The Nakaz of Catherine II

The Nakaz, or Instruction, of Catherine II to the Legislative Commission of 1767–1768

Among the enlightened despots of eighteenth-century Europe, Catherine II of Russia occupies an eminent place. She acquired this position through her associations with such prominent men as Diderot, Grimm, Voltaire, and D'Alembert, through her patronage of education, and through her writings, of which the Nakaz, or Instruction, to the Legislative Commission of 1767–1768 is the most important. The Nakaz, which Voltaire called the finest monument of the century, represents Catherine's ambition to remodel Russia's laws in accordance with the new principles being expounded in Western Europe. Together with its two supplements, it consists of 655 articles, and took two years to prepare. About four-fifths of the articles were taken from Montesquieu's The Spirit of Laws, while Beccaria's Essay on Crimes and Punishments influenced over 100 of them. To conform with the conditions in Russia, Catherine modified and in some cases even distorted the ideas of Western writers. Although the Commission held 203 sessions, it failed to achieve anything constructive, due as much to the selfish policies of the Russian nobility as to Catherine's failure to follow her own theories in practice. In spite of this, the Nakaz remains an outstanding document in Russia's political, economic, and historical literature.

The Instructions to the Commissioners for Composing a New Code of Laws

1. The Christian Law teaches us to do mutual Good to one another, as much as possibly we can.

2. Laying this down as a fundamental Rule prescribed by that Religion, which has taken, or ought to take Root in the Hearts of the whole People; we cannot but suppose that every honest Man in the Community is, or will

be, desirous of seeing his native Country at the very Summit of Happiness, Glory, Safety, and Tranquility.

3. And that every Individual Citizen in particular must wish to see himself protected by Laws, which should not distress him in his Circumstances, but, on the Contrary, should defend him from all Attempts of others that are repugnant to this fundamental Rule.

4. In order therefore to proceed to a speedy Execution of what We expect from such a general Wish, We, fixing the Foundation upon the above first-mentioned Rule, ought to begin with an Inquiry into the natural Situation of this Empire.

5. For those Laws have the greatest Conformity with Nature, whose particular Regulations are best adapted to the Situation and Circumstances of the People for whom they are instituted. This natural Situation is described in the three following Chapters...

Chapter I

6. Russia is an European State.

7. This is clearly demonstrated by the following Observations: The Alterations which Peter the Great undertook in Russia succeeded with the greater Ease, because the Manners, which prevailed at that Time, and had been introduced amongst us by a Mixture of different Nations, and the Conquest of foreign Territories, were quite unsuitable to the Climate. Peter the First, by introducing the Manners and Customs of Europe among the European People in his Dominions, found at that Time such Means as even he himself was not sanguine enough to expect.

Chapter II

8. The Possessions of the Russian Empire extend upon the terrestrial Globe to 32 Degrees of Latitude, and to 165 of Longitude.

9. The Sovereign is absolute; for there is no other authority but that which centers in his single Person that can act with a Vigour proportionate to the Extent of such a vast Dominion.

10. The Extent of the Dominion requires an absolute Power to be vested in that Person who rules over it. It is expedient so to be that the quick Dispatch of Affairs, sent from distant Parts, might make ample Amends for the Delay occasioned by the great Distance of the Places.

11. Every other Form of Government whatsoever would not only have been prejudicial to Russia, but would even have proved its entire Ruin...

Chapter IV

22. There must be a political Body, to whom the Care and strict Execution of these Laws ought to be confided...

26. In Russia the Senate is the political Body, to which the Care and due Execution of the Laws is confided.

27. All other Courts of Judicature may, and ought to remonstrate with the same Propriety, to the Senate, and even to the Sovereign himself, as was already mentioned above...

Chapter V

31. Of the Situation of the People in general.

32. It is the greatest Happiness for a Man to be so circumstanced, that, if his Passions should prompt him to be mischievous, he should still think it more for his Interest not to give Way to them.

33. The Laws ought to be so framed as to secure the Safety of every Citizen as much as possible.

34. The Equality of the Citizens consists in this; that they should all be subject to the same Laws.

35. This Equality requires Institutions so well adapted as to prevent the Rich from oppressing those who are not so wealthy as themselves, and converting all the Charges and Employments intrusted to them as Magistrates only to their own private Emolument.

