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Dissertation Title: “Law and Debt in Moscow Province During the Great Reforms, 1850-1870”

Final Report

A. Research Accomplishments

My research goal during my stay in Moscow was to study unpublished legal cases and other court documents that are preserved in the Central Historical Archive of Moscow (*TsIAM*). These records are only available through on-site archival research in Russia. *TsIAM* contains records of the key pre-1917 legal institutions, relating not only to the city, but to several surrounding agricultural provinces, therefore involving a rich variety of factual situations. This archive provides a unique opportunity to examine cases from trial and appellate courts, from administrative agencies, from urban and rural areas, and concerning commercial, industrial, and agricultural matters. I found to be particularly helpful the collections of the Office of the Moscow Governor General, of the Moscow Chambers of Civil and Criminal Justice, and of the Aulic and County Courts. Among the specific issues I researched during the spring and summer of 2008 were debt imprisonment in Moscow, criminal cases of “intentional bankruptcy” and a cross-section of Russian legal practice in the 1850s and 1860s created through studying the ledgers of powers of attorney and promissory notes.

The study of unpublished legal documents is central to my dissertation project, which examines the culture of debt, credit, and insolvency in mid-nineteenth century Moscow region. My two related objectives are, first, to examine the legal aspects of personal indebtedness and debt collection, and thus to illuminate the culture and practice of law in imperial Russia in the key period of the serf emancipation of 1861 and the court reform of 1864. The second goal is to examine the cultural and social significance of personal debt, a ubiquitous but little-studied aspect of Russian life.

During the eleven months of working at *TsIAM* I was able to complete my research goals and accumulate ample materials for my dissertation. However, a number of issues relating to restrictions in document access, outdated reading room policies and high duplicating costs prevented me from fully benefiting from *TsIAM*'s extraordinarily rich holdings. Simply put, a comparable time and effort spent in a U.S. or a Western European archive would have yielded several times the amount of materials.

Factors that aided me in completing my research goals were (1) my native command of Russian and my legal background, which facilitated my reading of legal documents, (2) the extensiveness of *TsIAM*'s holdings, allowing me to find substitutes for materials I was not given permission to access, and (3) the length of my stay, which allowed me to familiarize myself with archival holdings and to plan out my research strategy. Finally, I was greatly aided by the letter ACTR (Sarah Krueger) sent to *TsIAM*'s director on my behalf in the spring of 2008, which seems to have drastically improved my access to documents for the rest of my stay.

As to the hindering factors (which seem to operate in most Russian archives), the most important one was inadequate access to documents. Researchers at *TsIAM* are routinely denied

their requests on the pretext that a particular file needs “restoration”. Since in my case the number of such denials reduced to almost zero after a letter from ACTR prepared by Sarah Krueger and addressed to the director of the archive, the obvious conclusion is that the incidence of denials does not correlate to the documents’ physical condition and instead results from the restrictive legacy of the Soviet era, as well as the traditional institutional rivalry between historians and archivists in Russia.

This said, I do not believe that my difficulties in accessing documents resulted in any way from being a U.S. scholar: Russian researchers working at *TsIAM* were frequently subjected to much harsher restrictions and on numerous occasions engaged in shouting matches with archival staff. Nor do I believe that the archive somehow lacks funding to keep its holdings in proper condition: the archival complex has recently welcomed a brand-new highrise building that features a skylight in the reading room and a marble-decorated lobby. Towards the end of my trip I witnessed a truck-load of new flat-screen computers being unloaded in the lobby and carried upstairs, where the archivists have their offices.

While this lack of cooperation on the part of the archivists was the most crippling factor, outdated reading room policies and research infrastructure at *TsIAM* also slowed down my (and other historians’) research considerably. For instance, it is virtually impossible for a full-time researcher to use laptop computers in the reading room: there are enough electrical outlets but they were taped over by the archivists on the ludicrous pretext of saving power (laptop computers consume very little). Therefore, it was not possible to work on a laptop for more than a couple of hours; like almost all researchers at *TsIAM*, I had to use pen and paper. Senior Russian academic historians routinely ask for this restriction to be removed, but so far have always been rebuffed. Second, duplicating costs at *TsIAM* were so prohibitive (\$6 and up for simple xeroxing) as to make it impossible to save research time by copying some of the documents. The reason for high costs appears to be that most researchers at *TsIAM* are not academic historians but individuals researching family history or looking for proof of land ownership etc. Such persons have no other recourse than to pay exorbitant amounts for archival copies of documents. Another reason for excessive duplicating costs is the notion that scholars should be forced to share their presumed financial windfall from publishing their work. Thus, as a U.S. researcher, I was asked to pay the same rate as a “corporate body” and told that I should pay more because I am an American and will someday presumably earn a high salary.

While, in my case, these hindering factors were sufficiently compensated by the enabling factors to allow me to complete my research as planned, my research (and that of other historians) could have been much more complete and efficient if not for these unhelpful and unnecessary policies.

My dissertation is directly relevant to current US foreign policy, in that the development of Russia’s law and legal institutions vitally affects its relations with the US and other nations. To evaluate the prospects for the rule of law in Russia today it is necessary to go beyond the study of legislation and legal scholarship to learn about legal practice and attitudes toward and uses of the law by both professionals and laypersons, paying particular attention to their historical development in a comparative framework.

During my stay in Moscow most of my time was occupied by archival research, which I did not have time to organize for a presentation. However, I attended a number of regular seminars held at the Moscow State University by Professor Larisa Zakharova (a leading historian

of the nineteenth-century Russia) and by Professor Leonid Borodkin, another prominent Moscow historian, in addition to establishing numerous informal connections with my Russian colleagues. Aided by these contacts, I plan to present my work based on this year's research at the appropriate seminars and conferences when I return to Moscow in the future.

My trip to Moscow was indispensable to completing my dissertation research, which centers on unpublished court materials not available outside Russia. The field of Russian history, having suffered severely from Cold War-era restrictions, includes numerous vital but underexplored areas, such as the history of Russian law, and for that reason it is important that the US continue to fund research projects in Russia, currently a key area of US foreign policy concern.

B. American Councils for International Education

(a) Pre-departure preparations. My travel arrangements were superb; ACTR very promptly and helpfully reacted to my questions and concerns about travel and provided a convenient and hassle-free itinerary. I received my stipend without any difficulty.

(b) In-Country Support. ACTR was extremely helpful with facilitating archival access: a letter from Sarah Krueger to the director of Central Historical Archive of Moscow seemed to have been the only thing that helped me in that respect during the eleven months of my stay. It was extremely comforting that I had medical insurance during the second half of my stay in Russia (I had a different fellowship during my first six months), although thankfully I did not have to actually use it. ACTR also arranged for support and affiliation through Russian State Humanities University.

C. Future Plans

I plan to spend the two years covered by my Columbia fellowship writing my dissertation. Two years are ample time for the write-up process. While writing, I plan to present portions of my research at appropriate conferences in the US and, if possible, in Russia. If a suitable occasion arises, I also plan to present my work at seminars and/or workshops at Columbia University and/or any other suitable venue, including Embassies, NGOs, or Government officials. After receiving my Ph.D., I intend to obtain a faculty position at a U.S. college or university.