idea that their holdings belong to them has become rooted in their minds."<sup>53</sup> For the peasants, secure tenure of land and freedom from corvée were integral components of freedom. For their part, the landowners were equally convinced that the land and peasant labour on it were part of the natural order of things.

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<sup>49</sup> Hueck, *Darstellung der landwirthschaftlichen Verhältnisse*, 178-180; Gernet, *Geschichte des Agrarrechts*, 165-166; Tobien, *Die Agrargesetzgebung*, 417-419.

<sup>50</sup> Which is not to suggest that the peasants actually viewed them as such.

<sup>51</sup> Tobien, *Die Agrargesetzgebung*, 409.

<sup>52</sup> J.Kahk, *Peasant and Lord*, 84.

<sup>53</sup> Cited in *Ibid.*, 85.

For many, custom took precedence over theory or principles and they saw no discrepancy between their feudal privileges and laissez-faire principles.<sup>54</sup>

This complacent attitude on the part of the landowners continued even in the face of clear warning signs of economic difficulties. By the end of the 1830s poverty was an openly discussed topic. Merchants in Reval complained that there was almost no grain to be bought from the peasants.<sup>55</sup> The weakness of farm labourers had led to the import of Russian workers on some estates in the summer months, for more wages than the native workers.<sup>56</sup>

### Legislation

In the two decades following emancipation, there was little legislation undertaken to remedy any of the economic ills. The one major attempt to mitigate peasant poverty came from the Governor General. Paulucci thought credit would help and his proposal to set up a peasant credit bank received the tsar's approval in January 1830. The idea was based on the peasant bank model already in operation in Oesel, which consisted of a grain depot to help needy peasants, capital for communal buildings like hospitals and a land improvement fund for the cultivation of land. Paulucci's version meant that all *Gemeinde* monies would come under one administration. All three provinces were against the proposal.<sup>57</sup> Peasant credit, they argued, was detrimental to peasant industriousness. Under imperial prodding, the Ritter later came up with a savings bank plan but this was

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<sup>54</sup> J.Eckardt, "Livländisches Stilleben," in Die baltischen Provinzen, 413.

<sup>55</sup> Hueck, Darstellung der landwirtschaftlichen Verhältnisse, 180.

<sup>56</sup> *Ibid.*, 185.

<sup>57</sup> A display of the lack of unity which had caused problems in the past and would again in the near future.

lost in the government's more general approach to the agrarian problem.<sup>58</sup>

Those who had argued against 1819 still voiced their criticisms but found little support at home although they would eventually gain imperial support. In the meantime, the majority believed that any economic difficulties were temporary and that legislation to modify 1819 was unnecessary. There were a few who viewed the situation with less optimism. "There is nothing we can do for the future except await the complete ruin of the peasantry, and with it our own, or expect a forceful intervention from the side of the government."<sup>59</sup> There was every reason to expect Russian intervention in the agrarian reform process.

## PART TWO: RUSSIAN REFORM IMPULSES UNDER NICHOLAS I

While the Baltic Ritter were allowing the 1816-1819 reforms to take their course, Russia's attention was focused on finding its own reform model. Although Nicholas I's reign had begun with revolution and its repression, the reaction against the Decembrists did not entirely eliminate imperial reform impulses. Nicholas, convinced by the uprising of the need for reform under firm government control, was tenacious in his search for the appropriate formula even if he was reluctant to disturb the status quo by actually putting ideas into practice. The search would bring imperial attention to the economic ills of *corvée*, appropriation, peasant dismissal and in general the lack of protection for the peasant in the 1830s in the Baltic provinces.

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<sup>58</sup> Tobien, Die Agrargesetzgebung, 423-424.

<sup>59</sup> Cited in Hueck, Darstellung der landwirthschaftlichen Verhältnisse, 186.

## State Peasants

The imperial reform impetus was first directed towards crown peasants, a focus dictated primarily by the interests of state revenue. The "class" of crown peasants owed its origins to the fiscal reforms carried out under Peter in the 1720s. In the government's attempt to determine its tax base and facilitate collection in the absence of local authorities, the non-enserfed were brought under government control. Since the criterion was negatively expressed -- all peasants who did not belong to a private landowner -- the group was not limited to those who lived on government lands but eventually encompassed all non-serfs, including free farmers.<sup>60</sup> By 1838 there were officially thirty-three categories of state peasant<sup>61</sup> (as by then they were more accurately called). Their historical background was evident in the greater freedom they were accorded and in the rights they enjoyed in comparison with serfs.<sup>62</sup> Speransky referred to them in volume nine of his 1832 Code of Laws as free rural inhabitants.

In terms of numbers, imperial effort was worth it. By 1835, 34 percent of the peasant male population were state serfs, numbering about 7 million.<sup>63</sup> This was obviously a source of revenue which could not be ignored. As well as increasing state revenues, reform for state peasants could be carried out without directly antagonizing the land-owning gentry. There was also the possibility that imperially directed changes on crown estates would set an example for the private

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<sup>60</sup> N.M. Druzhinin, *Gosudarstvenniye krest'yane i reforma* P.D.Kiseleva vol 1 (Moscow, Leningrad 1946-1958), 24, 44. (This work will be referred to in this chapter as Druzhinin.)

<sup>61</sup> J.Blum, *Lord and Peasant in Russia*, 476.

<sup>62</sup> See Chapter IV, pp. 246-247 above. Also Druzhinin, 78-83.

<sup>63</sup> Druzhinin, 45.

sector to follow. This was the policy urged on Alexander by La Harpe.<sup>64</sup> These two perspectives -- the administrative fiscal and the general reform approach -- would be emphasized differently by various reformers under Nicholas. They were also evident in the changes made in the administration of the state peasants over the decades. Under Catherine, when imperial focus was still mainly fiscal, state peasant affairs were handled by the Treasury Department. Paul set up a separate central organ, the Commission of State Agriculture, to deal with them and when ministries were set up under Alexander, the Ministry of the Interior took over. In 1811, fiscal interest dominated and a Department of State Domains was set up under the Ministry of Finance. By the 1840s the state peasants were managed by their own ministry.

Although imperial power recognized the need for special supervision of state peasants, it could effect such supervision only at the central level. On the local, real level, peasants were subjected to petty managers, gentry, *chinovniks*, or whoever happened to be the tenant of the estate or the local administrator. Unjust treatment at the hands of arbitrary managers sometimes led to uprisings.<sup>65</sup> Inefficient local administration of crown estates also meant that productivity was not maximized and the state was losing potential revenues. Taxes, as a means of increasing revenues, could only be raised to a certain extent since the peasants' ability to pay did not increase correspondingly, only their indebtedness. Catherine, supposedly on the recommendation of Jakob Sievers, mooted the idea of turning state lands into gentry hands as a means of increasing productivity and Paul also thought this would be an efficient way of supervising

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<sup>64</sup> Correspondance de Frédéric-César de la Harpe at Alexandre Ier, vol I. letter 69, p.324; letter 106, p.491.

<sup>65</sup> For examples of state peasant uprisings, see Druzhinin, 102-109.



the estates.<sup>66</sup> The idea was in keeping with current economic thinking. Edmund Burke noted in 1780, "A landed estate is certainly the very worst, which the crown can possess ... more proper for private management, than public administration."<sup>67</sup> Alexander, however, first rejected this policy as a strengthening of serfdom although he still admitted the need for effective local supervision of state serfs. "The class of crown peasants has long required better organization. Due to the lack of local administration and the worsening of the different demands of the lower district *chinovniks*, this class of people often suffers significant grave burdens. The necessary measures for their protection will be undertaken in the course of this year."<sup>68</sup> Like many of Alexander's good intentions, this one also came to nothing. By May of the same year (1810), in line with Speransky's plans, Alexander returned to the policy of his predecessors and declared that crown property with peasants would be up for private sale to nobles, merchants and foreign capitalists. The Minister of Finance D.A. Gur'iev had guaranteed a gain of 100 million silver rubles from the sale of three million *desyatin*<sup>69</sup> of land, two of forests and 332 thousand peasants in 37 provinces. The Senate had also agreed that the best solution for the economic viability of state domains was selling to the gentry, sure that any other reform would only result in more *chinovniks*. The nobility as local representatives of central power were obviously preferable to civil servants.

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<sup>66</sup> Druzhinin 147. The idea in an English or French context, where crown lands belonged to the royal family, would seem impossible but in Russia such lands belonged not to the imperial family but to the state treasury. Druzhinin, vol 2, 571.

<sup>67</sup> Cited in Wilhelm Roscher, Geschichte der National-Oekonomik in Deutschland (Munich, 1874), 754.

<sup>68</sup> Cited in Druzhinin, 148.

<sup>69</sup> One *desyatin* was 2.7 acres.

The policy failed due to practical difficulties. Since government estates had not been surveyed, it was difficult to set a price. The imperial commissions, motivated by the need to decrease the national debt, valued the land rather high but the gentry offered very low prices at the auctions. By 1816, the government – only 292,458 silver rubles richer -- decided to keep its properties rather than sell cheaply.<sup>70</sup> The idea was not completely dropped by the gentry<sup>71</sup> but was overtaken by a different approach.

### Russian Reform Plans

In 1824 the first warnings of a changed imperial policy which might affect the Baltic provinces came in the form of another proposal made by Gur'iev.<sup>72</sup> He suggested that land remain in government hands but that conditions for its productivity should be created and the peasants should receive legal and economic rights to support economic growth. The plan was based on the Baltic reforms, not the recent emancipation reforms but the rejected 1804 measures. There is the possibility that Gur'iev viewed 1804 as the necessary prelude to emancipation; there is also the possibility that the negative experience of emancipation on the Baltic model was beginning to show. There was, however, no real departure from imperial policy. The tsar had been consistent in his

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<sup>70</sup> Ibid., 148-152.

<sup>71</sup> N.N.Muraviev, for example, submitted a proposal in 1826 based on nobles owning the land in perpetuity but not the peasants on it. The peasants would pay *obrok* and taxes to the government plus a certain amount to the landowner for use of the land. Ibid., 130.

<sup>72</sup> Bernhard Schallhorn points to Balug'jansky as the real author of this plan. Bernhard Schallhorn, Lokalverwaltung und Ständerecht in Rußland zu Beginn der Herrschaft Niklaus'I Forschungen zur osteuropäischen Geschichte vol 26 (Berlin, 1979),189. In this chapter, this work will be referred to as Schallhorn.

support of 1804, offering it as a valid alternative to emancipation.<sup>73</sup> In practical terms, the Russian reform plan took from the 1804 Baltic example hereditary tenure, the division of peasants into farmers and workers, with only the former entitled to tenure, as well as taxation according to quantity and quality of land. This last would, of course, require a survey, an indication that the Russians were not yet deterred by the Baltic experience of the time-consuming and costly procedure. The most startling change for Russia was Gur'iev's proposal of individual tenure -- made just five years after the *Gemeinde* principle, of community responsibility if not land tenure as yet, had been introduced in the Baltic. The proposal found support particularly among the Anglophiles who viewed the commune as an obstacle to economic progress. The conservative arguments were the same as those that had been used in the Baltic discussions: hereditary tenure was tantamount to ownership and thus was a breach of the landlord's inviolable right to his lands; it would also exclude workers from the prospect of land tenure thus creating a class of landless proletariat. The reform plan would encourage private serfs to demand the same. Before the plan could be discussed by the Senate, however, Alexander died and under the new Minister of Finance the emphasis was once more primarily fiscal. The Baltic 1804 model was not entirely abandoned and would shortly reappear in diluted form and remain a potential model for Russia for the next two decades.

The subject of reform was taken up by Nicholas's first secret committee, appointed 6 December 1826.<sup>74</sup> The Committee was to examine all proposals

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<sup>73</sup> See Chapter IV, pp. 291,303 above.

<sup>74</sup> Determined to avoid the unrest and false expectations caused, in his opinion, by the openness of Alexander's reign, Nicholas insisted on secrecy. During his reign, he appointed no less than nine secret committees to deal with the subject of agrarian reform. (Tobien, *Die Agrargesetzgebung*, vol II, 13.) Secrecy, however, also had the same consequences: unrest and false rumours as well as confusion.

found amongst the papers of Alexander and ascertain what had been achieved and what still had to be carried out. In addition, it was to examine what changes were needed in Russia.<sup>75</sup> The focus on the projects of the preceding reign was reflected in the choice of the Committee's six members who had all occupied prominent positions under Alexander.<sup>76</sup> Nicholas himself worked closely with the Committee, directing its discussions in such detail that independent opinions were often subjected to the imperial will.<sup>77</sup> A further control was set by the tsar's wish that Gur'iev's successor, E.F.Kankrin,<sup>78</sup> be heard in all proposals with financial consequences. This was often considered a hindrance since Kankrin, trained in German cameralism, believed in administrative efficiency rather than reform and his focus, unlike Gur'iev's, was primarily fiscal.<sup>79</sup> Kankrin had objected to Gur'iev's plan as too complicated but his own plan, which placed the state peasants under the jurisdiction of the Ministry of Finance<sup>80</sup>, had been rejected by the Senate in January 1826. A timely letter from Paulucci complaining about the poverty of crown peasants in Pskov helped persuade Nicholas, however, to allow Kankrin to try a new reform on an experimental basis in the provinces of Pskov and St Petersburg in summer 1826. It retained some of the protective elements of Gur'iev's plan but was based firmly on the commune and on administration through the Ministry of Finance. In the coming decades of

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<sup>75</sup> Druzhinin 170. See also Schallhorn, 102.

<sup>76</sup> Kochubey, Count P.A.Tolstoy, Prince A.N.Golitsyn, Michael Speransky, I.V.Vasilchikov, Baron Dibich. Schallhorn, 100.

<sup>77</sup> Ibid., 105.

<sup>78</sup> Originally from Hanau in Germany, Kankrin was 22 when he first came to Russia in 1796 with his father. See Mertes, Mittorp, Wellenkamp, Drei Deutsche in Rußland.

<sup>79</sup> Schallhorn, 102-103.

