

The Radical Attorney of the Russian Empire – Alexander Lindfors (1837–1890)

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DOI: [10.22178/pos.56-1](https://doi.org/10.22178/pos.56-1)

LCC Subject Category: [DK508-508.95](#)

Received 22.02.2020

Accepted 28.03.2020

Published online 31.03.2020

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Abstract. The article is intended to highlight the advocacy of the well-known attorney and zemstvo leader in the Russian Empire, Alexander Lindfors (1837–1890). His name is often found on the pages of scientific publications devoted to the history of the constitutional movement in Russia among liberals of the 19th century. However, the scientific community does not have a wide knowledge of the facts of his biography due to the very limited interest in Lindfors. Only Rakhno's biography was studied by Lindfors already in the 21st century, which undoubtedly affects the amount of information about the subject of our study. Alexander Lindfors, first of all, began to engage in social activities in connection with active advocacy. But too little is known about the latter because no research has been conducted in this direction before. This study is an attempt to put together facts about Lindfors as a lawyer using the method of narrative analysis and a critical assessment of the sources used. Using these methods, the author was able to find evidence of Lindfors's participation in the most high-profile court cases against the members of the 19th-century revolutionary political organization in the Russian Empire with a name “Narodnaya Volya”. Lindfors was one of a limited number of 20 attorneys known to us for appearing in the 1860-1890s during the biggest litigations against Russian revolutionaries. The most famous litigation involving A. Lindfors is the so-called “Kyiv process against the 12 “Narodnaya Volya” members”. An analysis of the memories of people close to Lindfors made it possible to characterize his legal activity and confirm his direct involvement in the establishment of the Kyiv Law Society.

Keywords: Lindfors; Russian Empire; attorney; zemstvo; Narodnaya Volya.

INTRODUCTION

Alexander Lindfors (1837–1890) made history primarily as a well-known representative of the Zemsky Liberal Movement in the second half of the 19th century, one of the founders of the constitutional movement in the Russian Empire of this time. However, he was known to his contemporaries as a “Radical Attorney”. Unfortunately, his career as a lawyer has not been the subject of any research. This creates an unsatisfactory context of coverage of the problem in the modern scientific space of historical science. The purpose of our scientific exploration is to highlight the contribution of A. Lindfors to the professional environment of the attorneys in the Russian Empire in the second half of the 19th century.

Such work is the first attempt to represent the main specialization of the Zemsky Legist. We can

say that A. Lindfors' biography was presented in O. Rachno's scientific research only in the 21st century, but even in the mentioned work, the lawyer's activity was not analyzed. In the center of this research was put A. Lindfors' professional importance for contemporaries. That is why the analysis of the narrative about his work, which would characterize his professional qualities as an attorney, became more important for us. For the sake of obtaining such information, we turned to the search for references to A. Lindfors' advocacy in the memoirs of his associates and superficial acquaintances, representatives of his family and colleagues from the legal profession.

By critically processing the information that they have obtained and using the method of narrative analysis (one of the main biographical methods), we can reach quite objective conclusions according to the set goal.

RESULTS AND DISCUSSION

We can talk about A. Lindfors' activity in the field of jurisprudence only after 1865, when he defended his law degree as a "Candidate" at the Law Faculty of the Imperial University of St. Vladimir [8]. It was there that young A. Lindfors managed to make important acquaintances for professional activity, both between student and teaching staff. It should be emphasized at the time that the scientific degree of "Candidate" in the 1860s was different from the modern one and more in line with the status of the Master's, which is widespread in our time on the territory of Ukraine [3].

As a lawyer, A. Lindfors often consulted with his former teacher, Professor A. Kistyakovsky, as evidenced by the diary of the latter. For example, on one such visit, the professor mentioned under September 21, 1880: "Then came one by one: A. F. Lindfors, V. V. Porskalov, S. P. Yakubovich, A. D. Yurkevich and Ruzsky, a completely new personality, recommended as a member of society" [7, 292]. The last mention of "society" is directly related to the Kyiv Law Society – one of the first on the territory of the Russian Empire. A similar reference made us think that A. Lindfors was also visiting A. Kistyakovsky that day on the issues of the designated unification of legal practitioners.