36. General or political Liberty does not consist in that licentious Notion, That a Man may do whatever he pleases.

37. In a State or Assemblage of People that live together in a Community, where there are Laws, Liberty can only consist in doing that which every One ought to do, and not to be constrained to do that which One ought not to do.

38. A Man ought to form in his own Mind an exact and clear Idea of what Liberty is. Liberty is the Right of doing whatsoever the Laws allow: And if any one Citizen could do what the Laws forbid, there would be no more Liberty; because others would have an equal Power of doing the same.

39. The political Liberty of a Citizen is the Peace of Mind arising from the Consciousness that every Individual enjoys his peculiar Safety; and in order that the People might attain this Liberty, the Laws ought to be so framed that no one Citizen should stand in Fear of another; but that all of them should stand in Fear of the same Laws.

Chapter VI

40. Of Laws in general.

41. Nothing ought to be forbidden by the Laws but what may be prejudicial, either to every Individual in particular, or to the whole Community in general.

42. All Actions which comprehend nothing of this Nature are in nowise cognizable by the Laws; which are made only with the View of procuring the
greatest possible Advantage and Tranquillity to the People, who live under
their Protection.

43. To preserve Laws from being violated, they ought to be so good, and
so well furnished with all Expedients, tending to procure the greatest possible
Good to the People; that every Individual might be fully convinced that it
was his Interest, as well as Duty, to preserve those Laws inviolable.

44. And this is the most exalted Pitch of Perfection which we ought to
labour to attain to.

Chapter VII

64. Of the Laws in particular.
65. Laws carried to the Extremity of Right are productive of the Extremity
of Evil.
66. All Laws, where the Legislation aims at the Extremity of Rigour, may
be evaded. It is Moderation which rules a People, and not Excess of Severity.
67. Civil Liberty flourishes when the Laws deduce every Punishment from
the peculiar Nature of every Crime. The Application of Punishment ought
not to proceed from the arbitrary Will, or mere Caprice of the Legislator, but
from the Nature of the Crime; and it is not the Man, who ought to do
Violence to a Man, but the proper Action of the Man himself.

Chapter VIII

80. Of Punishments.
81. The Love of our Country, Shame, and the Dread of public Censure,
are Motives which restrain, and may deter Mankind from the Commission
of a Number of Crimes.
82. The greatest Punishment for a bad Action, under a mild Administra-
tion, will be for the Party to be convinced of it. The civil Laws will there
correct Vice with the more Ease, and will not be under a necessity of employing
more rigorous Means.
83. In these Governments, the Legislature will apply itself more to prevent
Crimes than to punish them, and should take more Care to instil Good
Manners into the Minds of the Citizens, by proper Regulations, than to dispirit
them by the Terror of corporal and capital Punishments.
84. In a Word, whatever is termed Punishment in the Law is, in Fact,
nothing but Pain and Suffering.
85. Experience teaches us that, in those Countries where Punishments are
mild, they operate with the same Efficacy upon the Minds of the Citizens as
the most severe in other Places.
86. The People ought not to be driven on by violent Methods, but we
ought to make Use of the Means which Nature has given us, with the utmost
Care and Caution, in order to conduct them to the End we propose.
88. Examine with Attention the Cause of all Licentiousness; and you will
find that it proceeds from the Neglect of punishing Crimes, not from the
Mildness of Punishments. Let us follow Nature, which has given Shame to
Man for his Scourge and let the greatest Part of the Punishment consist in
the Infamy which accompanies the Punishment.

94. It is unjust to punish a Thief who robs on the Highway in the same
Manner as another, who not only robs, but commits Murder. Every One sees
clearly that some Difference ought to be made in their Punishment, for the
Sake of the general Safety.
96. Good Laws keep strictly a just Medium: They do not always inflict
pecuniary, nor always subject Malefactors to corporal Punishment.

All Punishments by which the human Body might be maimed ought to be
abolished.