<sup>80</sup> Which meant moving them from the jurisdiction of the local police under a newly created District Agricultural Court directly under the Ministry of Finance.

reform debate, Kankrin would fight to keep the state peasants under his Ministry. Within two years of its formation, the new District Agricultural Court was being investigated for corruption. It was bureaucratic, unwieldy, expensive and open to *chinovnik* self-interest. The local gentry were against it as usurping their own local power and perhaps saw in it a dangerous precedent of local public rather than private administration.<sup>81</sup>

The first session of Nicholas's Secret Committee, from December 1826 to May 1827, did not concern itself directly with the agrarian question but with the organization of central and local government. The Committee was firmly against any dilution of central power. "The desired for order in the *Gouvernements* can only be achieved when exact and uniform regulations are determined for all administrative and judicial positions, when these positions are dependent only on the highest central government, which will guide each according to the same principles ..." <sup>82</sup> This policy did not bode well for Baltic provincial privilege but exceptions were allowed, and those provinces, especially border ones, which could only be ruled by special powers were specifically mentioned. Still, the tendency was towards administrative uniformity not only as a means of condensing power at the centre but as a necessary background for reform.

The topic of local government did involve the subject of state peasants. Fiscal interest demanded efficient administration but the link between reform for state peasants and private serfs was clearly expressed. "One of the first and most hopeful ways to improve the position of private serfs would be the institution of better economic management of crown estates. Such management ... would serve

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<sup>81</sup> Druzhinin, 164-170.

<sup>82</sup> Cited in Schallhorn, 110-111.

as an example for private owners. The most reasonable, seeing the order and contentment in state villages, will quickly follow the example of the government; others will be attracted by the general example but if among the landowners there are some stubborn and unreasonable people, this small number will easily be compelled to conform ... " <sup>83</sup> The Committee recommended the appointment of a special commission to examine all previous proposals concerning state peasants including both Kankrin's and Gur'iev's proposals.<sup>84</sup> It also examined the Livland reform, on which Gur'iev's had been based.<sup>85</sup> The commission was headed by Prince A.B.Kurakin, president of the economy department of the Senate since 1821. Kurakin did not think economic management was sufficient. What was needed was a basic change in the relationship of peasant to land. Kurakin supported Gur'iev's plan rather than Kankrin's but had doubts about the land tenure involved. Granting crown lands to the peasants would set a precedent which private serfs would want to emulate. Limitless possession, or hereditary tenure, could also encroach on landlord rights and would create a landless class of "useless and dangerous subjects". For every one satisfied there would be ten dissatisfied.<sup>86</sup> This argument had been used by the Baltic Ritter to advocate emancipation without land. Kurakin, however, recognized the importance of land tenure to the economic health of the country and proposed a way of giving the peasants land without violating landlord rights. He suggested that state peasants in more populated areas should resettle in newly acquired regions in the south

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<sup>83</sup> Cited in Druzhinin, 171-172.

<sup>84</sup> Ibid., 174, Schallhorn, 191.

<sup>85</sup> Druzhinin, 175.

<sup>86</sup> Schallhorn 191-194.

east.<sup>87</sup> Peasants who resettled in this way would be given hereditary tenure of land.<sup>88</sup> There would be no communal possession of land but each tax-paying settler would receive thirty *desyatin*<sup>89</sup> of land. For those who did not resettle, each tax-payer would be allocated not less than ten *desyatin* of land within the commune, to be held in hereditary tenure. This redistribution of the labour force would not affect tax revenues since *obrok* would be transferred from the individual to the land, which, unlike the labour force, remained constant.<sup>90</sup> The idea of resettlement to solve the land question was not new. Alexander, on Speransky's suggestion, then governor of Siberia, had permitted the settlement of crown peasants in Siberia. In 1824, voluntary resettlement was once more allowed and regulated by imperial decree. In May 1827, the State Secretary N.N. Muraviev had proposed planned resettlement but the Committee had rejected this, preferring voluntary resettlement regulated by economic circumstances. Kurakin's plan, however, was linked to the new concept of land tenure and met with the Committee's approval. "The effect of this measure would on the one side be the gradual, but fairly quick formation of a new ... and useful class of hereditary farmers ... along with an end to harmful partitioning of the land ... ; on the other hand, and no less important, the direct improvement of the situation of the state peasants."<sup>91</sup> Resettlement suddenly seemed to be the longed-for solution.<sup>92</sup>

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<sup>87</sup> Schallhorn, 195; Druzhinin, 176.

<sup>88</sup> Druzhinin, 176.

<sup>89</sup> See note 69 above.

<sup>90</sup> Schallhorn, 195.

<sup>91</sup> Cited in *Ibid.*, 197.

<sup>92</sup> And would remain so until the Stolypin reforms in 1906-1911 eventually granted individual peasant land ownership.

Nicholas was sufficiently reassured by this suggestion to come out into the open with his reform plans. In January 1830 his new public committee, which included all the members of the Secret Committee as well as Kankrin, met for the first time.<sup>93</sup> While the new Committee accepted the premise that improving the state peasants' situation would influence the private serfs, there was disagreement over the method. Kankrin rejected resettlement on the grounds that the government did not have the means to supervise such a venture. He also opposed taxing the land instead of the individual on the grounds that it would necessitate a costly survey of the land, although Speransky was sure it could be completed without.<sup>94</sup> Speransky had doubts about abolishing the commune principle since it was an integral part of peasant life but was willing to consider a gradual approach to individual hereditary tenure.<sup>95</sup> Kankrin's opposition was effective. The Committee dissolved in the middle of the year without any final solution. Reform for state peasants was by now seen as one of the first steps in a general policy towards agrarian reform. If it could not be implemented, the general policy towards agrarian reform collapsed.<sup>96</sup>

Although Kankrin's opposition was instrumental, Nicholas had already reverted to indecision. In March 1830 the Senate, in the course of discussions of a proposal submitted anonymously by the Secret Committee, expressed its support of emancipation on a voluntary basis with conditions, land or no land, to be agreed on between the landowner and the peasants. The Senate's recommendation was an adaptation of Gur'iev's plan, the Baltic 1804 model. It

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<sup>93</sup> Prince P.M.Volonsky, responsible for apanage peasants, was the only addition.

<sup>94</sup> Schallhorn, 199.

<sup>95</sup> Druzhinin, 183.

<sup>96</sup> Schallhorn, 200.



explicitly mentioned the German *Erbpacht* as the recommended model, the "best if not the only way, little by little without shaking the public order, without spreading false expectations among the people, without impoverishing noble owners of immovable property, to transfer their peasants out of serfdom into another status which would combine the advantages of personal freedom with the advantages of their present situation in that they, although not in the legal sense, would own house and property. The proposed provisional situation of the peasants ... similar to what in Germany is known as *Erbpacht*<sup>97</sup> is in the opinion of the Senate more suited to their own needs and the needs of the state than emancipation without land ..."<sup>98</sup> The tsar, despite the support of the majority, hesitated over the publication of the law. N.N.Mordvinov was instrumental in persuading him to wait, on the grounds that the law was not liberal enough. "It will be said that Russia wanted to be an enlightened European power but turned to the obsolete measures of the wild 10th century and renewed them into the 19th."<sup>99</sup> Of more concern, however, was the reaction of the nobles on whom the monarchy was dependent. 1830 was not an easy year for absolutism. The July Revolution in France had repercussions in Belgium and Italy; there were revolutions in Switzerland and parts of Germany. There was insurrection in Poland in November. At home, a severe cholera epidemic added to social and economic difficulties.<sup>100</sup> Nicholas took Mordvinov's advice and opted for the road of small changes, which Speransky said "did not only fail to cure the disease

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<sup>97</sup> Not translated in the original Russian text.

<sup>98</sup> Cited in Schallhorn, 220.

<sup>99</sup> Cited in *Ibid.*, 222.

<sup>100</sup> In the course of 1831, for example, 466,000 took ill, of which 42% died. Druzhinin, 196. See also R.E.McGrew, Russia and the Cholera, 1823-1832 (Wisconsin, 1965).

but hid it and made it incurable."<sup>101</sup>

While actual legislation halted, discussion continued. Kankrin continued to oppose the Gur'iev model, fearing the Baltic provinces as the "nutrient medium"<sup>102</sup> of the democratic movement. His focus was still fiscal and his measures increasingly drastic. He extended the tax base by including previously exempt groups, improved tax collecting and in 1835 sought and received permission to use military punishment on peasants with tax arrears. This was repeated in 1836 and 1837 when troops were used in 35 provinces. The results were reported to be positive but the peasants had to sell all they possessed to pay.<sup>103</sup> The 1830s saw more peasant uprisings than in the previous two decades.<sup>104</sup> Between 1830 and 1836 there were nineteen substantial uprisings.<sup>105</sup>

### **Paul Kiselev**

In March 1835 Nicholas set up another Secret Committee, with a more varied membership. Kankrin was once more included, as was Speransky. Kochubey was no longer alive. Links to the legislative process were provided by the president of the Senate, I.V. Vasilchikov, and the Minister of Justice, Dashkov. The most significant addition was Paul Kiselev, a member of the service nobility with an outstanding military record. In his youth he had been friendly with some

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<sup>101</sup> Cited in Druzhinin, 187.

<sup>102</sup> Pitatel'naya sreda. Druzhinin, 188.

<sup>103</sup> *Ibid.*, 200-202.

<sup>104</sup> A total of twelve.

<sup>105</sup> For details of the uprisings, see Druzhinin, 207-224.

of the Decembrists.<sup>106</sup> In 1816, he had submitted to Alexander, whose aide-de-camp he then was, an essay on the abolition of serfdom. Firmly on the side of gentry privilege and absolutism, he recommended the gradual elimination of serfdom through measures such as decreasing the number of house serfs, allowing serfs to buy their freedom, regulating peasant dues. He explained his philosophy of reform in a letter to Count M. Vorontsov in 1852. "Never was there talk of absolute emancipation, but only of regulating peasant rights, with the aim of taking from the bad landowners the possibility of abusing their rights, which had been introduced into our code of laws by chance and were incompatible with justice. ... I wish this even now out of fear because the more I observe, the more I am afraid of a peasant revolt<sup>107</sup> threatening the peace of Russia and the existence of the nobility."<sup>108</sup> This was the core of Kiselev's approach, not emancipation but regulation, motivated by the need to protect the monarchy and the nobility from peasant revolt.

Although firmly on the side of landlord privilege, Kiselev rejected the Baltic model of emancipation, along with the English and French, since the land remained in the hands of the nobles and the peasants became proletariat. He did not, however, agree with the reforms in France, Switzerland, and parts of Germany, where the peasants were guaranteed some land. He viewed this as a violation of the landlords' right to property and the independence of the nobility which the crown needed. By the end of the 1830s, he had become so entrenched in his defence of land and nobility that he criticized the 1803 free farmers' law as

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<sup>106</sup> Particularly, Pestel, Michael Orlov, I. Burtsev, N. Basargin. Druzhinin, 257, 265.

<sup>107</sup> *Jacquerie* in the original Russian text.

<sup>108</sup> Cited in Druzhinin, 274.

anti-noble, a measure not to be emulated since "the consequences ... would be the destruction of the independence of the nobility and the formation of democracy by people emerging from serfdom. ... [T]his measure is contrary to government organization, in which the nobility is a necessary element, uniting the highest power with the people; they must have the exclusive right to own lands so that they can maintain their influence on the masses and secure their own existence and in this way will be able to fulfil their highest appointment in the service of the throne."<sup>109</sup> Kiselev found an acceptable model in the Austrian reforms, starting with Maria Theresa's *Urbarium* of 1767, which combined landowner monopoly of land with peasant use of land. The nobility retained the land and the peasants were granted personal freedom and could use allotments for exactly determined dues. This was similar to the Baltic 1804 reforms but lacked the essential element of peasant land tenure.

Where Russian landowners would not be affected, Kiselev was prepared to advocate hereditary tenure. His plan for the confiscated Polish estates consisted of giving them to Russian nobility. Peasants would have hereditary tenure, regulation of dues, court representation, *obrok*, the right to complain and other legal protections similar to the 1804 model.<sup>110</sup> The solution to the management of estates confiscated in Poland reflects imperial attitudes to emancipation, attitudes which may have caused the Baltic Ritter some concern. They acknowledged the principles of 1804 which the Ritter had rejected. All peasants were to be allocated land, which the landowner could not re-appropriate,

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<sup>109</sup> Cited in *Ibid.*, 275.

<sup>110</sup> *Ibid.*, 275-277.

in hereditary tenure and all dues were to be regulated.<sup>111</sup> There was also the general imperial attitude. The confiscated lands were given to Russian nobility in the hope of establishing a Russian influence in the area and to Ukrainian nobility in the hope of attracting their loyalty.<sup>112</sup>

The 1835 Committee agreed that state peasant reform could not be undertaken independent of the private serfs and thus set out to find a general solution. Kankrin's administrative emphasis was rejected. Speransky said of it, "There is one deficiency in the proposal: in it there is a form of administration (*upravleniye*) but not of principle (*pravil*). In a word, there is institution (*uchrejdeniye*) but no statute (*ustav*)."<sup>113</sup> The Committee members agreed that much more was needed than Kankrin's administrative changes and supported principles similar to the Baltic 1804 reforms as advocated by Gur'iev. The general principle of the land belonging exclusively to the landowners was upheld with an allocation of land for peasant use for dues legally prescribed. Whereas the Baltic reforms had been designed for an unfree peasantry, the Russian plan envisaged emancipation in this mode. The Committee's agenda did include the Baltic emancipation reforms of 1816-1819 to follow the regulation phase<sup>114</sup> but it was recognized that a landless emancipation would be very difficult for the peasant to comprehend.<sup>115</sup> The Russian peasant believed in communal ownership of

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<sup>111</sup> *Ibid.*, 290-292. Nicholas approved this plan on 22 February 1836 but it was apparently never published. (*Ibid.*, 292.) Still, the Baltic Ritter would have been aware of its measures as they were put into practice.

<sup>112</sup> Fiscal interests were not forgotten. The government was to receive five percent of profits from the estates.

<sup>113</sup> Cited in Druzhinin, 293.

<sup>114</sup> I.e., the same time-table as in the Baltic provinces: regulation followed by emancipation.

<sup>115</sup> Druzhinin, 283-287.

land. The lord had control over the land through ownership of the serfs. The peasant would now have to learn that the land, not the serf, belonged to the lord. In the Baltic provinces, the concept and practice of Ritter ownership of land and serfs had always been clear.