The Kyiv Law Society was founded in 1877 according to a charter approved by the Minister of Education. However, the said charter was revised in 1879 and re-approved by the Minister as early as 1880 [2, 29]. In the years of A. Lindfors' life, the chairman of the society from 1877 to 1879 was the Associate Professor of civil law V. Demchenko; from 1879 to 1884 – Professor of Criminal Law A. Kistyakovsky; from 1884 to 1909 – V. Demchenko (second time) [4, 231–232].

A. Kistyakovsky respected A. Lindfors as a specialist in law. In particular, in his diary from April 5, 1876, he recorded almost the entire history of A. Lindfors' legal activities up to a certain time: "From that day, I was with a principal (in Russian: веритель) Mogilyansky; met his wife. We were talking about subjects related to the field of jurisprudence. We talked about Chernihiv attorneys. There are only two of them at the Chernihiv District court. One is Pavlushenko, a respectable man, a student of our faculty; and the other is Tikhutsky, a man with a dirty reputation and to top off a drunkard. To my question why

the Chernihiv District court did not confirm Lindfors with the rank of assistant attorney, he pointed to two reasons: because of the court there was a report about the political unreliability of L[indfors] and since Lindfors did not provide detailed information about what he studied from the time he passed the exam to his appearance. And between them, the news reached them that Lindfors was fired without explaining the reason. Then I told Mogilyansky biography of Lindfors to show how unfairly the Chernihiv court did to him. Lindfors, the son of a general, graduated from the Page Corps. He served in the military service, in which he rose to the rank of lieutenant or staff captain. Captured by the movement of the 60s, he left the service and entered the Kyiv University to Faculty of Mathematics. Here he did not stay long. [...] he began to prepare for the exam for a Candidate in law. Possessing living, though not deep, abilities, being pure and encyclopedic, he passed the exam for this degree. Upon receiving his degree, he went to Petersburg, where he was, as he says, an assistant to Turchanikov for two years. Upon returning to Kyiv, he wanted to practice. He took a live part in the drafting of the charter of the Law Society and then came to Chernihiv, where he suffered the aforementioned fiasco. Politically, he was known for his good relations with the Ukrainophiles led by Drag[omanov] and Antonovich. This was probably the end of him. What is that? Mogilyansky agreed that the court acted somewhat recklessly, but apologized for this for the fact that Lindfors himself did not bother to explain his biography" [6, 147–148].

The above passage should be analyzed. A. Kistyakovsky's interlocutor was his former student M. Mogilyansky – a graduate of the Chernihiv Theological Seminary and the Faculty of Law of Kyiv University. Beginning in the mid-1870s, M. Mohylyansky held the office of a member of the Chernihiv District Court, and later headed the institution [1, 12]. One way or another, but M. Mohylyansky contacted with A. Lindfors.

Next, it is worth mentioning two years of work in St. Petersburg as an assistant for Turchanikov. The latter, of course, can be understood as A. Turchanikov – one of the first professional attorneys at the St. Petersburg Trial Chamber [11, 186] and a famous liberal of his time. A. Turchanikov was one of those practitioners of the Russian Empire who could compete with any European counterparts [11, 185]. During the pe-

riod 1866–1895 he participated as a lawyer in 11 political processes in which he had to defend the ideas of the revolutionaries and the revolutionaries in particular [11, 185–186]. Provided that the peculiar legal practice of A. Lindfors was held under the guidance of the aforementioned A. Turchanikov, the further commitment of the "radical attorney" to the ideas of liberalism in the Russian Empire becomes clearer.