Chapter IX

97. Of the Administration of Justice in general.
119. The Laws which condemn a Man upon the Deposition of one Evidence
only are destructive to Liberty.
120. Two Witnesses are absolutely necessary in order to form a right
Judgment: For an Accuser, who affirms, and the Party accused, who denies
the Fact, make the Evidence on both Sides equal; for that Reason, a Third
is required in order to convict the Defendant; unless other clear collateral
Proofs should fix the Credibility of the Evidence in favour of one of them.
121. The Evidence of two Witnesses is esteemed sufficient for Conviction
in every Criminal Case whatsoever. The Law believes them, as if they spoke
from the Mouth of Truth itself.
123. The Usage of Torture is contrary to all the Dictates of Nature and
Reason; even Mankind itself cries out against it, and demands loudly the total
Abolition of it. We see, at this very Time, a People greatly renowned for the
Excellence of their civil Polity, who reject it without any sensible Inconven-
iences. It is, therefore, by no Means necessary by its Nature. We will explain
this more at large here below.
124. There are Laws which do not allow the Application of Torture, except
only in those Cases where the Prisoner at the Bar refuses to plead, and will
neither acknowledge himself innocent nor guilty.
127. It is likewise just that some of the Judges should be of the same
Rank of Citizenship as the Defendant; that is, his Equals; that he might not
think himself fallen into the Hands of such People as would violently over-
rule the Affair to his Prejudice: Of this there are already Instances in the Martial Laws.

128. When the Defendant is condemned, it is not the Judges who inflict the Punishment upon him, but the Law.

129. The Sentence ought to be as clear and distinct as possible; even so far as to preserve the very identical Words of the Law. But if they should include the private Opinion of the Judge, the People will live in Society without knowing exactly the reciprocal Obligations they lie under to one another in that State.

135. If the Laws are not exactly and clearly defined, and understood Word by Word, if it be not the sole Office of a Judge to distinguish, and lay down clearly, what Action is conformable to the Laws, and what is repugnant to them: If the Rule of just and unjust, which ought to govern alike the ignorant Clown and the enlightened Schollar, be not a simple Question of Matter of Fact for the Judges; then the Situation of the Citizen will be exposed to strange Accidents.

156. By making the penal Laws always clearly intelligible, Word by Word, every one may calculate truly and know exactly the Inconveniences of a bad Action; a Knowledge which is absolutely necessary for restraining People from committing it; and the People may enjoy Security with respect both to their Persons and Property; which ought ever to remain so, because this is the main Scope and Object of the Laws, and without which the Community would be dissolved.

157. If the Power of interpreting Laws be an Evil, there is an Evil also which attends the Obscurity of them, and lays us under the Necessity of having Recourse to their Interpretation. This Irregularity is still greater when the Laws are written in a Language unknown to the People, or expressed in uncommon Phrases.

158. The Laws ought to be written in the common vernacular Tongue; and the Code, which contains all the Laws, ought to be esteemed as a Book of the utmost Use, which should be purchased at as small a Price as the Catechism. If the Case were otherwise, and the Citizen should be ignorant of the Consequences of his own Actions, and what concerns his Person and Liberty, he will then depend upon some few of the People who have taken upon themselves the Care of preserving and explaining them. Crimes will be less frequent in proportion as the Code of Laws is more universally read, and comprehended by the People. And, for this Reason, it must be ordained, That, in all the Schools, Children should be taught to read alternately out of the Church Books and out of those which contain the Laws.

193. The Torture of the Rack is a Cruelty established and made use of by many Nations, and is applied to the Party accused during the Course of his Trial, either to extort from him a Confession of his Guilt, or in order to clear up some Contradictions in which he had involved himself during his Examination, or to compel him to discover his Accomplices, or in order to discover other Crimes, of which, though he is not accused, yet he may perhaps be guilty.