As peasant unrest continued, particularly in the Urals, Nicholas was anxious for some results. In February 1836, he asked Kiselev to take over. Kiselev worked together with Speransky and they settled, not surprisingly, on a reform formula similar to the 1804 Baltic model, which Nicholas agreed to in May of the same year. *Obrok* was to be transferred from the individual to the land and there would be guaranteed peasant tenure of the land with regulated dues.<sup>116</sup> Individual farming was mentioned as a point for clarification but by September Kiselev spoke out against it. Landlessness, the result of family tenure, led to revolution. The commune could be kept and strip farming improved, an indication that Kiselev saw the root of economic ills not in the former but in the latter. The core of his reform thought was the allocation of a sufficient quantity of land, the regulation of taxes and labour dues, with *obrok* on the land rather than the individual, the improvement of agriculture and the encouragement of industry.<sup>117</sup> Nicholas agreed to the reform model and dissolved the Committee leaving Kiselev in charge.

After a two-month trip through the provinces of Petersburg, Pskov, and Moscow undertaken to gather first-hand information on the peasant situation, Kiselev's emphasis changed. He was almost ready to agree with Kankrin that reform was primarily dependent on an efficient administration. " ... [T]he

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<sup>116</sup> *Ibid.*, 297.

<sup>117</sup> *Ibid.*, 496.

immorality of the established authorities and of the peasants themselves has reached the highest degree and demands strong measures for uprooting the abuses which destroy the economic existence of the peasants at the very foundation, giving rise to a disinclination to work ... and in some cases has destroyed the appropriate development of state wealth. Huge arrears ... serve as sufficient proof of that; but the confusion of these debts and the measures used in their collection, often from people and villages not subject to exaction, produce indifference in some and in others carelessness towards the correct fulfilment of their dues and ... can engender in them feelings unusual to the good Russian soul."<sup>118</sup> As well as noting the corruption of administrators, Kiselev saw the rank ignorance of the peasants, their depravity and anarchy as major factors in the progressive impoverishment of government estates. The prevailing system was not the root cause of economic ills, but the imperfection of the bureaucratic apparatus and the lack of a firm policy on the part of the government. Everything -- the resolution of the agrarian question, the modification of the tax system, the development of agriculture and industry -- stemmed from a good administration.<sup>119</sup>

In May 1837 Kiselev took the first step in this direction. He submitted an organizational plan to the tsar. Finances and collection of taxes would be handled by the Ministry of Finance while all other matters regarding state peasants would come under a new Ministry of State Domains. The Ministry would also be responsible for the improvement of agriculture in the Empire, thus giving it a foothold in the private sector. It would consist of three departments: one for state

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<sup>118</sup> Cited in *Ibid.*, 477.

<sup>119</sup> *Ibid.*

peasants on *obrok*, one for those on *corvée* and the third for agriculture in general. Attention on the Baltic provinces was ensured through the second department since it was mainly in the Baltic, Byelorussia, Lithuania and the Ukraine that *corvée* persisted.<sup>120</sup> The establishment of the Ministry was followed by a series of administrative reforms from 1837 to 1841. In April 1838, local bureaucratic apparatus was set up in the thirty-five mainly *obrok* provinces for the management of state lands. By December 1839, the administration of government estates in the remaining mainly *corvée* provinces had begun but was introduced gradually. It was not applied to the Baltic provinces until 12 June 1841. Although Kiselev aimed in general to replace *corvée* with money rents, he did not immediately try to do this in the Baltic provinces. The reform for government estates in the Baltic did stipulate that *barshchina* should eventually be replaced by *obrok*, that lands would be surveyed for the purpose of regulation and taxation but there was no time limit mentioned.<sup>121</sup> Kiselev's moves, however, would be a pressure factor on the Baltic provinces to consider reforms before the state model was uniformly applied to both the public and private sectors.

### PART THREE: BALTIC REACTION TO IMPERIAL REFORM PLANS

Up until this point, the Baltic provinces had not been unduly troubled by imperial intentions. Not only had most of the discussions been kept secret, but there had been no clear reform policy formulated. Those who had opposed 1819

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<sup>120</sup> *Ibid.*, 526.

<sup>121</sup> *Ibid.*, 526, 574-604.



may have known that the 1804 model was already under discussion in the mid-1820s, albeit secretly, in government circles as a potential model for a Russian reform but the majority of the Landtag felt no imperial pressure. In 1827, Hagemeister tried to introduce for private serfs what had been introduced on crown estates in Livland: at the end of a lease period, the leasee had first preference for renewal. It was hoped in this way to encourage longer tenancies. The Landtag rejected this as a violation of laissez-faire. "It was not advisable to set such harmful limits on the unlimited authority of the landlord in leasing his lands, since it would be disadvantageous to free competition if the class of farmers had preference in the tenure of farms, which would exclude the labourers and thus destroy the most beneficial result of emancipation."<sup>122</sup> In any case, it was added, landowners were free to grant leases of up to fifty years. Samson tried in vain to gain support for the abolition of the fifty year limit in favour of hereditary tenure. A few years later, however, once hereditary tenure had received official government support,<sup>123</sup> it received attention in the Baltic, particularly in the Livland press,<sup>124</sup> but government support was apparently not enough to change official policy in the Baltic provinces. In January 1833, the Committee of the three provinces set up through the Governor General to ensure that the three Baltic emancipation reforms were in harmony,<sup>125</sup> firmly opposed the idea of hereditary tenure. It would not only exclude many peasants from the prospect of a farm but would force private landowners to follow the government's example, thereby violating their right to free disposition of their land. A

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<sup>122</sup> Cited in Tobien, *Die Agrargesetzgebung*, 425.

<sup>123</sup> The Senate had recommended it in 1830. See p.329 above.

<sup>124</sup> *Ibid.*, 426, note 1.

<sup>125</sup> Gernet, *Geschichte des Agrarrechts*, 176.

compromise solution was accepted. Hereditary tenure could be granted at the end of twenty-five years' leasing to those who had farmed well.<sup>126</sup> At the Livland Landtag in the summer of the same year, hereditary tenure was proposed and once more rejected.<sup>127</sup>

Reform on government lands as such would not have affected the Baltic provinces as greatly as other parts of the Empire since the numbers of state peasants were comparatively small, especially in Estland and Livland. The largest percentage was in Kurland, where 64,551 male state peasants accounted for 26.2 percent of the total male population. In Livland the percentage was 13.8 percent, numbering 49,234, and in Estland there were only 2,186 amounting to 1.6 percent of the total male population. In comparison, state peasants constituted the absolute majority in fourteen of the other provinces of the Empire and in twenty-one provinces they outnumbered other peasants.<sup>128</sup> The Baltic Ritter, however, had correctly surmised that the state peasant policy of the Empire was more than fiscal administration. It was an indication of its general policy. Not only did the new Ministry of State Domains have a special department to deal with agriculture in general, but in November 1839 Kiselev turned his attention to reform in the private sector. His idea of peasant land tenure based on regulated norms was more in keeping with the rejected 1804 reforms than those currently in effect. In addition, his emphasis on transferring *obrok* from the individual to the land was not suited to the provinces where the majority of peasants, unlike most other parts of the Empire, were still on *corvée*.

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<sup>126</sup> *Ibid.*, 178.

<sup>127</sup> Tobien, *Die Agrargesetzgebung*, 426.

<sup>128</sup> Druzhinin, 311-312

The provinces had expressed their opposition to the return of hereditary tenure but Governor General Baron Pahlen, undoubtedly representing official policy, insisted on some sort of security of land tenure for the peasants. Here the difference between the Russian idea of landless emancipation and the Baltic practice of it was obvious. Whereas the Russians were also unwilling to violate landowner rights, they saw a need to protect the landless peasant. In June 1833, Pahlen proposed an unwithdrawable amount of land to be leased to peasants, a renewal of Rennenkampff's idea, as well as setting a maximum and minimum size to peasant plots. At the same time, he made the imperial attitude to the current emancipation reforms in the Baltic perfectly clear. "... I am convinced that it is imperative to amend the reforms based on limited lease ... so that the peasant can be protected from the dangers of ruthless dismissal and appropriation of peasant land."<sup>129</sup> The Ritterhauptmann Grünewaldt replied on behalf of the Estland Ritter that notice was given in nine out of ten cases by the peasant and in the tenth the landlord offered another position. Setting limits on lease or land would hinder economic progress, in particular the effective distribution of the labour force. There was no further imperial insistence and Grünewaldt felt able to report to the Landtag in February 1836 that official circles seemed to have given up the idea of hereditary tenure.<sup>130</sup>

Ritter attention, however, had been brought back to imperial intention. Ritter disquiet at agrarian reform intentions was added to by what seemed to be parallel intentions of Russian dominance in other fields. In February 1839, the *Augsburger Allgemeine Zeitung*, widely read in the Baltic, published a supposedly

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<sup>129</sup> Cited in Gernet, Geschichte und System des Agrarrechts, 181.

<sup>130</sup> *Ibid.*, 182-183.

secret letter of the Minister of Education S.S.Uvarov, complaining about a regrettable lack of Russian in the provinces, which would necessitate replacing local teachers in schools with Russians. Both Kurland and Livland protested, causing the tsar to send Prince Volkonsky to the provinces to investigate. In the same month, Grünewaldt warned the Estland Landtag of the need for reform. The economic position of the peasants, he said, had attracted the attention of higher authorities.<sup>131</sup> Grünewaldt suggested strengthening the *Gemeinde* and establishing regulating norms for peasant dues. The Landtag appointed a committee, which took two years to come up with reform proposals, including a return to hereditary tenure,<sup>132</sup> which was in keeping with current government policy. Some ten days before its final session on 25 November 1841, however, Pahlen wrote to inform the Estland Ritter that they should establish contact with Livland, where reform discussions were now also taking place under imperial guidance and the conclusions would be used as a model for the three provinces.<sup>133</sup>

Once more imperial initiative had been necessary to co-ordinate reform in the three Baltic provinces. Despite the Committee of 1830 appointed to compare and amend the three Baltic reforms in the interest of unity, new reforms were discussed without consultation with the other provinces. This had been the same procedure as all previous reforms, with the same result: the imperial government took over the role of co-ordinator, often showing a preference for one province, although not consistently the same one, to the objection of the others. Unity

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<sup>131</sup> Gernet, *Geschichte des Agrarrechts*, 186.

<sup>132</sup> See *Ibid.*, 197-192 for details of the committee's discussions.

<sup>133</sup> *Ibid.*, 192.

among the provinces might have provided an effective break against imperial intervention, and this was no doubt in Bruiningk's mind when he complained about the lack of co-operation at the 1839 Livland Landtag. As late as 1840, the Estland Ritter were apparently not aware for sure that Livland was also working on a reform.<sup>134</sup> Grünewaldt objected to Pahlen's instruction on the grounds that one reform could not be applied to differing local circumstances.<sup>135</sup> It was true that the new reform process in Livland had been dictated by problems not present in Estland.

### Livland 1842

Economic problems had not moved the Livland Ritter to change their support of 1819, nor had Uvarov's intimations of imperial intervention or centralization. There had been a few voices raised<sup>136</sup> but the subject was in general played down. At the Landtag in the summer of 1839, one member noted: "In this matter it is conceivable that absolutely nothing will happen ... the best thing now is to let grass grow over it."<sup>137</sup>

The impetus to take up the subject of agrarian reform came in the summer of 1841 when thousands of Baltic peasants streamed to Riga to take advantage of

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<sup>134</sup> Pistohlkors, Ritterschaftliche Reformpolitik, 56.

<sup>135</sup> Gernet, Geschichte des Agrarrechts, 193.

<sup>136</sup> Bruiningk eventually resigned in protest at his helplessness against Russian plans of interfering in the school system in Livland. As well as the official protest against Uvarov's remarks, Karl Ulmann, the rector of Dorpat University, on Bruiningk's request, submitted his own complaint against the proposed Russian intervention in the education system of the province. Ulmann's attack on Uvarov was sharp, accusing him of the ultimate aim of turning the Germans in the province into Russians. Pistohlkors, Ritterschaftliche Reformpolitik, 62-65.

<sup>137</sup> Cited in *Ibid.*, 66.

the rumoured offer of land in a warm country for all those who accepted the faith of the tsar.<sup>138</sup> Pahlen claimed the conversion of Baltic peasants from Lutheranism to Orthodoxy was the result of deliberate interference on the part of the Orthodox church. The tsar's investigators claimed the root cause was economic -- factors such as high labour dues, appropriation of peasant land, dependence on the landlord forced the peasant to seek deliverance through the promises of the Orthodox bishop of Riga. The movement could only be quelled by force of arms, reputedly 10,000 Russian troops.<sup>139</sup> Whatever the perspective on the conversion movement, it was the catalyst for the next reform wave in Livland. Whether it was attributed to peasant unrest, understandable in light of the economic restraints and circumstances of the last two decades, or to a policy either directed or at least condoned by the Russian government, believable to some in light of recent centralizing tendencies, the end result had to be the same. Both scenarios demanded swift legislative action on the part of the Ritter. The imperial government, for its part, was able to use the unrest to exert pressure for economic reform. A stable economic situation would not have attracted the same amount of imperial attention.

In October 1841 Livland set up, with imperial permission, a committee to discuss agrarian reform. Its brief was imperially prescribed. Pahlen instructed the members to consider the reduction of corvée, the transition to grain and money rents, and an end to the arbitrary dismissal of tenants and appropriation of land,<sup>140</sup> measures in keeping with Kiselev's policies but in direct contradiction

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<sup>138</sup> Ibid., 71. Tobien, Die Agrargesetzgebung, vol II, 42.

<sup>139</sup> Ibid., 43-47.