Imprisoned for her revolutionary views, S. Rusova, A. Lindfors' sister, recorded in her memoirs how brother had helped her escape from the Russian Empire prison. She vividly describes the emotions she has experienced since being released from prison: "I knew that even people like me tried for me and that their names could not be uttered with those witnesses who always listened to every word on a date. Soon my brother came to me – our arguments were forgotten, and he came to comfort me that soon he would take me on bail and I would return to the children. [...] It took three months of dull life in prison. [...] One morning I was summoned to the office and, oh, joy! – in the waiting room was my brother with a considerable package. – "Well, Nona, dress, you are free! I still managed to pull you out". I did not believe in myself – I am free, I will come out of these walls, I will see children! One minute, I drop bad clothes in my cell, change clothes, gather, but... something happens to me across my happiness. Paula, my dove, she will stay in these walls, and there, on the other side of the court, are all dear comrades. Is it a betrayal to leave them here? I shout to them: Farewell, I am going free, God forbid, and all of you are more likely to wait! As I walk out of the yard in a dream, I wave my hand to anyone who looks out the windows and the goalkeeper, clanking my keys in an awful way [...]. – But I'm not afraid of him anymore, I'm on the other side of the wall, my brother is around me, he strikes out with a harsh, humming me for all my revolutionary fabrications, but I know that he is happy for me too. As many as ten thousand took gendarmes from him as a pledge that I would live on his bail for the duration of the investigation. We sit in the sleigh, go to the Old Zhytomyrska Street, I am covered by crazy fun, I rejoice in the snow, I am glad to the dog that pounces on our sleigh, and I do not quite kiss my Sasha on the street in broad daylight. – "That's how revolutionary rejoices, like a high school student!" – laughs my brother, and here we are already on the descent of Andriyevsky in his apartment, where on the

stairs we run towards my beloved skies Olga and Zina. The truth was once told to me by Korolenko: "Our life, thanks to the care of a wise superior, is full of negative joys. Here you would not be arrested, you would not enjoy the release" [9, 151–152].

Despite the degree of affinity between the author of these memoirs and A. Lindfors, we need to understand the historical implications of the passage above. S. Rusova has long been featured in the Russian empires as an unreliable (dangerous) element of society. Therefore, there was a high likelihood of difficulty in being released, especially when a very unreliable citizen, such as A. Lindfors, acted as the guarantor (he had been under the supervision of the relevant Russian Empire authorities for some time). Here we can rather argue about a wide range of professional relationships, taking advantage of which the brother managed to free his sister without difficulty. Somehow, the element of S. Rusova's memoirs represents the client's emotional satisfaction with the activity of a "radical attorney".

A. Lindfors did not leave his sister for legal support. For example, in the grave situation of S. Rusova when she was under constant supervision of gendarmes in Verkhnodniprovsk with a ban on living with her husband, who worked as a statistician in Kherson in the early 1880's. S. Rusova wrote: "One day my brother came out of the steamer – what unexpected happiness it was! We chatted for three days, expressing our thoughts, competitions, and dreams. Everything that has been hurting in my soul for a long time, has changed my mind and gone through criticism of the mind of my brother and mine, all this has been reflected in our conversations. My brother was traveling to St. Petersburg and promised to get permission to live with my husband there, although Kherson was "in a martial law". And in the summer I was allowed to move, though not to Kherson – the harrow of God – to Aleshky of the Dnieper (Tavriya), nevertheless closer to Ol. Ol., it took the whole hour in a steamboat ride from Kherson" [9, 151–152].

It is known that A. Lindfors participated in the so-called "Kyiv process against the 12 "Narodnaya Volya" members" in 1884. As a lawyer, he was part of a group of attorneys defending defendants under the leadership of L. Kupernik [10, 69]. In the territory of Ukraine, the latter was said: "Where God has retreated, there it is still possible to go to Kupernik!" [5, 77]. In the case of the 12

“Narodnaya Volya” members, the trial took place from November 1 to November 9, 1884, in the Kyiv Military District Court. The attorneys assumed the “protection of the whole case from a principled side” [5, 77]. They skillfully denied the prosecution’s attempts to legally quickly finish the case with a win. In the end, the lawyers succeeded in bringing the case out of Art. 249 of the Provision of punishment imposed by the prosecutor on all the accused and which could have led to their death penalty. The defense reminded the court that Art. 249 appeared in the Provision as a reaction to the Decembrist Revolt, and that it referred specifically to a military uprising, a “rebellion of troops” that could not be attributed to the “Narodnaya Volya” members.

Moreover, attorneys have denied the prosecution’s attempt to file the “Narodnaya Volya” program as a chimera that pursued the only destruction. They explained that the “Narodnaya Volya” aims at destroying only the system that then dominated Russia and replacing it with another: “There is nothing chimerical, unattainable in this. After all, there are states in Western Europe with other political institutions than ours” [10, 69].