194. (1) No Man ought to be looked upon as guilty before he has received his judicial Sentence; nor can the Laws deprive him of their Protection before it is proved that he has forfeited all Right to it. What Right therefore can Power give to any to inflict Punishment upon a Citizen at a Time when it is yet dubious whether he is innocent or guilty? Whether the Crime be known or unknown, it is not very difficult to gain a thorough Knowledge of the Affair by duly weighing all the Circumstances. If the Crime be known, the Criminal ought not to suffer any Punishment but what the Law ordains; consequently the Rack is quite unnecessary. If the Crime be not known, the Rack ought not to be applied to the Party accused; for this Reason, That the Innocent ought not to be tortured; and, in the Eye of the Law, every Person is innocent whose Crime is not yet proved. It is undoubtedly extremely necessary that no Crime, after it has been proved, should remain unpunished. The Party accused on the Rack, whilst in the Agonies of Torture, is not Master enough of himself to be able to declare the Truth. Can we give more Credit to a Man when he is light-headed in a Fever, than when he enjoys the free Use of his Reason in a State of Health? The Sensation of Pain may arise to such a Height that, after having subdued the whole Soul, it will leave her no longer the Liberty of producing any proper Act of the Will, except that of taking the shortest instantaneous Method, in the very twinkling of an Eye, as it were, of getting rid of her Torment. In such an Extremity, even an innocent Person will roar out that he is guilty, only to gain some Respite from his Tortures. Thus the very same Expedient, which is made use of to distinguish the Innocent from the Guilty, will take away the whole Difference between them; and the Judges will be as uncertain whether they have an innocent or a guilty Person before them, as they were before the Beginning of this partial Way of Examination. The Rack, therefore, is a sure Method of condemning an innocent person of a weakly Constitution, and of acquainting a wicked Wretch, who depends upon the Robustness of his Frame.

196. (3) To make use of the Rack for discovering whether the Party accused has not committed other Crimes, besides that which he has been convicted of, is a certain Expedient to screen every Crime from its proper Punishment: For a Judge will always be discovering new Ones. Finally, this Method of Proceeding will be founded upon the following Way of reasoning: Thou art guilty of one Crime, therefore, perhaps, thou hast committed an Hundred others: According to
The Laws, thou wilt be tortured and tormented; not only because thou art guilty, but even because thou mayest be still more guilty.

220. A Punishment ought to be immediate, analogous to the Nature of the Crime, and known to the Public.

221. The sooner the Punishment succeeds to the Commission of a Crime, the more useful and just it will be. Just, because it will spare the Malefactor the torturing and useless Anguish of Heart about the Uncertainty of his Destiny. Consequently the Decision of an Affair, in a Court of Judicature, ought to be finished in as little Time as possible. I have said before that Punishment immediately inflicted is most useful; the Reason is because the smaller the Interval of Time is which passes between the Crime and the Punishment, the more the Crime will be esteemed as a Motive to the Punishment, and the Punishment as an Effect of the Crime. Punishment must be certain and unavoidable.

222. The most certain Curb upon Crimes is not the Severity of the Punishment, but the absolute Conviction in the People that Delinquents will be inevitably punished.

Chapter XII

264. Of the Propagation of the human Species in a State.

265. Russia is not only greatly deficient in the number of her Inhabitants; but at the same Time, extends her Dominion over immense Tracts of Land; which are neither peopled nor improved. And therefore, in a Country so circumstanced, too much Encouragement can never be given to the Propagation of the human Species.

266. The Peasants generally have twelve, fifteen, and even twenty Children by one Marriage; but it rarely happens that one Fourth of these ever attains to the Age of Maturity. There must therefore be some Fault, either in their Nouriture, in their Way of Living, or Method of Education, which occasions this prodigious Loss, and disappoints the Hopes of the Empire. How flourishing would the State of this Empire be if we could but ward off, or prevent this fatal Evil by proper Regulations!

267. You must add too to this, that two Hundred Years are now elapsed since a Disease unknown to our Ancestors was imported from America, and buried on the Destruction of the human Race. This Disease spreads wide its mournful and destructive Effects in many of our Provinces. The utmost Care ought to be taken of the Health of the Citizens. It would be highly prudent, therefore, to stop the Progress of this Disease by the Laws.

268. Those of Moses may serve here for an Example. (Leviticus, chap. xiii)

269. It seems too that the Method of exacting their Revenues, newly invented by the Lords, diminishes both the Inhabitants and the Spirit of Agriculture in Russia. Almost all the Villages are heavily taxed. The Lords, who seldom or never reside in their Villages, lay an Impt on every Head of one, two, and even five Rubles, without the least Regard to the Means by which their Peasants may be able to raise this Money.