<sup>140</sup> Gernet, Geschichte des Agrarrechts, 192-193. Tobien, Die Agrargesetzgebung, 58.

to Livland's own emancipation reform. In November 1841, before the Committee's first meeting in Dorpat in January 1842, a group of Ritter<sup>141</sup> gathered on the estate of Friedrich von Sivers at the invitation of a new member of the Livland Ritter and Landtag, Hamilkar von Fölkersahm.<sup>142</sup> Grünewaldt was also present and presented the reforms proposed in Estland. Fölkersahm's group submitted their ideas to the Dorpat Committee. They were based on the "radical improvement" of the landlord giving up part of his land in the course of thirty to fifty years for hereditary use, with the ultimate aim of ownership, by the peasant. Fölkersahm, however, still supported the landlord's right to his land and underlined the importance of continued German dominance in the Baltic provinces. The majority of land must remain in the hands of the German nobility. "In a monarchical state, there must be a strong nobility and its strength lies only in land ownership."<sup>143</sup>

These proposals were examined by the Dorpat Committee along with Pahlen's instructions, the Estland proposals and several other submissions tending towards 1804. At the end of its deliberations, the Committee declared that the current economic weakness was not attributable to corvée or to the introduction of new agricultural methods but to the insecurity of land tenure. The Committee's proposals did not only comply with Kiselev's reforms but revived 1804 almost completely and adopted several liberal principles from Fölkersahm's

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<sup>141</sup> There were eighteen. Their names are listed in "Notizen," in Tobien, Die Agrargestzgebung, vol II, Beilage 2, 381.

<sup>142</sup> Fölkersahm had been born into the Kurland nobility in 1811. His connections with Livland included schooling in Riga, a short period at Dorpat University and marriage to a woman from Livland. In Baltic historiography, he is generally highly praised as "Livland's most outstanding phenomenon" (Tobien, Die Agrargesetzgebung, 53), as "the most significant Baltic German politician of the century" (Wittram, Baltische Geschichte, 162), as "Livland's Mirabeau" (Eckardt, "Hamilcar Fölkersahm," in Die baltischen Provinzen, 424). He died in 1856.

<sup>143</sup> "Notizen," in Tobien, Die Agrargesetzgebung, vol II, Beilage 2, 383.

group. All land designated as peasant land by the survey completed in 1832 should remain so. It should be granted to the peasants in hereditary tenure and only ten percent of it could be re-appropriated for manorial use. Labour was to be regulated according to the norms of 1804 and 1809. Notice could be given from the peasant's side; the landlord could give notice only if he could prove he needed the land to advance the manorial economy or if the land was to be sold to peasants.<sup>144</sup>

On 3 February 1842, the Landtag members met in Riga. On 9 February the tsar's emissary, Alexander von Benkendorff,<sup>145</sup> informed the Landtag of the tsar's wish that the deficiencies of the 1819 reforms be rectified in order to improve the situation of the peasants.<sup>146</sup> The Dorpat proposals had not progressed further than the *Adelskonvent*, which constitutionally had to give an opinion first, without great disagreement. The district deputies were of the opinion that 1804 and 1819 could not be applied simultaneously; 1804 was designed for a time of serfdom and limited landlord power; 1819 for freedom and unlimited landlord power. Most of the councillors, on the other hand, were in favour of the Dorpat proposals. The Landtag reflected this disagreement. There were those like Bruiningk and Bock who still supported 1804, others like von Löwis and Baron Nolcken-Lunia who favoured 1819, those who supported the Dorpat proposals and various positions in between. Discussions ground to a halt on 19 February 1842. The twelve councillors warned that in the absence of agreement, the government would impose what the Ritter would not. "What was

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<sup>144</sup> Tobien, Die Agrargesetzgebung, 62.

<sup>145</sup> Head of what was effectively the secret police, and originally from Estland.

<sup>146</sup> Pistohlkors, Ritterschaftliche Reformpolitik, 80-81. Tobien, Die Agrargesetzgebung Livlands vol II, 68.



now forfeited would be lost for all time."<sup>147</sup> The warning did not help and Pahlen was forced to intervene and demand that the Landtag reach a decision which would protect the peasant from excessive labour demands and from dismissal from his land, the same reforms he had recommended to the Dorpat Committee.<sup>148</sup> Thus, the parameters of reform were once more unequivocally set by the government's representative and the Landtag eventually accepted most of the Dorpat proposals. The peasant community, not the individual peasant, was guaranteed use of the peasant land. 1804 was revived in the form of the *Wackenbuch* norms as the only valid ones. Leases based on kind and cash were allowed. Conditions were set to facilitate hereditary tenure and eventual peasant ownership of land. The Landtag, however, did not accept the Dorpat recommendations that the landlord renounce his right to give notice nor that contracts not based on the *Wackenbuch* norms be automatically invalid. The Governor General refused to accept these two objections and demanded a provisional clause that no peasant could be dismissed from his land without a court decision and that all contracts must be based on the *Wackenbuch*. The Ritter refused to comply.<sup>149</sup>

Pahlen now took matters into his own hands. From the 111 paragraphs of the proposed reform he chose 22, mostly concerning the regulation of norms according to 1804 and 1809, and presented them to the tsar for ratification, first making several amendments apparently without consulting the Ritter. The tsar agreed to the proposals and, under Pahlen's instructions, Samson distributed the

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<sup>147</sup> Cited in Pistohlkors, *Ritterschaftliche Reformpolitik*, 81.

<sup>148</sup> Ibid.; Tobien, *Die Agrargesetzgebung*, vol II, 76;

<sup>149</sup> Ibid., 81.

22 articles in April 1842 to all landowners in Livland. Pahlen also informed all district judges that landlords no longer had the right to evict tenants without a court order.<sup>150</sup> Whether Pahlen was acting on the conviction that his demands and amendments would meet with imperial approval since they corresponded to the essence of Kiselev's reforms or whether he had received more precise instructions, perhaps from the Ministry of State Domains, is not clear. His intervention did ensure renewed Russian supervision of the Baltic reform process.

After Pahlen had submitted the complete February 1842 reform, with further amendments, to Nicholas in May 1842, Nicholas decided that the whole reform should be reviewed by a new committee, based in St Petersburg,<sup>151</sup> on which the province would be represented by the Land Marshal and two Ritter. Its membership reflected the importance Nicholas attached to the reform; supervision was of the highest level. Perovsky, Minister of the Interior, was a member as were Kankrin, Pahlen and his brother, Benkendorff, and Baron Paul Hahn, a member of the Senate, originally from Kurland and ex-Governor of Kurland and Livland. Nolcken and Oettingen, who had argued against 1804, represented the Ritter, a seemingly unsuitable choice in terms of imperial policy and the Landtag decision, which both tended to support 1804.<sup>152</sup> The choice, however, turned out to suit the changing reform mood in government circles.

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<sup>150</sup> Tobien, *Die Agrargesetzgebung*, vol II, 89-90.

<sup>151</sup> The Committee would eventually become the *Ostseekomitee*.

<sup>152</sup> Perhaps their choice was indicative of a general tendency among the Ritter to hope for a relaxation of imperial pressure and the possibility of rescuing 1819 before it was replaced. Such a tendency would not come out in a vote on the Landtag since it was under imperial guidance and control. A vote against imperial wishes could be seen as a vote of no confidence in the tsar and could provoke imperial intervention. The Ritter followed their usual pattern of minimal concession to imperial pressure but had been forced into more by Pahlen's unconstitutional methods. There was perhaps the hope that Nolcken and Oettingen could still recover some lost ground. This is what in effect happened.

Pahlen's demands of the Livland Ritter had undoubtedly been shaped by official policy but this policy was just about to take on a new emphasis. Kiselev had begun an attempt to apply his state peasant reforms to private serfs. The landlords would keep the land and the peasant would be freed with the right to use gentry land in return for rent in money or kind,<sup>153</sup> his dues regulated as in the *Wackenbuch* in the Baltic provinces.<sup>154</sup> These proposals were discussed in secret committee in March 1840, where they met with opposition, particularly from Panin, Stroganov and Menshikov, who were against regulation norms. Menshikov, in particular, was against compulsory ties of any kind and also objected strongly to the commune, seeing in it a dangerous wedge between the landowner and the peasants, especially since the land was to be guaranteed to the *Gemeinde* and not to the individual. Whereas Kiselev saw the danger of revolution in the masses of labourers deprived of land through individual rather than communal tenure, for Menshikov the danger lay in the commune as a source of uprising. His recommendation was "divide et impera."<sup>155</sup> Menshikov favoured the emancipation reforms in the Baltic, which gave the lords complete freedom over their lands. Kiselev eventually compromised by abandoning the principle of legal norms of plots and dues and not subjecting private peasants to the Ministry of State Domains. The Committee recommended that the reform be published as an explanatory *ukaz* to the 1803 free farmers' law and only in general terms. Gur'iev complained about the vagueness and uselessness of the reform, seeing in it a hopeless attempt to call on the good will of the landowners. The

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<sup>153</sup> Labour was not mentioned.

<sup>154</sup> Druzhinin, 613-616.

<sup>155</sup> *Ibid.*, 624.

draft proposal, however, caused much discussion at the Senate level and Nicholas himself intervened just after the Livland Landtag had adopted the Dorpat proposals.

On 30 March 1842, the tsar delivered a speech giving the first clear statement of agrarian policy in his reign. He deplored the state of serfdom but considered it an even greater evil to abolish it at that time. Such a step would be a "criminal attack on the general peace and welfare of the state."<sup>156</sup> The correct way was "to open the way to a transitional stage, combined with the unshakeable right of the nobility to the land."<sup>157</sup> The land should always remain in the hands of the nobility, a policy he would never deviate from. The new law would allow landowners to improve the situation of their serfs without any force. "On the other hand, by tying the peasants to the land, it would avoid the shortcomings of the reforms valid until now in the Baltic, reforms which have brought the peasants into the worst situation, that of labourers, and which have led the nobility to ask unanimously for that which is being considered here at present."<sup>158</sup> Imperial disapproval of the Baltic emancipation reforms was now public and official. The February Landtag decisions were implicitly upheld as officially acceptable.

The law based on these decisions was promulgated on 2 April 1842 and followed Nicholas's recommendations more than Kiselev's proposals. The landowner could voluntarily allow his serfs to become hereditary subjects, in which case their dues would be regulated. Unlike the 1803 law which allowed

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<sup>156</sup> "Rede des Kaisers Nikolai des Ersten," in Tobien, *Die Agrargesetzgebung*, vol II, Beilage 1, 379.

<sup>157</sup> Ibid.

<sup>158</sup> Ibid., 380.

the freed peasant to own his land, 1842 allowed the peasant only to use it. In the next thirteen years, only 24,708 peasants belonging to three aristocratic families were freed.<sup>159</sup>

Complete emancipation in Russia was thus halted and the way to gradual improvement officially adopted. Nicholas had clearly expressed his disapproval of the Baltic emancipation reforms 1816-1819 but had at the same time upheld the nobles' exclusive right to the land, the main tenet of the 1819 reform. Those who opposed 1819 in Livland now had imperial support but could not restore 1804 since it violated the right to land upheld by the tsar. Not only did the critics of 1819 now have imperial support, they were also supported by changes in economic thinking. Adam Smith's principles no longer went unquestioned.

### Changing Economic Attitudes

This was obvious in Russian government circles, where no-one since Storch had spoken out for Smith's laissez-faire principles, now deemed unsuitable for Russia. Kankrin claimed that "even the principles meant to be general often had too much of the individuality of England."<sup>160</sup> This reluctance to adopt Adam Smith was not confined to Russia. In Germany the Romantic movement, the reaction against the rationalism of the *Aufklärung*, also found expression in economic theory. One of Smith's strongest critics, Adam Müller, was a representative of the Romantic National Economy school of thought<sup>161</sup> and his

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<sup>159</sup> Tobien, *Die Agrargesetzgebung*, vol II, 21.

<sup>160</sup> Cited in Roscher, *Geschichte der National-Oekonomik*, 815.

<sup>161</sup> Also known as the historical-political school.

ideas were taught at Dorpat University.<sup>162</sup> Müller considered Smith one of the few theoretical writers to emerge from Britain, a country which due to its political circumstances was usually able to produce practical writers.<sup>163</sup> For Müller, Edmund Burke personified the successful combination of theory and practice.<sup>164</sup> Although classing him as theoretical, Müller criticized Smith for concerning himself only with the concrete, for not taking into account less tangible but equally essential elements, and for trying to make a science, a "dead concept" out of productivity, exchange value and raw labour.<sup>165</sup> Müller himself, consistent with the anti-rational direction, placed great emphasis on elements which were not always concretely evident.<sup>166</sup> "The state is not merely a manufacturer, a feudal estate, an insurance institute or a mercantile society; it is the deep linking of the total physical and spiritual needs, of the total physical and spiritual wealth, of the total inner and outer life of a nation to a large energetic and endlessly moving and living whole."<sup>167</sup> There were, however, more tangible elements in Müller which stemmed less from his philosophical perspective than from his feudal standpoint. Smith's theory, claimed Müller, had been developed in Britain, where the emphasis was on capital, and could not be applied on the "Continent," where the emphasis was most definitely on land.<sup>168</sup> Land ownership was of paramount importance as a restraint on the town classes, the workers and the

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<sup>162</sup> Tobien, Die Agrargesetzgebung vol II, 87.

<sup>163</sup> Adam Müller, Die Elemente der Staatskunst (Berlin, 1809), vol 1, Book 1, 13.

<sup>164</sup> *Ibid.*, 19. Personifications of the predominantly practical were Colbert and Friedrich II. *Ibid.*, 14.

<sup>165</sup> *Ibid.*, vol 2, book 4, 376-378.

<sup>166</sup> His perspective was organic and he believed in the dynamism created by opposites.

<sup>167</sup> *Ibid.*, vol 1, book 1, 37.

<sup>168</sup> *Ibid.*, vol 3, book 5, 16-20.

growth of industry.<sup>169</sup> When Müller spoke of land, his focus was not on the peasants. He criticized the physiocrats for their emphasis on farm land (*Ackerbau*) rather than on land as such<sup>170</sup> and did not envisage the peasants as a *Stand*. "The peasantry is not a *Stand* and never should be."<sup>171</sup> He was against reforms which deprived agriculture of its feudal essence and opposed Stein's reforms.<sup>172</sup> He even criticized money payment for services rendered, which supported the Ritter concentration on corvée labour.<sup>173</sup> There was much in Müller which was compatible with the Ritter concepts of land ownership and the maintenance of privilege.<sup>174</sup>

The counter-reform movement in Germany produced others similar in thinking to Müller, for example, Friedrich Gentz or Karl Ludwig von Haller, or Ernst von Bülow-Cameroiv who in 1848 founded a Society for the defence of landed property interests.<sup>175</sup> In September 1849, Friedrich Julius Stahl warned the Prussian Landtag that the land-owning nobility was an indispensable element of the state. Without it, the country would be at the mercy of capitalists and speculators. He recommended that both noble and peasant land be unsaleable

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<sup>169</sup> *Ibid.*, 12.