The personality of the head of the trial, General P. Kuzmin, also left its mark on the course and outcome of the trial. In 1849, a person from the noble family of the Old Believers, the thirty-year staff captain of the General Staff P. Kuzmin was arrested on the whistleblower Antonelli, and therefore spent five months in the Alekseevsky Ravel in Peter and Paul Fortress (together with M. Petrashevsky, F. Dostoevsky and others), and then convicted on the famous “Petrashevsky process”. At that time, P. Kuzmin was able to masterfully self-justify, which is why he was soon released. However, he always had disdain for the provocateurs, even after reaching the rank of lieutenant-general. And this feeling seems to have survived for life [5, 77].

Through the efforts of L. Kupernik, as well as the attorneys A. Goldenveizer and A. Lindfors, the charges in the case of the 12 “Narodnaya Volya” members were so shattered that the court rendered an unexpectedly soft sentence: no any death penalty and (a rarity in military courts) three persons justified.

The Head of the Government D. Tolstoy and the Minister of War P. Vannovsky called the judgment “very weak” (the head of the Kyiv gendarme department, V. Novitsky, called it “lady-like”). D. Tolstoy personally asked the Governor-

General of Ukraine A. Drenteln for the reasons for such a soft judgment. The latter replied that “hard labor in jail for at least four years cannot be considered as a soft punishment” [5, 78]. However, as a result, the head of the trial, General P. Kuzmin, was fired. Thereafter, in the court trials of the “Narodnaya Volya” were no more “ladies” punishments [10, 69].

According to M. Troitskiy’s research, A. Lindfors was among a limited number of 20 attorneys known to us for his speeches in the political processes of the 1860–1890s. Among them, A. Lindfors was one of three (sic!), who was not arrested or under administrative punishments [11, 195]. We have an interesting situation: either A. Lindfors being very circumspect in the conduct of affairs, or using the intercession of some powerful person. However, these are only guesses. Undoubtedly only one thing, A. Lindfors was on the list with L. Kupernik and A. Goldveizer of the stars of the first magnitude of the Russian Empire judiciary [11, 186] in connection with participation in the trials of the “Narodnaya Volya” members.

CONCLUSIONS

Thus, we were able to find out a few clarifying facts about the biography of A. Lindfors in the field of his legal activity. Thanks to the memoirs of his contemporaries, from which we have singled out A. Kistyakovsky and S. Rusova, it is possible to draw proper conclusions. First, A. Lindfors was one of the founders of the charter of the Kyiv Law Society, one of the leading professional associations of legal practitioners on the Ukrainian territory during the Russian Empire. Secondly, A. Lindfors’ professional relations with the Chernihiv District Court were expanded in the 1870s – his contact with M. Mohyliansky was indirectly revealed. Third, it was possible to find out the identity of the solicitor (lawyer), who had been practicing A. Lindfors in St. Petersburg for two years. It was the famous liberal A. Turchanikov. This fact can be regarded as the basis for the search for the start of the formation of A. Lindfors’s liberal worldview, which eventually led him to the Zemsky constitutional movement. Fourth, and emotional feedback from A. Lindfors’ client about his professional work as a lawyer was found. Fifthly, it examines the historical significance of the most important litigation in which A. Lindfors participated. It is about the so-called “Kyiv process against the 12 “Narodnaya Volya” members”. We have con-

firmed that A. Lindfors was one of the most famous liberal attorneys of the Russian Empire at one time. And because of his fairly good knowledge of the laws and the systems that created them, he was not only able to withstand the

oppressive apparatus of the empire but also remained unobstructed, unlike his work colleagues, who dared to defend the revolutionaries of the second half of the 19th century.