270. It is highly necessary that the Law should prescribe a Rule to the Lords for a more judicious Method of raising their Revenues; and oblige them to levy such a Tax as tends least to separate the Peasant from his House and Family; this would be the Means by which Agriculture would become more extensive, and Population be more increased in the Empire.

271. Even now some Husbandmen do not see their Houses for fifteen Years together, and yet pay the Tax annually to their respective Lords; which they procure in Towns at a vast Distance from their Families, and wander over the whole Empire for that purpose.

272. The more happily a People live under a Government, the more easily the Number of the Inhabitants increases.

273. Countries, which abound with Meadow and Pasture Lands, are generally very thinly peopled; the Reason is that few can find Employment in those Places: But arable Lands are much more populous, because they furnish Employment for a much greater Number of People.

274. Wherever the Inhabitants can enjoy the Conveniencies of Life, there Population will certainly increase.

275. But a Country which is so overwhelmed with Taxes that the People, with all their Care and Industry, can with the utmost Difficulty find Means for procuring a bare Subsistence, will, in length of Time, be deserted by its Inhabitants.

Chapter XIII

293. Of handicraft Trades, and Commerce.

294. There can be neither skillful Handicraftsmen, nor a firmly-established Commerce, where Agriculture is neglected, or carried on with Supineness and Negligence.

295. Agriculture can never flourish there, where no Persons have any Property of their own.

296. This is founded upon a very simple Rule: Every Man will take more Care of his own Property, than of that which belongs to another; and will not exert his utmost Endeavours upon that which he has Reason to fear another may deprive him of.

297. Agriculture is the most laborious Employment a Man can undertake. The more the Climate induces a Man to shun this Trouble, the more the Laws ought to animate him to it.
299. It would not be improper to give a Premium to those Husbandmen who bring their Fields into better Order than others.

300. And to the Handicraftsmen, who distinguished themselves most by their Care and Skill.

301. This Regulation will produce a Progress in the Arts, in all Parts of the Country. It was of Service, even in our own Times, in establishing very important Manufactures.

302. There are Countries where a Treatise of Agriculture, published by the Government, is lodged in every Church, from which the Peasant may be able to get the better of his Difficulties, and draw proper Advantage from the Instructions it contains.

303. There are Nations inclined to Laziness. In order to exterminate Laziness in the Inhabitants, arising from the Climate, such Laws are to be made as should deprive those who refuse to work, of the Means of Subsistence.

304. All Nations inclined to Laziness are arrogant in their Behaviour; for they who do not work esteem themselves, in some Measure, Rulers over those who labour.

305. Nations who have given themselves up to Idleness are generally proud: We might turn the Effect against the Cause from which it proceeds, and destroy Laziness by Pride itself.

307. As Pride induces some to shun Labour, so Ambition impells others to excel all the rest in Workmanship.

308. View every Nation with Attention, and you will find that arrogant Pride and Laziness, most commonly, go Hand in Hand together.

311. A Man is not poor because he has nothing; but because he will do no Work. He who has no Estate, but will work, may live as well as he, who has an annual Income of a Hundred Rubles, but will do no Work.

312. A Tradesman who has taught his Children his Art, has given them such an Estate as increases in proportion to their Number.

313. Agriculture is the first and principal Labour which ought to be encouraged in the People: The next is the manufacturing our own Produce.

314. Machines, which serve to shorten Labour in the mechanic Arts, are not always useful. If a Piece of Work, wrought with the Hands, can be afforded at a Price equally advantageous to the Merchant and the Manufacturer; in this Case, Machines which shorten Labour, that is, which diminish the Number of Workmen, will be greatly prejudicial to a populous Country.

315. Yet, we ought to distinguish between what we manufacture for our Home consumption, and what we manufacture for Exportation into foreign Countries.

316. Too much Use cannot be made of this Kind of Machines in our Manufactures, which we export to other Nations; who do, or may receive the same Kind of Goods, from our Neighbours or other People; especially those who are in the same Situation with ourselves.

317. Commerce flies from Places where it meets with Oppression, and settles where it meets with Protection.

319. In many Countries, where all the Taxes are farmed, the Collection of the Royal Revenues ruins Commerce, not only by its Inequality, Oppression, and extreme Exactions, but also by the Difficulties it occasions, and the Formalities it requires.