<sup>170</sup> *Ibid.*, vol 2, book 4, 374.

<sup>171</sup> In a letter to Friedrich Gentz, cited in W. Roscher, *Geschichte der National-Oekonomik*, 774, note 3. The three basic estates for Müller were the nobility, the burghers and the gentry. A possible fourth, as Roscher noted with an exclamation mark, would be the merchants and not the peasants.

<sup>172</sup> *Ibid.* Müller is said to have compared the three-field system to the Holy Trinity. *Ibid.*, note 2.

<sup>173</sup> *Der Verdienst* (earnings) was not to be compared to *das Verdienst* (merit). Roscher, *Geschichte der National-Oekonomik*, 773-774.

<sup>174</sup> There were also elements which would not have appealed to the Ritter, especially those stemming from his conversion from Protestantism to Catholicism.

<sup>175</sup> Roscher, *Geschichte der National-Oekonomik*, 1026.

and indivisible.<sup>176</sup> August von Haxthausen, who had journeyed through through the Russian Empire in 1843 at the tsar's invitation, supported historical Ritter privilege but was also willing to accept some contemporary developments. "I have never been a friend or admirer of modern European bureaucracy, I have always considered it almost a necessary evil, it has led part of Europe to the modern idolatry of the omnipotent state but if bureaucracy were fully destroyed in the rest of Europe, obviously nothing would remain but pure anarchy swinging back and forth in socialist and communist impulses."<sup>177</sup> Haxthausen was not a supporter of the Prussian agrarian reforms: "In Prussia, which the rest of Germany gradually followed, the peasants were given more freedom [than those in Russia], serfdom was abolished everywhere, manorial services and dues were replaced by land or money compensation. Manorial authority, patrimonial jurisdiction and police were gradually abolished and removed but no new autonomous institutions were set up in their place, it was thought enough to issue *Gemeinde* rules, which, however, had more of a police and political character than an organic and social one. The peasantry lost all its inner security, all the previous strength of an organism. The peasants are no longer guaranteed land ... they are losing it piece by piece to the large landowners and to the day workers.. The bonds between peasant and noble ... are completely dissolved, there exists between them only material interests. The nobility has lost all its previous privileges and prerogatives without gaining the welfare of the other classes. Previously, there were laws to protect the nobles' lands. The laws are abolished and ... there are provinces...

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<sup>176</sup> Tobien, Die Agrargesetzgebung, vol II, 208-209.

<sup>177</sup> August Freiherr von Haxthausen, Studien über die innern Zustände, das Volksleben und insbesondere die ländliche Einrichtungen Rußlands 3 vols. (Berlin 1847-1852), vol.3, 9. Ernst von Bülow-Camerov, for example, was against Prussian bureaucracy. W.Roscher, Geschichte der National-Oekonomik, 1026.



where more than half the noble estates have transferred into the hands of burghers."<sup>178</sup> After the Russian emancipation reforms of 1861, Haxthausen recommended that Russia still uphold its system of communal rather than individual land ownership. The latter would lead only to poverty and proletarianism, which fed revolution.<sup>179</sup> Communal landownership was also a natural protection against exploitation by economically stronger groups.<sup>180</sup> More importantly from the noble point of view, if Russia maintained its communal system, the question of who owned the land, in the western sense, need never be asked. "The whole land belonged in its entirety to the Russian people."<sup>181</sup> The idea of communal ownership of land as less of a threat to noble land rights than individual ownership would find its way into the Baltic reform amendments.

### **Changing Reforms in the Baltic 1842-1847**

Nicholas's rejection of 1819 principles and his insistence on the right of the nobility to the land were in keeping with changing economic attitudes. In terms of Baltic reform, however, they presented a paradox. The advocated right of the nobility to the land was the basic tenet of the rejected 1819 reform, not of the 1804 reform implicitly upheld in 1842. The 1840s are characterized by attempts on both the imperial and provincial side to come up with a formula that combined the landownership principles of 1819 with the protective elements of 1804. The search for the right combination of 1804 and 1819 which would satisfy the rather

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<sup>178</sup> August Freiherr von Haxthausen, Die ländliche Verfassung Rußlands. Ihre Entwicklungen und ihre Feststellung in der Gesetzgebung von 1861 (Leipzig, 1866), 372-373.

<sup>179</sup> *Ibid.*, 419.

<sup>180</sup> *Ibid.*, 409.

<sup>181</sup> *Ibid.*, 386.

contradictory wishes of Nicholas led to almost a decade of complicated and confusing debates, amendments and decisions in the Baltic. Nicholas's policy statement was first used to clear the way for a rejection of the protective measures which the February 1842 Landtag had accepted under pressure from the government's representative Pahlen. The swing was dramatic. The February reform had been supported by 107 against 76; at the Landtag in December of the same year only 27 against 102 were in favour of retaining it. Both decisions were within the parameters of imperial policy. The first was made under pressure from Pahlen representing what the tsar wanted; the second on the basis of the tsar's April speech.

The debates in the 1840s although supposed to be concerned with the plight of the peasants were in essence debates about how to retain a monopoly on the land and at the same time award some concessions which would satisfy imperial will and at the same time help productivity by stimulating the peasant to work rather than revolt. As earlier noted, the Baltic landowner was unwilling to change from *corvée* to money rents. As late as 1845 the Livland Economic Society did not feel able to recommend wage-labour to the country and in 1846 the Agricultural Society still maintained that well-managed *corvée* labour could still produce sizeable profits.<sup>182</sup> These two conditions, the landlord right to do as he wished with his land and the continuance of *corvée* labour, determined the nature of any future reforms.

The December 1842 Landtag had placed its trust in Nolcken and Oettingen. The "liberals," that is Fölkersahm's group, the supporters of February 1842, were defeated and Fölkersahm himself left for Europe. By April 1843, the St Petersburg

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<sup>182</sup> Kahk, Peasant and Lord, 90.

Committee, under the influence of Nolcken and Oettinger as representatives of the wishes of the Ritter, had worked out 77 amendments to 1819 which effectively revived 1819, most importantly the landlord's right to his land, and these were submitted to Nicholas.<sup>183</sup> After confusion caused by Nicholas first accepting the supplements, despite his expressed opposition to 1819, and then withdrawing them under Pahlen's pressure, the Landtag met in September 1844. After much discussion of the merits and demerits of 1819, the 77 paragraphs were accepted mostly because Landrat Baron Meyendorff warned that their rejection would open the way for new approaches from St Petersburg, especially dangerous in light of recent government intentions of imposing one language, one faith and one law in the whole Empire.<sup>184</sup> Pahlen fought on for *Wackenbuch* regulations, which the majority of landowners used to regulate their corvée labour, and the St Petersburg Committee eventually agreed to allow their validity until the next Landtag. After further discussions, the law was ratified in November 1845.<sup>185</sup> It was the expected mixture of 1804 and 1819 or of 1819 with 1842. Of essential importance was the return of the right of the lord to his land. All kinds of contracts were allowed, corvée, money or kind on a temporary or hereditary basis, with guiding regulations. The *Wackenbuch* regulations would regulate corvée until the next Landtag.

Prevailing economic circumstances did not provide the 77 paragraphs with a good beginning. As the Estland Ritter pointed out to the Governor General in

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<sup>183</sup> The text of this report is given in Tobien, *Die Agrargesetzgebung* vol II, Beilage 3, pp. 385-388.

<sup>184</sup> Tobien, *Die Agrargesetzgebung*, 108; Pistohlkors, *Ritterschaftliche Reformpolitik*, 99. Not all members took the warning seriously. One wrote "I think that the man [Meyendorff], even if he might be right, paints the matter too black because the tsar is definitely on our side, but his speech did make a great impression." Cited in *Ibid*.

<sup>185</sup> The 77 paragraphs of this reform are given in Tobien, *Die Agrargesetzgebung*, vol II, Beilage 4, pp. 389-401.

the summer of 1845, 1845 was not a good year to introduce or plan agrarian reform.<sup>186</sup> Bad harvests had resulted in famine in the winter of 1845-46, causing more deaths than the cholera epidemic. Landowners were forced to supply their peasants with grain when their stores ran out but help from the imperial government was necessary to bridge the crisis. Russia gave subsidies to the value of 200,000 rubles to Livland and later 300,000 to Livland and Kurland. It also allowed Livland to import grain custom-free from abroad.<sup>187</sup>

The conversions of the beginning of the decade resumed on a larger scale, with hundreds of thousand of peasants converting to the Orthodox church. Between 1842 and 1846 the number of conversions has been estimated at 100,000,<sup>188</sup> from 1845 to 1847 at a minimum of 74,000,<sup>189</sup> and in 1848 alone at 106,080.<sup>190</sup> Whether the conversions were motivated by the desperation of peasants seeking the possibility of a better future, or whether they were due to a deliberate Russian policy encouraged by the new Russian-oriented Governor General Evgeny Golovin who replaced Pahlen in May 1845,<sup>191</sup> their numbers were sufficient to act as an impulse on the reform movement in the Baltic itself

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<sup>186</sup> Gernet, Geschichte des Agrarrechts, 202.

<sup>187</sup> Tobien, Die Agrargesetzgebung, vol.II, 113.

<sup>188</sup> K.I.Lander, "Pribaltiiskii krai," 346.

<sup>189</sup> Wittram, Baltische Geschichte, 185.

<sup>190</sup> G.Pistohlkors, Ritterschaftliche Reformpolitik, 110.

<sup>191</sup> The conversions only took place in Livland, a fact used (by Nolcken and Oettingen, for example) to support the theory of deliberate imperial policy since the economic circumstances in Estland and Kurland were said to be similar to those in Livland. ("Von Baron Nolcken verfasste Eingabe des Herrn Landmarschalls von Lilienfeld, des Herrn Landrath von Oettingen und des Baron Nolcken an die Commission," in Tobien, Die Agrargesetzgebung, vol II, Beilage 5, 403.) There is also the possibility of a national element in the conversions. Peasants reputedly explained it thus: "We are not sure whether we shall profit from the new religion or not, but in any case we shall at least to some extent escape the clutches of German oppressors -- the Emperor, with whom we shall from then on share the same religion, will become more interested in our sufferings." (Cited in Kahk, Peasant and Lord, 103-104.) There was also the aspect of escaping the duties and dues to be paid to the pastor. (Tobien, Die Agrargesetzgebung, vol II, 116.)

and once more brought imperial attention to the area. At this difficult time, Fölkersahm returned from Europe and began fighting against the 77 paragraphs in St. Petersburg. Samson also renewed his interest in reform, if from a different perspective from 1819, and also criticized the 77 paragraphs.

Despite economic and increasing political pressure, the different Ritter factions -- the supporters and opponents of the 77 paragraphs -- were unable to reach agreement. The land question had been solved in favour of the Ritter by the tsar's 1842 speech but it had not solved the peasant question which was becoming more urgent with unrest, famine and conversions. The imperial government and particularly Kiselev's ministry expected improvements, a concern in which fiscal considerations played a significant part. Economic productivity in the provinces was important to the government as a source of revenue. Peasant unrest could disrupt imperial profits of 2.2 million rubles.<sup>192</sup>

An imperial committee was appointed to deal with the problem and its members reflected the different reform perspectives in Livland. The Ritter, allowed to appoint two representatives, chose Nolcken and Oettinger,<sup>193</sup> a possible indication of Ritter support of the 77 paragraphs so recently ratified. The tsar maintained the right to nominate two Ritter members and chose Samson and Fölkersahm,<sup>194</sup> a certain reflection either of the government's change of attitude to the 77 paragraphs or of the tsar's wish to have all perspectives represented. The government did make its wishes clear. Any reform must help create security

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<sup>192</sup> Yuhan Kahk used the Bernoulli-Carnap method of calculating the maximum profit to show that the probability of the individual Baltic landowner being affected by a peasant revolt was less than 0.3 while that of the imperial government, which stood to lose 1.1 million rubles, was 1. "While every Livonian squire could hope that the revolt would pass by his manor, the government institutions had to take action in any case." Kahk, *Peasant and Lord*, 92-93.

<sup>193</sup> Lilienfeld as *Landmarschall* was automatically included. Tobien, *Die Agrargesetzgebung*, 118.

<sup>194</sup> *Ibid.*, 118, 124.

of land tenure for the peasant, equality between landlord and peasant in contracts and the elimination of arbitrariness on both sides.<sup>195</sup> The three Ritter representatives advocated allowing the 77 paragraphs time to take effect, at least until the next Landtag, before changing them<sup>196</sup> and offered longer-term contracts as the solution to land security.<sup>197</sup> The government nominees Samson and Fölkersahm, although opposed in ideas, were united in the belief that a new reform was necessary immediately. Samson was supported by the Minister of the Interior Perovsky, who favoured a return to 1804 elements.<sup>198</sup>

Fölkersahm rejected the 77 paragraphs which had revived the essence of 1819 but he did not advocate a return to 1804.<sup>199</sup> He agreed with the basic principles of 1819 of land ownership and free contracts but saw the final solution in peasant ownership of land. Before this ideal situation could be attained, however, a transitional stage had to be regulated. To protect the peasant while facilitating his move to ownership, peasant land should be separated from manorial land and guaranteed to the peasant community, not the individual, for peasant use. The landlord, however, would be granted the right to appropriate a quota of one-sixth for future economic needs.<sup>200</sup> Although the aim was to change from *corvée* to money rents towards ownership, *corvée* could not be

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<sup>195</sup> Samson was reputedly the drafter of these guidelines, which, he said, he intentionally made general so as to allow room for all opinions to be expressed. Tobien, Die Agrargesetzgebung, 124.

<sup>196</sup> And apparently thought the onus was on the government to point out the deficiencies. *Ibid.*, 123.

<sup>197</sup> Minimum contracts of six years, preference for renewal to tenant, and hereditary contracts as a possibility. "Von Baron Nolcken verfasste Eingabe," in Tobien, Die Agrargesetzgebung, vol II, Beilage 5, 402-404.