REFERENCES

- Berzin, P. (2011). *Nevidomi uchni O. F. Kistiakivskoho (Ya. Ya. Shostak, M. M. Stupin, M. Ya. Mohylianskyi)* [Unknown students of O. F. Kistiakivskiy (Ya. Ya. Shostak, M. M. Stupin, M. Ya. Mohylianskyi)]. *Juridical Sciences*, 86, 10–13 (in Ukrainian)
[Берзін, П. (2011). Невідомі учні О. Ф. Кістяківського (Я. Я. Шостак, М. М. Ступін, М. Я. Могилянський). *Юридичні науки*, 86, 10–13].
- Ikonnikov, V. (1884). *Istoriko-statisticheskie zapiski ob uchenykh i uchebno-vspomogatelnykh uchrezhdeniakh Imperatorskogo universiteta sv Vladimira 1834-1884* [Historical and statistical notes on scientists and educational institutions of the Imperial University of St. Vladimir]. Kiev: V tipografii Imperatorskogo universiteta Sv. Vladimira (in Russian)
[Иконников, В. (1884). *Историко-статистические записки об ученых и учебно-вспомогательных учреждениях Императорского университета св. Владимира (1834-1884)*. Киев: В типографии Императорского университета Св. Владимира].
- Ivanov, E. (1994). *Uchenye stepeni v Rossiiskoi imperii. XVIII v. – 1917 g.* [Scientific Degrees in the Russian Empire. 17th century – 1917]. Moscow: Institut rossiyskoy istorii (in Russian)
[Иванов, А. (1994). *Ученые степени в Российской империи XVIII в. – 1917 г.* Москва: Институт Российской истории].
- Kaliuzhnyi R., & Doroshenko, Yu. (2000). *Narys istorii Kyivskoho pravnychoho (iurydychnoho) tovarystva* [An outline of history of the Kyiv Law Society]. In *Ukrainskyi pravnychiy almanakh* (pp. 224–243). Kyiv: n. d. (in Ukrainian)
[Калюжний, Р., & Дорошенко Ю. (2000). Нарис історії Київського правничого / юридичного / товариства. В *Український правничий альманах* (с. 224-243). Київ: n. d.].
- Kara-Murza, A. (2018). *Rossiiskii liberalizm idei i liudi* [Russian Liberalism: Ideas and People] (3th ed., Vol. 2). Moscow: Novoye izdatelstvo (in Russian)
[Кара-Мурза, А. (Ред.). (2018). *Российский либерализм: идеи и люди* (3-е изд., Т. 2). Москва: Новое издательство].
- Kistiakivskiy, O. (1994). *Shchodennyk* [The diary] (1874–1885) (Vol. 2). Kyiv: Naukova dumka (in Ukrainian)
[Кістяковський, О. (1994). *Щоденник* (1874–1885) (Т. 2). Київ: Наукова думка].
- Kistiakivskiy, O. F. (1995). *Shchodennyk* [The diary] (1874–1885) (Vol. 2). Kyiv: Naukova dumka (in Ukrainian)
[Кістяковський, О. (1994). *Щоденник* (1874–1885) (Т. 2). Київ: Наукова думка].
- Kyivskiy universytet Sv. Volodymyra. (1834–1920). N. d. (Fond 16. Opys 465. Sprava 492. Arkushi 1–14). Derzhavnyi arkhiv mista Kyieva, Kyiv, Ukraine (in Ukrainian)
[Київський університет Св. Володимира. (1834–1920). N. d. (Фонд 16. Опис 465. Справа 492. Аркуші 1–14). Державний архів міста Києва, Київ, Україна].
- Rusova, S. (1928). *Moi spomyny* [My memories] (1879–1915). In M. Hrushevskiy (Ed.), *Materiialy z hromadskoho y literaturnoho zhyttia Ukrainy XIX i pochatkiv XX stolittia* (Vol. 3) (pp. 147–205). Kyiv: Derzhavne vydavnytstvo Ukrainy (in Ukrainian)
[Русова, С. (1928). *Мої спомини* (1879–1915). В М. Грушевський (Ред.), *Матеріали з громадського й літературного життя України XIX і початків XX століття* (Т. 3) (с. 147–205). Київ: Державне видавництво України].

10. Stetsyk, A. A. (2014). *Kupernik Lev Abramovich (1845–1905)* [Kupernik Lev Abramovich (1845–1905)]. *My i pravo*, 3, 68–71 (in Ukrainian)
[Стецьк, А. (2014). Куперник Лев Абрамович [Kupernik Lev Abramovich] (1845–1905)]. *Мі и право*, 3, 68–71].
11. Trockij, N. (1979). *TSarizm pod sudom progressivnoi obshchestvennosti. 1866-1895* [Tsarism is being tried by a progressive public]. Moscow: Mysl (in Russian)
[Троцкий, Н. (1979). *Царизм под судом прогрессивной общественности. 1866-1895*. Москва: Мысль].