321. The Liberty of Trading does not consist in a Permission to Merchants of doing whatever they please; this would be rather the Slavery of Commerce: What cramped the Trader does not cramp the Trade. In free Countries the Merchant meets with innumerable Obstacles; but in despotic Governments he is not near so much thwarted by the Laws. England prohibits the Exportation of its Wool; she has ordained Coals to be imported to the Capital by Sea; she has prohibited the Exportation of Horses fit for Stallions; she obliges Ships, which Trade from her Plantations in America into Europe, to anchor first in England. By these, and such like Prohibitions, she cramps the Merchant; but it is for the Benefit of Commerce.

Chapter XIV

347. Of Education.

348. The Rules of Education are the fundamental Institutes which train us up to be Citizens.

349. Each particular Family ought to be governed upon the Plan of the great Family, which includes all the Particulars.

350. It is impossible to give a general Education to a very numerous People, and to bring up all the Children in Houses regulated for that Purpose; and, for that Reason, it will be proper to establish some general Rules, which may serve by Way of Advice to all Parents.

351. Every Parent is obliged to teach his Children the Fear of God as the Beginning of all Wisdom, and to inculcate into them all those Duties, which God demands from us, in the Ten Commandments, and our orthodox Eastern Greek Religion, in its Rules and Traditions.

352. Also to inculcate into them the Love of their Country, and to ensure them to pay due Respect to the established civil Laws, and to reverence the Courts of Judicature in their Country, as those who, by the Appointment of God, watch over their Happiness in this World.

353. Every Parent ought to refrain in Presence of his Children, not only from Actions, but even Words that tend to Injustice and Violence, as for Instance, Quarrelling, Swearing, Fighting, every Sort of Cruelty, and such like
354. He ought to forbid his Children, and those who are about them, the Vice of lying, though even in jest, for Lying is the most pernicious of all Vices.

355. We shall add here, for the Instruction of every Man in particular, what has been already printed, and serves as a general Rule for the Schools already founded, and which are still founding by Us, for Education, and for the whole Society.

356. Every one ought to inculcate the Fear of God into the tender Minds of Children, to encourage every laudable Inclination, and to accustom them to the fundamental Rules, suitable to their respective Situations; to incite them in a Desire for Labour, and a Dread of Idleness, as the Root of all Evil, and Error; to train them up to a proper Decorum in their Actions and Conversation, Civility, and Decency in their Behaviour; and to sympathise with the Miseries of poor unhappy Wretches; and to break them of all perverse and forward Humours; to teach them Economy, and whatever is most useful in all Affairs of Life; to guard against all Prodigality and Extravagance; and particularly to root a proper Love of Cleanliness and Neatness, as well in themselves as in those who belong to them; in a Word, to instill all those Virtues and Qualities which joint to form a good Education; by which, as they grow up, they may prove real Citizens, useful Members of the Community, and Ornaments to their Country.

Chapter XV

357. Of the Nobility.

358. The Husbandmen, who cultivate the Lands to produce Food for People in every Rank of Life, live in Country Towns and Villages. This is their Lot.

359. The Burghers, who employ their Time in mechanic Trades, Commerce, Arts, and Sciences, inhabit the Cities.

360. Nobility is an Appellation of Honour, which distinguishes all those who are adorned with it from every other Person of inferior Rank.

361. Virtue with Merit raises People to the Rank of Nobility.

362. Virtue and Honour ought to be the Rules, which prescribe Love for their Country, Zeal for its Service, Obedience and Fidelity to their Sovereign, and continually suggest, never to be guilty of an infamous Action.

363. The Actions which render a Man unworthy of the Appellation of Noble are Treason, Robbery, Theft of all Kinds, the Violation of Oaths, or his solemn Word given, false Evidence, which he either gave himself, or suborned others to give; Forgery of false Deeds, Letters, or any such Kind of Writings.

364. In a Word, every Fraud contrary to Honour, especially those Actions which degrade a Man, and bring him into Contempt.

Chapter XVI

375. And the Preservation of Honour intire, consists in the Love of their Country, and Observance of all its Laws and Duties: From whence will follow,

376. Praise and Glory, especially to that Race which can reckon up among their Ancestors more of such Persons who were adorned with Virtue, Honour, Merit, Fidelity and Love to their Country, and consequently to their Sovereign.