<sup>198</sup> Tobien, Die Agrargesetzgebung, 121.

<sup>199</sup> For Fölkersahm's reform plan in full, see "Das Agrarprogramm Hamilkar von Fölkersahm's vom Jahre 1846," in Tobien, Die Agrargesetzgebung, vol II, Beilage 7, 410-421.

<sup>200</sup> The Dorpat Committee had recommended ten percent. See p.39 above.

abolished suddenly but should be regulated, not by the *Wackenbuch* norms, as he had proposed to the Dorpat Committee, but by new regulations which would facilitate the removal rather than the strengthening of *corvée*. As long as *corvée* existed, it would be difficult to eliminate landlord exploitation. Fölkersahm's ideas were based on the belief that: "... the right of the peasants to exist is not disputed, but it is not defined where he should exist."<sup>201</sup> Fölkersahm was a firm supporter of the social order created by *Stand* and did not plan any political sharing of power for the peasants. The Ritter should lead the way and retain control. In May 1846 the rights of the lord over the *Gemeinde* as defined by 1819 were reaffirmed.<sup>202</sup>

Fölkersahm's most serious opponent was not Nolcken or any of his faction but Samson, one of 1819's strongest supporters. Samson was much affected by the events of 1845, particularly the conversions,<sup>203</sup> and by what he perceived in government circles as jealousy over the special privileges enjoyed by the Baltic provinces.<sup>204</sup> He was also sure that reform plans under discussion in Russia would be tried out, as in the past, experimentally in the provinces first. When the imperial commission investigating the cause of the conversion unrest requested Samson to propose economic improvements, he responded in the context of Russian policy, in the knowledge of Kiselev's regulation plans. His response was almost a reversal of 1819, although he himself described his reform

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<sup>201</sup> *Ibid.*, 411.

<sup>202</sup> Tobien, *Die Agrargesetzgebung*, vol II, 165; also Pistohlkors, *Ritterschaftliche Reformpolitik*, 94-95. For the 1819 rights of the lord over the *Gemeinde*, see pp. 2-4 above.

<sup>203</sup> Tobien, *Die Agrargesetzgebung* vol II, 127.

<sup>204</sup> Pistohlkors, *Ritterschaftliche Reformpolitik*, 101.

plan perhaps more accurately as a combination of 1804 and 1819.<sup>205</sup> While he proposed free contracts based on labour, money or kind, he recommended that labour contracts be regulated by the *Wackenbuch* norms (which was the practice in any case) and that hereditary tenure of 1804 be revived.<sup>206</sup> Samson considered Fölkersahm's idea of separating peasant land as a "provocation that the state government take an exact look at the *Wackenbuch* and regulations to be certain if and how the peasant could exist under the legal dues." The result would be the cancellation of all norms hitherto applied.<sup>207</sup> This fear was not unfounded. Kiselev would soon try to impose a Russian land evaluation in the province. Samson also perceived the tsar's policy to be the same as Fölkersahm's plan. " ... [T]he tsar's main idea, worked out by his ministers Perovsky and Kiselev, is to grant a quota of land to the peasants for their exclusive use."<sup>208</sup> Samson preferred the creation of a strict order for the peasants with limited mobility which would provide the framework for concessions to the peasants as individuals. His objections to Fölkersahm's proposals were based not only on the fear of Russian intervention but on practical considerations. He failed to see how a credit bank could work efficiently in a country where capital was lacking, how the peasant could sell on an unstable market, how the peasant could cope with

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<sup>205</sup> "Das Agrarprogramm des Landraths Reinhold von Samson-Himmelstjerna vom Jahre 1846," in Tobien, *Die Agrargesetzgebung*, vol II, Beilage 6, 407. This was also the conclusion reached by Juri Samarin as a member of a sub-committee of the St Petersburg Committee formed in 1846 to investigate reform possibilities in Livland. Tobien, *Die Agrargesetzgebung*, 118-119.

<sup>206</sup> Tobien, *Die Agrargesetzgebung*, vol II, 117. See also "Das Agrarprogramm des Landraths Samson-Himmelstjerna," in *Ibid.*, Beilage 6, 405-409.

<sup>207</sup> Cited in Pistohlkors, *Ritterschaftliche Reformpolitik*, 102.

<sup>208</sup> Cited in Tobien, *Die Agrargesetzgebung*, vol II, 127.



the proposed financial burdens.<sup>209</sup> It was better, in Samson's opinion, to be a corvée peasant protected by *Wackenbuch* norms than an indebted owner.<sup>210</sup> Samson's thoughts about Russian intervention and his practical emphasis joined to form, for him, the most important criterion of reform. It could only satisfy the imperial government if it was effective and practicable. Nicholas himself had intimated so much. "Until now the government has left the reform of the peasant situation to the nobles, trusting in their better knowledge and good will; it will have to intervene itself, however, if results continue to remain unsatisfactory."<sup>211</sup>

The Committee, consisting of the five Ritter members and three government representatives, did not reach any decisive conclusions. They decided to leave the question of landownership to the Landtag. The question of the *Wackenbuch* regulations had also caused much disagreement. According to Kiselev's calculations, land in Livland had been valued too high while labour had been valued too low. A new survey was deemed necessary for any plan which was based on *Wackenbuch* norms. Fölkersahm succeeded in persuading the Committee members to accept his reform plan since it did not make use of the *Wackenbuch* norms, and thus would not necessitate a new survey.

In the absence of satisfactory conclusions from the Committee, Kiselev took the matter directly into his own hands in May 1846. The Minister of State Domains found it necessary to offer the next Landtag "firm direction."<sup>212</sup> Kiselev

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<sup>209</sup> 15-20% purchase price of the necessary inventory, plus 60% of the land price plus 4% interest on his loans. Pistohlkors, *Ritterschaftliche Reformpolitik*, 105. Also Tobien, *Die Agrargesetzgebung*, vol II, 163.

<sup>210</sup> "Landrath von Samson's Gedanken über den Landtagsschluß vom Jahre 1847 in Betreff der Verbesserung des Bauerstandes in Livland," in Tobien, *Die Agrargesetzgebung*, vol II, Beilage 11, 447.

<sup>211</sup> Cited by Samson in *Ibid.*, 455.

<sup>212</sup> "Antrag des Domänenministers Graf Kisselew vom 19. Mai 1846," in Tobien, *Die Agrargesetzgebung*, vol II, 428.

saw three deficiencies in the Livland system: 1) the peasant was not guaranteed security of land tenure 2) free contracts were not limited by the *Wackenbuch* 3) the Swedish land surveys were out of date and in need of revision.<sup>213</sup> His advice was unequivocal. First, he intended to apply his policy of land tax rather than tax on the person to the "Western provinces" once the necessary survey had been completed. He then instructed the Ritter to adopt what they had decided on in February 1842: "The firm foundation of a class of peasants whose future welfare will be guaranteed by the allocation of a quota of land in hereditary tenure and that at the same time there would be a change to leases in money and kind." The dues payable by the peasant would be regulated by contracts and *Wackenbuch* regulations after they had been revised and corrected. Kiselev also spoke out against legalizing landlord appropriation of any part of peasant land.<sup>214</sup> These recommendations were clearly based on the reforms already worked out for state peasants.

The idea of granting the peasants a land quota was also supported by the Ritter of Estland. The reactionary mood of 1842 had caused Estland to break with its 1839 proposal of hereditary tenure, except on a voluntary basis, and reaffirm the landlord's full right to the land. The Landtag in September 1842, however, decided that peasants should be guaranteed a quota of land for their use. Although the Estland Ritter had called their Landtag before the Livland Ritter, they were forced to wait until the Livland reform was worked out. As Pahlen had intimated, the tsar wished the Livland model to be applied to all three

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<sup>213</sup> Ibid., 428-429.

<sup>214</sup> Ibid., 429-430.

provinces.<sup>215</sup> It was June 1845 before the Estland Ritter received further imperial instruction. The Livland 77 paragraphs were to be used as a basis for reform. The Estland Ritter refused to comply on the grounds that the paragraphs were not yet imperially ratified, that they deviated too much from Estland's own proposal and that it was in any case a bad time to decide on new laws since the economic situation was particularly bad due to famine. The Estland Ritter continued to press for ratification of their own reform based on a peasant quota of land and eventually in April 1846, Perovsky accepted it and the tsar approved of it. It should, however, be submitted to the committee which was in the process of discussing the Livland reform.<sup>216</sup> The opponents of the land quota did not greet the added pressure from the Estland example. Samson noted that the Estland Ritter were only taking advantage of imperial policy "in the hope that a voluntary acceptance of the land quota will prevent all further questions about their high labour dues."<sup>217</sup>

The reform matter was now in the hands of a main committee, which became known as the *Ostseekomitee*, a committee which would serve as a supervisory agency for the Baltic provinces. It was composed of the Governor General, the five members of the preparatory committee, Perovsky, Kiselev as well as additional Ritter and government representatives. The Estland example may have encouraged Perovsky and Kiselev to apply more pressure for the acceptance of the quota plan<sup>218</sup> but the dispute on the committee was less about the portion of land to be allotted to the peasants, which the Ritter by then may have viewed

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<sup>215</sup> Gernet, Geschichte des Agrarrechts, 201.

<sup>216</sup> *Ibid.*, 195-204.

<sup>217</sup> Cited in Tobien, Die Agrargesetzgebung, vol II, 127.

<sup>218</sup> Implied by Tobien, Die Agrargesetzgebung, vol II, 140-141.

as inevitable imperial policy in any case, but about the right of the landowners to appropriate part of the peasant-allotted land for future economic needs, a move opposed by Kiselev. Those who supported the right of the landowner to appropriate a quota of peasant land offered various qualifications to it. Several members of the Committee prepared a written rejection of Kiselev's guidelines.<sup>219</sup> The landlords should be allowed to appropriate a certain quota of peasant land, from now on to be called taxable land (manorial land was still tax-free) to support farm labourers (*Knechte*) when the transition to rents in money or kind were made. The land would remain taxable. Fölkersahm had supported the landlord's legal appropriation of a quota of land but was against specifying its use. Guaranteeing land for the use of labourers would "once more open gate and door to arbitrariness; the principle of having to guarantee land for labourers is dangerous." Unity was important, however, if the complete survey of land and dues necessitated by Kiselev's plan was to be avoided. The last long, costly and unsettling survey had been completed only in 1832. It had also been intimated that the Russian survey would yield results unfavourable to the landlords. Even Nolcken, Oettingen and Lilienfeld were willing to support the proposal against Kiselev. Kiselev, however, agreed to allow the Landtag to decide if and in what way a new land evaluation was necessary. Under Fölkersahm's influence, he also agreed that the Landtag could regulate under what circumstances landlords could take a portion of taxable land for support of labourers or for the expansion of the manorial economy.<sup>220</sup> Governmental policy had not completely overridden

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<sup>219</sup> "Antrag des Präsidenten des Ostseekomitees Graf Peter von der Pahlen vom Mai 1846," in Tobien, *Die Agrargesetzgebung*, vol II, Beilage 8, 422-427.

<sup>220</sup> Tobien, *Die Agrargesetzgebung*, vol II, 145-146.

provincial will. The Ritter were allowed to form a committee<sup>221</sup> to prepare the reform. Government participation was limited to the appointment of two Ritter of the Governor General's choice but the guidelines were those prepared by the *Ostseekomitee*. In principle, the *Ostseekomitee* had upheld the exclusive right of the landlord to all his land and his free disposal of it but in practice had advocated that "a part of the land belonging to the nobility be granted for always to the peasant community for its unwithdrawable use."<sup>222</sup> There were also contradictory elements in Fölkersahm's reform. While upholding the principle of free contract, he believed that the peasant should be protected by regulations. Governmental policy was based on the principle and practice of peasant protection. By basing his protection on a different principle, however contradictory, Fölkersahm could avoid the restoration of the 1804 *Wackenbuch* norms and a new imperial survey. The Committee worked from 25 October 1846 to 18 March 1847 and out of the various reform guidelines and their inherent inconsistencies, came up with 1206 articles for consideration by the Landtag, which was called for 26 August 1847.

By this time, the Ritter were aware that their continued difference of opinion could leave the way open for imperial intervention. The previous year, Nicholas had himself spoken of the perceived lack of trust on the part of the Ritter, which he found incomprehensible in light of the privileges they enjoyed. Since 1819 had not borne the fruits it promised, he expected something to be done

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<sup>221</sup> The membership was to consist of the five Ritter from the *Ostseekomitee*, two nominated by the *Adelskonvent* as well as the two appointed by the Governor General. The conservative representation was weakened by the death of Oettingen in September 1846 and by the resignation of Nolcken on grounds of ill health. Members are listed in Tobien, *Die Agrargesetzgebung*, vol II, 148, note 4.

<sup>222</sup> Cited Tobien, *Die Agrargesetzgebung*, 147.

for the peasants.<sup>223</sup> Marshal Karl von Lilienfeld opened the Landtag with the warning that "unity is the first requirement to bring the matter to a successful end."<sup>224</sup> The Landtag accepted without discussion the designation of a certain amount of land for peasant use. The matter of free contracts brought more disagreement. The Committee had proposed free contracts to determine dues paid in labour, money or kind but the Landtag tended towards keeping the labour dues separate and having them governed by the *Wackenbuch* norms.<sup>225</sup> This attitude reflected the reality of the situation. The Ritter were not concerned about how money rents were regulated because the majority of estates were still run on corvée labour. Despite the 1819 principle of free contract based on mutual agreement between lord and peasant, most landowners drew up the contracts themselves, regulated, if at all, by the norms of the *Wackenbuch*.<sup>226</sup> Regulating corvée labour would affect the economic base of most of the estates in the Baltic provinces and deprive landlords of contractual freedom over their peasants. Fölkersahm, however, argued that regulating the labour contracts would leave the way open for a new revision under Kiselev and would contradict the principle of the reform which was to tolerate labour contracts as a transitional necessity to money contracts. Norms would strengthen corvée rather than facilitate its eventual and unforced disappearance. His most convincing argument was that the *Ostseekomitee* had found the *Wackenbuch* norms deficient and insistence on their continued use would bring about a new survey. The Landtag did eventually

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<sup>223</sup> He reputedly also reminded the Ritter that they were Russian not German. Tobien, Die Agrargesetzgebung, vol II, 121-122.