377. And the Prerogatives of the Nobility ought to be founded on all the above-mentioned Qualifications, which compose the very Essence of the Appellation of Nobleman.
different Nations, to forbid, or not to allow them to profess different Modes of Religion, would greatly indanger the Peace and Security of its Citizens.

495. And the most certain Means of bringing back these wandering Sheep to the true Flock of the Faithful is a prudent Toleration of other Religions, not repugnant to our orthodox Religion and Polity.

501. (d) How can we know, when a State approaches to its Fall, and entire Dissolution?

502. The Corruption of every Government generally begins by the Corruption of its fundamental Principles.

503. The fundamental Principles of a Government are not only corrupted, when they extinguish that Idea of the State ingrafted in the Minds of the People by the Law, which may be termed the Equality prescribed by the Laws; but even then, when this Idea of Equality shall take root in the People, and grow to such a Pitch of Licentiousness, that every one aims at being equal to him, who is ordained by the Laws to rule over him.

504. If they do not shew Respect to the Sovereign, to the Courts of Judicature and to Governors; and if they do not respect the Ancient, neither will they respect Fathers, nor Mothers, nor Masters; and the State insensibly will run to ruin.

505. When the fundamental Principles of Government are corrupted, then the Regulations introduced in it are termed Hardsips, or Severities. The established Rules are termed Restraints; what was Caution before, is now termed Fear. The Property of particular Persons constituted, in former Times, the Wealth of the People; but now the Wealth of the People becomes the Inheritance of particular Persons, and the Love of their Country vanishes.

506. In order to preserve the fundamental Principles of a well-regulated Government inviolate, the State ought to be supported in its present Grandeur; and this State will fall to Decay if its fundamental Principles should be altered.

507. There are two Kinds of Corruption; the first is, when the Laws are not observed, the second when the Laws are so bad that they corrupt themseleves; and the Evil then is incurable; because the Remedy of the Evil is to be found only in itself.

508. A State may change also two different Ways; either because the Constitution of it mends, or because the same Constitution corrupts. If the fundamental Principles in a State are preserved, the Constitution of it mends; but if the fundamental Principles of it are destroyed, the Constitution changes, and then it corrupts.

509. The more capital Punishments increase, the more a State is in Danger of Destruction; for capital Punishments increase in Proportion to the Corruption of Manners, and Corruption of Manners produces the Ruin of a State. . . .

511. A Monarchy is destroyed when the Sovereign imagines that he dis-

plays his Power more by changing the Order of Things, than by adhering to it; and when he is more found of his own Imaginations than of his Will, from which the Laws proceed, and have proceeded. . . .

521. All the Examples and Customs of different Nations, which are introduced in this Work, ought to produce no other Effect than to cooperate in the Choice of those Means, which may render the People of Russia, humanly speaking, the most happy in themselves of any People upon Earth.

522. Nothing more remains now for the Commission to do but to compare every Part of the Laws with the Rules of these Instructions.

Conclusion

523. Perhaps some Persons may object, after perusing these Instructions, that they will not be intelligible to every one. To this it may be answered: It is true, they will not be readily understood by every Person after one slight Perusal only; but every Person may comprehend these Instructions, if he reads them with Care and Attention, and selects occasionally such Articles as may serve to direct him, as a Rule, in whatever he undertakes. These Instructions ought to be frequently perused, to render them more familiar: And every one may be firmly assured that they will certainly be understood; because,

524. Assiduity and Care will conquer every Difficulty; as, on the Contrary, Indolence and Carelessness will deter from every Liable Attempt.

525. To render this difficult Affair more easy; these Instructions are to be read over once, at the Beginning of every Month, in the Commission for composing the New Code of Laws, and in all the subordinate Committees, which depend upon it; particularly the respective Chapters and Articles instructed to their Care, till the Conclusion of the Commission.

526. But as no perfect Work was ever yet composed by Man; therefore, if the Commissioners should discover, as they proceed, that any Rule for some particular Regulations has been omitted, they have Leave, in such a Case, to report it to Us, and to ask for a Supplement.

The Original signed with Her Imperial Majesty’s own Hand, thus,

Moscow, July 30, 1767

Catherine