<sup>224</sup> Cited in Pistohlkors, Ritterschaftliche Reformpolitik, 83.

<sup>225</sup> Tobien, Die Agrargesetzgebung, 169.

<sup>226</sup> J.Kahk, Peasant and Lord, 96, partially citing a report of Benckendorff in March 1838.

accept all of the Committee's proposals. The new reform was based on the principles of free contract, the allocation of peasant land with a quota reserved for future landlord use and the agreement that *corvée* should end, as designed by Fölkersahm. The mood of the Landtag, however, was obviously not completely in favour of Fölkersahm, while his favour in government circles -- even those perceived as harmful to the interests of the province -- was made obvious. After the election for a vacant Landrat position had placed him as second choice, the Governor General Golovin saw fit to seek the tsar's permission to give the post to Fölkersahm rather than to the majority candidate.

The reform had hardly been submitted to the Governor General on 15 November 1847 when objections to it began. These complaints originally came from the ranks of the Ritter themselves. Samson submitted a report to the Governor General expressing his disagreement with the reform and his continued support of the *Wackenbuch* norms, even if they did entail a new survey.<sup>227</sup> The son of the former Landmarschall Buddenbrock submitted directly to the tsar strong objections against the reform, which he considered more harmful than beneficial to the welfare of the peasants.<sup>228</sup> By the time Fölkersahm arrived in St. Petersburg to accompany the reform through the ratification process,<sup>229</sup> there were doubts about the reform in government circles. These were increased by the revolution in France in February, which halted the reform process in Russia and

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<sup>227</sup> The report submitted to Golovin presumably contained the same arguments as "Landrath von Samson's Gedanken über den Landtagsschluss vom Jahre 1847 in Betreff der Verbesserung des Bauerstandes in Livland," in Tobien, *Die Agrargesetzgebung*, vol II, Beilage 11, 439-455. Most of Samson's arguments were against the credit bank (*Rentenbank*) which was designed to help the peasants finance land purchases. Samson had always opposed the idea on the grounds that the country had no capital, that almost every estate was indebted, and that the peasant would not be able to keep up with the payments.

<sup>228</sup> Tobien, *Die Agrargesetzgebung* vol II, 177.

<sup>229</sup> As official Landtag representative.

moved Nicholas to still unrest among his nobility by once more, on 21 March 1848, publicly proclaiming his belief in the inviolable and sacred right of the nobility to the land.<sup>230</sup> Kiselev reverted to his 1846 stance against Livland, advocating a new land evaluation to establish new norms, a swift change from *corvée* to money rents and a quota of peasant land for the landlords for the exclusive use of landless labourers and not for undefined future economic use.<sup>231</sup>

### Financial Perspectives of Reform

An important perspective to the government's attitude was the financial one. Reform was necessary to ensure an efficient fiscal process and to curb any unrest which might adversely affect imperial revenues, but finance was essential to the reform under discussion. Before the peasants could own land, the expressed aim of the 1847 reform, they had to be financed. The existing Credit Society, to which most landlords were indebted,<sup>232</sup> was not prepared to let part of a mortgaged estate be sold, especially to peasants with no security. The Dorpat Commission had suggested that the Credit Society should allow peasant purchasers to take over the percentage of the landlord debt which corresponded to the value of the farm bought, the amount then being subtracted from the landlord debt. The peasant would be responsible for repayment to the landlord, who would have the right to sequester the peasant's land for default of payment or deterioration of land (an effective way of ensuring that free labourers remained

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<sup>230</sup> *Ibid.*, 178.

<sup>231</sup> *Ibid.*, 178-179.

<sup>232</sup> See page 311 above.



tied to the lord and his land). The February 1842 Landtag supported this idea of selling mortgaged land to peasants by transferring landlord debt to them but agreed that the Credit Society's opinion should be sought first. The Society came up with a credit plan which agreed in essence with the Dorpat proposals but failed to attract purchasers because, Fölkersahm claimed, the credit offered was too low. Fölkersahm then proposed setting up a separate Peasant Bank to afford peasants credit to buy land in small instalments, an idea based on recent German models. The German peasant banks were managed by the government but Fölkersahm suggested that administration costs be covered by compulsory debtor contribution,<sup>233</sup> thus ensuring continual funding.<sup>234</sup> The Credit Society was against another credit institute and tried to improve its credit terms, a measure supported by Samson and Buddenbrocks,<sup>235</sup> but the Peasant Bank proposal, with some amendments, received majority support<sup>236</sup> at the 1847 Landtag on the condition, however, of government financial participation in the form of a loan of one million rubles.

The state bank was not supportive of a separate Peasant Bank, particularly the idea of a private bank issuing interest-free cash notes, tantamount to money, and the practice of selling land already mortgaged to another credit institute.<sup>237</sup> In June 1848, the Finance Minister forbade the issuing of such cash notes. He did offer a subsidy of 4,750 rubles towards administration costs for three to six years

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<sup>233</sup> Of one percent.

<sup>234</sup> Tobien, *Die Agrargesetzgebung*, 153-158.

<sup>235</sup> Samson eventually recognized it as being unfeasible. *Ibid.*, 168, 176, 177.

<sup>236</sup> 106 votes for, 33 against. *Ibid.*, 172, note 3.

<sup>237</sup> *Ibid.*, 171, note 3.

but the Ritter asked for double the amount.<sup>238</sup> The tsar, asked to arbitrate, supposedly asked the Ritter to pay the amount themselves and eventually 4,750 rubles was agreed to.<sup>239</sup> It was obvious that the Ritter could not finance the reforms they suggested without imperial financial help but the dispute over this relatively small sum reveals an insistence on imperial participation which perhaps reflects the provincial attitude that the government should pay for the reforms it wished to see applied in the provinces.<sup>240</sup>

The Estland Ritter addressed the financial responsibilities of reform quite openly. The 1847 Landtag had decided to choose hereditary tenure until such times as the financial aspects of peasant landownership were satisfactorily worked out. The Committee appointed by the Landtag to deal with the cost of a reform on the Livland model saw the responsibility for financing peasant ownership of the land divided equally among the state, the Ritter, the landowners and the peasants. The Ritter had no resources left and even under the best conditions could not finance the redemption of the whole peasant land which amounted to the value of fourteen million rubles. The Committee did not recommend a new credit institute, as in Livland, on the grounds that the landowners were already indebted to the Credit Society and could not stand surety for peasant purchases of land, almost all of which was in any case already mortgaged. The peasants themselves were not in any situation to enter into money debts. The only source left was the state, and the government was eventually asked for an interest-free loan of one million rubles over forty years for the peasant purchase of land, which

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<sup>238</sup> *Ibid.*, 180.

<sup>239</sup> *Ibid.*, 184.

<sup>240</sup> Not that the Peasant Bank was an imperial idea, but it was necessitated by the government's insistence on peasant ownership of land.

would enable all peasant land to be bought in that time.<sup>241</sup> Thus, reform in both Livland and Estland was made dependent on imperial financial good will.

### The 1849 reform

After two years of objections, difficulties and discussions on the *Ostseekomitee* and on the Landtag, the Livland 1847 reform eventually became law on 9 July 1849. It restored to the peasantry a certain amount of the protection lost in 1819. The individual peasant still lacked security of land tenure and was not protected from dismissal but peasant land could only be leased to members of the *Gemeinde*.<sup>242</sup> Leases had to be concluded in writing and had to be valid for a minimum period of six years. Although the peasants were allocated a certain amount of unwithdrawable land, the landlord was given the right to appropriate a quota of this land to use as he saw fit.<sup>243</sup> The exact amount of the quota was difficult to define since it was expressed in terms of the *haken* but amounted to at least one-fifth of the total peasant land.<sup>244</sup>

The final 1849 version supposedly differed little from the 1847 draft but there were obvious concessions made to the objections raised from the government side. Kiselev's wish for protective regulations was evident in the acceptance of the *Wackenbuch* norms in cases of dispute over labour contracts. Fölkersahm's Peasant Bank plan was modified so that it was subjected to limited

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<sup>241</sup> Gernet, *Geschichte des Agrarrechts*, 226-232. The request was eventually refused in 1854 on the grounds that the state treasury at that point had no spare funds (due to the demands of the Crimean War). *Ibid.*, 248.

<sup>242</sup> The *Gemeinde*, however, was now open to non-peasants as long as they undertook all the duties of the peasant class. Not many were willing to assume corvée labour and subjection to the lord in order to acquire land. Tobien, *Die Agrargesetzgebung*, vol II, 191.

<sup>243</sup> Kiselev had wanted the quota restricted for use of landless labourers.

<sup>244</sup> *Ibid.*, 202-204.

financing for a limited period of time under state control.<sup>245</sup> Although successful at first,<sup>246</sup> it would eventually fail due to lack of secure financing.<sup>247</sup> The concessions did not satisfy the government, however. Its attitude was reflected in the fact that the law was given only provisional force for six years.<sup>248</sup>

The 1849 reform did not survive its probationary period. It was judged too liberal by the Ritter and in 1856 was replaced by a reform which restored the feudal elements of *corvée* labour and condemned peasant ownership of land. The reaction had begun soon after 1849's promulgation. In 1851, Fölkersahm's term of office as Land Marshal came to an end and he was replaced by his opponent Nolcken, who opposed peasant landownership and favoured labour contracts over money contracts.<sup>249</sup> Such thinking was not limited to the Baltic area. The ranks of German conservatism already discussed<sup>250</sup> were reinforced by reaction to Prussia's agrarian reform of March 1850 and growing socialist tendencies.<sup>251</sup> A German economic history in 1856 claimed that a money economy could only lead to impoverishment. It expressed opposition to free competition, industry, railways, machines and factories. Its author had elsewhere upheld the virtues of

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<sup>245</sup> *Ibid.*, 187,188.

<sup>246</sup> By the end of 1857, the bank had financed 229 peasant plots to the value of 336,6000 rubles, which represented sixty percent of the land value. This amounted to about one percent of total peasant land. C.Hehn, Die Intensität der livländischen Landwirtschaft, 104.

<sup>247</sup> W.von Bock, "Suum Cuique!" in Baltische Monatsschrift, vol 9, 1864; 84.

<sup>248</sup> The minimum period for a peasant-lord contract.

<sup>249</sup> Tobien, Die Agrargesetzgebung II, 221. See Ernst Freiherr von Nolcken-Lunia, Russland hat noch die Wahl (Berlin, 1857) where he warns Russia against the liberal agrarian laws of Western Europe.

<sup>250</sup> See pp.350-354 above.

<sup>251</sup> The reactionaries eventually established their own publication in 1855, the *Berliner Revue*.

labour contracts.<sup>252</sup>

Perhaps more important than the German influence on Baltic conservative trends was the fact that Russia's attention was increasingly required by international disputes in the Near East, culminating in full involvement in the Crimean War from 1853 to 1856. The Baltic provinces could return to the policies followed before imperial intervention required them to change. This seemed all the more necessary as the Ritter saw their interests threatened by the growth of towns and non-noble German interests.<sup>253</sup> The ethnic population was also beginning to find voice.<sup>254</sup> The reaction to the 1849 reform was extreme. The Committee set up by the Livland Ritter in May 1854 to prepare for the end of the reform's probationary period came up with recommendations in complete contradiction to 1849. Its main recommendation was not only to allow labour contracts, condemned in principle by 1849, but to give them preference over money contracts. The transfer of money contracts into labour contracts, strictly forbidden by 1849, was to be allowed. Peasant ownership was not to be recommended since it caused the partitioning of the land into small parcels. The Peasant Bank was to be abolished.<sup>255</sup> The minimum size of a noble estate was changed so that most estates would remain inviolable and it was made difficult for non-Ritter to buy land. These principles may have been in keeping with

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<sup>252</sup> W.Roscher, Geschichte der National-Oekonomik, 1025-1026.

<sup>253</sup> In 1864, non-Ritter German elements protested publicly that the history of Livland perceived by the Ritter to be that of concessions from their side for the benefit of all other classes was actually the history, since 1765, of landowner concessions to peasants and, since 1710, of the decrease in the rights of the burghers to the benefit of the Ritter. "Pro ordine civico," 267-268.

<sup>254</sup> The emergence of the Latvian voice in Livland in the mid-nineteenth century is dealt with in Andrejs Plakans, "Peasants, Intellectuals, and Nationalism in the Russian Baltic Provinces, 1820-1890," in Journal of Modern History no.3 (September 1974):445-475.

<sup>255</sup> It was claimed that over the past six years, only 73 of 317 farms had been sold with the help of the Peasant Bank. Tobien, Die Agrargesetzgebung, vol II, 218. Compare note 246 above.

current German conservatism but they were in direct contradiction to what Russia had recommended in 1849. The Landtag voted for their acceptance in November 1856. 1849 had no defenders, its main architect Fölkersahm having died in April 1856. The reform tried to exclude any competition, especially from town capitalism, to Ritter monopoly of land. The purchase of estate land was limited to the Ritter, only one-third of peasant-allocated land could be bought by peasants, but non-peasants were excluded. Non-peasants were also excluded from the *Gemeinde* despite the objections from the Riga Bürgermeister, Otto Müller. Labour contracts received equality with other contracts and hereditary tenure, forbidden by 1849 as a hindrance to peasant landownership, was reinstated as a lesser threat than peasant landownership as such.<sup>256</sup> The reform of 1856 gave priority to Ritter economic interests. The measures insisted on by the Russian government in the 1849 reform to protect the interests of the peasants were eliminated.

Reactionary Baltic factions had always been most successful when Russian pressure was most relaxed and Russia's involvement in the Crimean War had provided such an opportunity. The disastrous defeat in the war, however, brought attention swiftly and irrevocably back to agrarian reform as a means of strengthening the Empire and in March 1856 Nicholas's successor, Alexander II, made his plans clear. "It is better to destroy serfdom from above than to wait until that time when it begins to destroy itself from below."<sup>257</sup>

While various government committees sought an emancipation model for Russia, Russia's policy towards agrarian reform in the Baltic provinces continued

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<sup>256</sup> Tobien, *Die Agrargesetzgebung* vol II, 222-224.

<sup>257</sup> Cited in J. Blum, *Lord and Peasant*, 578.

on pre-Crimean lines. In July 1856, a reform proposed by the Estland Landtag and similar to the 1849 Livland reform was ratified.<sup>258</sup> All land which had been in de facto peasant possession on 9 June 1846 was designated as unwithdrawable peasant land and its demarcation to be completed within ten years. A minimum and maximum size for peasant plots was set. Peasant land could only be leased to members of the *Gemeinde*, but membership was not limited to peasants. Labour contracts were allowed but were viewed as provisional, and conditions more favourable to contracts in kind and money were created. Hereditary tenure was allowed.<sup>259</sup> The reform, however, did not please the peasants and there were several peasant uprisings which had to be quelled by force of arms,<sup>260</sup> thus necessitating imperial intervention in provincial reform legislation once more.

The reactionary 1856 Livland reform did not meet with imperial favour. Although imperial demands consistently concerned themselves with the removal of corvée and the assurance of land use for the peasants while provincial efforts were still aimed at retaining corvée and Ritter monopoly of land, the dynamics of the interaction were changed by Russia's involvement in its own reform. By the late 1850s, it was feasible that a new Russian reform would be imposed on the whole Empire. The Estland reform of 1859, the result of amendments to the 1856 reform, received only temporary ratification for three years. Between January and March 1860 the Senate discussed whether it was worth ratifying a reform for Livland when a Russian one would soon be promulgated. It was eventually decided to allow Livland to have its own reform but not the one proposed by the

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<sup>258</sup> It was not promulgated until 21 April 1858 due to the two years required to prepare the German and Estonian translations.

<sup>259</sup> Gernet, *Geschichte des Agrarrechts*, 254-261.

<sup>260</sup> *Ibid.*, 262-263.

1856 Landtag. The Senate rejected the reactionary elements in the Landtag draft and the ensuing reform of November 1860<sup>261</sup> was almost the same as the imperially-approved 1849 reform which the Landtag had attempted to replace. Once more, imperial intervention had forced Baltic conservatism on to a more liberal road. Imperial policy had been restored; provincial will had been forced to concede but a liberal Baltic law was preferable to a liberal Russian one.

Although Russia was now set on its own course of reform, the pattern of imperial pressure on agrarian reform in the Baltic continued. The ratification of the Livland reform of November 1860 was swiftly followed by an imperial directive reminding the Ritter to abolish labour contracts, to abolish house discipline and to allow freedom of movement for their peasants.<sup>262</sup> A few months later, on 19 February 1861, Russia declared its own emancipation.

There had been little doubt about Russia's dissatisfaction with the Baltic emancipation reform. The government had constantly exerted pressure to replace the principles of 1819 with those of 1804 and it was, therefore, never very likely that the Baltic emancipation would serve as a model for Russia.<sup>263</sup> At the same time, the Senate's decision implicitly acknowledged that the Russian reform was not applicable to circumstances in the Baltic (although certain of the non-noble German population, particularly in Riga, would have welcomed a Russian reform

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<sup>261</sup> It did not become law until 1863.

<sup>262</sup> Tobien, *Die Agrargesetzgebung* vol II, 241-242.

<sup>263</sup> Boris Chicherin reflects the Russian awareness of the implications of various reform plans. He viewed emancipating the serfs without land as justified in that it represented a return to what had existed before the peasants were compelled to serve their masters. Nevertheless, such a method faced "insurmountable difficulties," in particular, the terrible poverty of the lower levels of the population, as the Baltic provinces had experienced. They had tried to alleviate the situation with long-term contracts and peasant banks but the cause of the problem was that a landless emancipation rendered "the population, who should be settled owners, into homeless vagrants." *Golosa iz Rossii*, (London, 1856), 177. As late as 1860, however, A.Richter considered the reforms in the Baltic instructive for Russia. A.Richter, *Istoriya krest'yanskago sosloviya*, 6.



as a desirable alternative to reform based on Ritter privilege<sup>264</sup>). This did not imply imperial satisfaction with the situation in the Baltic. Imperial supervision of events in the provinces continued parallel to the development and execution of the Russian reform. The Russian government continued to demand improvements in the Baltic reforms and the Ritter found it increasingly difficult not to concede in the face of the very real alternative of the Russian reform.

The pattern of imperial impulse and provincial concession, however, was being changed by interaction with other factors by the middle of the nineteenth century and the imperial/provincial parameters of reform were being broadened and complicated by new developments. The concepts of Empire and provincial privilege were anachronisms in the nineteenth century and their practice had assumed aspects alien to their feudal origins. Confrontation was assured by Russia's consistent efforts to control its vast territories and the Baltic Ritter's insistent claims, as late as 1870, that their "privileges contain a nucleus, the proper understanding of which can now, after 160 years, propel the people to greater freedom and morality than all the reforms that the humanity and enlightenment of the monarch provide for the remainder of the empire."<sup>265</sup>

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<sup>264</sup> Anders Henriksson, The Tsar's Loyal Germans. The Riga German Community: Social Change and the Nationality Question, 1855-1905 (New York, 1983); 9.

<sup>265</sup> L.Pezold, Die Öffentlichkeit in den baltischen Provinzen (Leipzig, 1870), cited in A.Henriksson, The Tsar's Loyal Germans, 11.

## CONCLUSION

Imperial/provincial interaction in the process of agrarian reform in the Baltic provinces between 1765 and 1849 was a complicated chain of cause and effect involving the Empire and each of the provinces separately. It was greatly influenced by a wide variety of factors such as the ideas of the Enlightenment, economic theories and realities, the European trade market, agricultural technology, the demands of war, agrarian reform in other countries, practical Christianity as well as the personalities of the tsars and of individuals in the Baltic. There are, however, certain consistent factors amidst the various dynamics involved.

The relationship of the Baltic provinces to the Russian Empire between 1765 to 1849 was primarily one of dependence. While this is obvious, it is often overlooked as a parameter of the relationship. The provinces had little experience of any other status, their political independence limited to the early feudal days of the Knights of the Sword. There were no realistic prospects of future political independence and no ambitions towards it. The history and the future of the Baltic provinces lay in accommodation to a foreign power. Within the absolutism of the Russian Empire, there was no prospect or expectation of sharing power. Policies had to be gained by shrewd diplomacy, an area in which the Ritter, as representatives of the provinces, had long and varied experience. Dependence meant that some degree of compliance with the will of the Empire was inevitable. Non-compliance was not a feasible political alternative.

Since security was a prime consideration of the Empire, the success of Baltic diplomacy was dependent on stability within the provinces. Internal strife,

the disruption of imperial revenues by inefficient economy, social unrest or political disunity warranted imperial intervention. Imperial interests took precedence over provincial interests. For provincial interests to be respected by the Empire, the provinces had to function efficiently and peacefully.

The Ritter were the official representatives of provincial interests but perceived them to be synonymous with their own political and economic privileges. The welfare of the provinces, in their view, depended on the maintenance of these privileges. Their skills of diplomacy were required to ensure that their privileges were imperially recognized with each change in ruler and that they were not viewed as incompatible with imperial interests. This was not always an easy task since provincial privilege was dependent on imperial good will, which tended to view such privilege as temporary and conditional within an Empire that was absolute and permanent. The protection of privilege was the prime motivating force in the policies of the Ritter. Tied by their centuries old privileges to a feudal context, however, the Ritter were rendered static and anachronistic against the dynamism of the Empire.

The task of defending feudal privileges was challenged not only by external political and economic changes but also by internal dynamics. Those sectors of provincial society deprived of political and economic power by Ritter monopoly had little to defend, but much to gain through any decrease in Ritter privilege. The non-matriculated nobility benefited from imperial decrees which were issued with the Russian service nobility in mind and not the closed ranks of the matriculated Baltic nobility. In the mid-eighteenth century, Russia recognized the rights of the *Landsassen*, and Catherine's Charter to the Nobility, for example, suited their aspirations to the detriment of Ritter monopoly. The *Statthalterschaft*,

the most extreme form of imperial intervention, was a dynamic of change which favoured the interests of non-Ritter groups in the Baltic provinces. Anti-Ritter factions were thus imperially rather than provincially inclined. Imperial power may have affirmed the privileges of the Ritter but in effect did not actively work to protect them.

This was most evident in the process of agrarian reform. Any instability in agrarian relations threatened the security of the Empire and demanded imperial attention. The basis of Ritter privilege was land, however, and any change in land ownership or peasant relations meant a change in internal power relations. Pressure for agrarian reform, either Russian or domestic, whatever the motivation, could only be perceived as a threat to Ritter privilege. For the Ritter, therefore, protecting privilege meant resisting reform. In terms of dependence, resistance was not a policy sure of long-term success.

The Ritter knew this from experience gained from a history of resistance to imperial pressure for agrarian reform. They had managed to concede little under Poland but lost almost everything under Sweden. Russia may have restored their lost privileges but by the mid-eighteenth century had resumed the imperial tradition by issuing very clear directives to provincial authorities on the necessity of reform for serfs in the Baltic provinces. The Ritter responded with evasion and procrastination and compliance, when it came, was only to the degree they considered politically pragmatic. The degree of provincial compliance to imperial demands increased, however, in proportion to the development of a clear agrarian policy on the imperial side. Imperial pressure to reform was not just a call for general improvement but came with specific criticisms and practical suggestions. The reform demands of the Empire actually evidenced a remarkable

consistency under four different rulers from 1765 through to 1849. The consistency was assured partly because of the Ritter refusal to comply fully. It is also important to note that the Ritter, in evading compliance, were in fact rejecting specific agrarian reforms rather than a vague idea of imperial intervention. Paradoxically, however, fear of the application of imperial reforms moved the Ritter to concede, albeit partially, to those very reforms they were trying to avoid while at the same time protecting as much of their privilege as they could.

Although the Empire had specific reforms in mind, it did not impose them forcibly. Imperial will did not override provincial rights. Over almost a century, Russian rulers used different tactics to urge the reluctant Ritter to reform voluntarily and according to their own political procedures. The Governors General played an important part in endeavouring to have the Ritter comply with imperial will. When their guidance was ignored, they resorted to more dramatic pressure. Browne threatened imperial intervention for non-compliance, Paulucci threatened resignation and Pahlen by-passed the Landtag. The Ritter's pragmatic approach to compliance was not always successful. There were miscalculations. By 1802, for example, Alexander I in rejecting the Ritter's partial compliance with imperial reform wishes proclaimed the Livland Landtag incapable of introducing the reforms he expected. He increased the imperial role in the legislation process by relegating the reform question to an imperial committee, a serious diminishing of Ritter political management of affairs in their own province. While there was always Ritter representation on imperial reform committees, they were more easily controlled than a complete Landtag and ensured imperial representation and guidance from the very outset, which was not possible under provincial legislative procedure. The committee approach took over to such an extent that

the Kurland 1817 reform was not discussed by the Landtag. It was mainly imperial pressure in various forms which provided the impetus for agrarian reform in the provinces. In those periods when the attention of the Empire was diverted, especially by war, the reform process halted or regressed. The nature of imperial policy, or at least inclination, was evident in the instructions given regularly to each Landtag, in the open criticism of Baltic affairs often expressed by the tsars themselves, in public essay competitions on the subject of serfdom and in certain decrees such as Alexander's 1803 free farmers' reform. The development of reforms for the state peasants provided an important reflection of intended imperial policy for private estates. While labels are always relative, it is obvious that the Russian reform plans were liberal in comparison with the Ritter defence of privilege. Those in the provinces willing to reform at the expense of Ritter privilege, some of them Ritter themselves, found it an effective strategy to appeal to the tsar to act against conservative majorities, thus increasing the imperial role in agrarian legislation. In the period under study, there is a definite link, a certain co-operation, between provincial liberals and imperial power.

Imperial agrarian policy in the Baltic, developed in the latter half of the eighteenth century, was clearly expressed in the 1804 reform. The principles of the reform formed the core of imperial agrarian policy in the Baltic over the next fifty years. The reform was an imperial rather than a provincial one and had almost been forced on Livland. Estland successfully avoided it by offering a seemingly more liberal alternative, but one which would not interfere with Ritter economic privilege. The 1817-1819 emancipation reforms in the Baltic were to a large extent reactions to the imperially-guided 1804 reforms. In the next half

century, the Empire defended the principles represented by 1804 against those which it had allowed, in a flush of enlightened enthusiasm, by the 1817-1819 reforms. It sought to restore to the peasants those elements of protection which had been removed by the emancipation reforms.

The main difference between the imperial reform policy and that of the Ritter stemmed from different attitudes to peasant land security. Both agreed on the inviolable right of the nobles to their land but the Russian policy recognized the need for some form of land security for the freed peasant. Its search for viable alternatives to land grants ended in the policy of peasant hereditary tenure of the land. The Baltic Ritter viewed this as a violation of their land privileges and sought to guarantee their sole right to own the land by a landless emancipation. Such an emancipation was clearly seen by the Ritter as the only way to secure their right to the land which was threatened by the imperial policy of hereditary tenure. The Baltic emancipation reforms applied *laissez-faire* principles to a feudal context of Ritter privilege. The Empire, for its part, was intent not only on finding a way to protect the landless peasants but on eradicating the feudal practices expressed by such privilege: *corvée*, short contracts, appropriation of peasant-farmed land, dismissal of peasants, unregulated labour dues and landlord jurisdiction. Basically, the Russian policy sought a way to give the freed peasants some kind of land security and protection from exploitation; the Baltic barons sought their own land security and complete control over their labour force.

Finally, it should be noted that it is somewhat misleading to talk of Baltic agrarian policy since each province acted separately, pursuing its own interests and evading any united representation. Attempts to unite the provinces under

one reform, or one administration, came from the imperial side. Livland and Estland had different histories, different economic conditions, different needs. Kurland remained outside the Russian Empire until 1795. The main factors governing the provincial/imperial interaction, however, were present in each. The lack of unity amongst them allowed the Empire more flexibility in using one province as an example or incentive against another. Their different levels of compliance contributed to the complicated chain of cause and effect. A united front would have deprived the process of some of its catalysts and the Empire of some of its leverage. By its static nature, however, provincial privilege was not destined in any case to survive in a changing world. That it did so long is testimony to the skilful diplomacy of the Ritter and the respect of the Empire for provincial rights.



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