CHAPTER 8

Unofficial Justice in the Village

Almost daily the telegraph brings news about cases of vigilante justice against thieves, robbers, hooligans, and other criminal elements. . . . One might think that Russia has been brought temporarily to the American prairie and that Lynch law has been granted citizenship by us.

THE JURIST, AUGUST 7, 1905

Yaroslav, Central Russia. An angry mob of gardeners stripped a woman accused of stealing potatoes, tied her to a tree near a railway track, and flogged her, Itar-Tass reported. A shocked railway engineer saw the half-naked woman as he was driving his train through the Yaroslav region and alerted police, the news agency said. The forty-nine-year-old woman . . . had been seized by landowners furious that she had plundered their small plots. Police said the woman was lucky. Last year, a potato thief in the same region was beaten to death by angry farmers.

THE MOSCOW TIMES, JULY 26, 1993

Agrafena Ignat’eva was known as a sorceress in her native village of Vrachevo, located in the Tikhvinsk district of Novgorod province. Ever since her youth residents had believed she possessed an ability to cast harmful spells (porchi) and greatly feared this power. To the villagers’ relief, Agrafena moved to St. Petersburg following her marriage, but after her husband’s death in 1877 she returned to Vrachevo an impoverished, fifty-year-old widow, often forced to beg for her daily subsistence. Her return soon gave rise to rumors that harmful spells would once again occur, rumors no doubt fed by recent outbreaks of mass hysteria (klikushestvo) in this same district. Village women sought to appease Ignat’eva by doing various chores when she fell ill, giving her bread, cleaning her at the bathhouse, washing her linen, and scrubbing the floor of her cottage. Some felt they should protect their village by more direct measures, however, declaring

1. Cases of klikushestvo caused by sorcery had been commonplace in Tikhvinsk district throughout the 1870s, a fact that likely played a role in the much better known Vrachevo case. In 1872, for example, nearly every woman in the village of Tipuchino fell victim to spells cast by a sorceress. “Kolduny i klikushi (Po povodu sudennykh protsessov ob ubistvakh koldunov),” RSP 35, no. 4 (1894), 84–85.
that it would be better to seal the widow inside her hut and burn her rather than risk her deadly spells.

Unfortunately for “Grushka,” as Agrafena was called, an outbreak of “falling sickness” in Vratchevo and its environs brought immediate suspicion upon her. Most people knew that this illness resulted from a spell, and Ignat’eva seemed the most likely culprit. Around Epiphany in 1879, she came to the home of Ivan Kuz’min and asked for some cottage cheese but was refused; shortly thereafter his daughter Nastasia fell sick and cried out that Grushka had cast a spell on her. Kuz’min begged Ignat’eva on his knees to restore his daughter’s health, but the widow answered that Nastasia was under no spell and therefore needed no help. In late January the illness reached Katerina Ivanova, whose sister in a neighboring village had also been “hexed” by Grushka and died. Ivanova attributed her malady to the fact that she had forbidden her son to chop firewood for the sorceress and Grushka had evidently employed her power to take revenge. Ivanova’s husband even lodged a complaint against Ignat’eva with the precinct constable, who came to Vratchevo to conduct an investigation several days prior to Grushka’s death. But few villagers expected that she would be punished for these crimes, and police involvement appears only to have hastened subsequent events.

On Sunday, February 4, following a village assembly meeting, Ivan Nikiforov appealed for protection from Ignat’eva, claiming that she was preparing to cast a spell on his wife just as she had done to other women. It is likely that several villagers had already made plans for dealing with the sorceress since, utilizing Nikiforov’s request to the assembly, they quickly prevailed upon all household heads present (including the village elder) to agree with their scheme. They argued that it was necessary to board up the woman in her hut, give her food, and guard her to prevent her causing further harm. It was equally important that this be done before the constable settled the complaint against her. No one dissented from the plan, and shortly after the meeting a large group took nails and torches and set off “to seal up” Grushka, as they put it.

Finding the entrance shed to Ignat’eva’s hut locked, they broke down the door on orders from the village elder. Four peasants entered the storeroom in search of charms and potions, while six others, led by the elder, went into the house itself and started to seal it by boarding up the windows and then nailing a thick pole into the entrance. Meanwhile, the examination of her various remedies by those outside “decisively convinced the peasants that Ignat’eva really was a sorceress.” According to later depositions, “All of the peasants began saying, ‘We must do away with her so she doesn’t see the light of day, for if we let her out she’ll put spells on all of us.’” At about 5:00 p.m., therefore, one peasant set fire to a bundle of straw and rope in the entrance shed. Two men held the door tight as Ignat’eva, having heard the crackling of fire, pounded from inside and screamed to be let out. The smoke soon attracted nearly 300 people from Vratchevo and neighboring villages, but none sought to extinguish it or to rescue the woman inside. On the contrary, witnesses at the trial testified to hearing such exclamations as, “Let it burn, we’ve put up with Grushka long enough!” One peasant whose children had fallen victim to Ignat’eva’s “spells” was heard to shout, “Praise God! She has taken two daughters from me! Let it burn!” When Ignat’eva’s brother arrived and tried to pry a log from one of the windows and release her, he was ordered to stop because “it was nailed there by the commune.” As the crowd watched, the sorceress rushed from window to window, shouting out her innocence; when the fire did not burn fast enough, peasants knocked down the roof so flames could enter the house itself. It burned long into the night.

Though proclaiming to all assembled that they had acted justly to protect the village, the leaders of this affair feared punishment. Therefore they pooled money the next day and sent a bribe of 21.60 rubles to the constable hoping that he would “forget” the case. The officer not only declined their offer but turned in the money as evidence. In October, sixteen villagers most directly implicated in “Grushka’s” murder stood trial before the Novgorod Circuit Court. Three confessed and received sentences of church penance. The remainder pleaded innocent and denied that there had been a prearranged plan to burn the woman. Following a long and celebrated jury trial, they were finally acquitted.2

Albeit not always so dramatic, community violence of this sort regularly made its way onto the pages of Russia’s growing press to reveal a realm of popular justice that operated outside the boundaries and control of either court or administrative authority. It was by no means limited to persons accused of sorcery; more commonly, thieves—and horse thieves in particular—were subjected to violent community reprisal, as were arsonists and those who transgressed against village norms of everyday conduct. Nor was the phenomenon peculiar only to backward, isolated regions. Although extrajudicial retribution had become rarer in urban centers like Moscow and St. Petersburg by the late 1880s, a steady stream of reports attest to its continued practice in or near district towns, large villages, markets, and bazaars.3 Nonetheless, samosud (lit.: self-judgment), as educated Russians called it, occurred mainly in rural areas with a weak police presence and strong traditional peasant institutions. It existed in nearly all provinces of the empire and among most ethnic groups well into the twentieth century.

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2. Moïlov, no. 261 (1879), 5; no. 265 (1879), 5; no. 266 (1879), 3.
3. On September 25, 1895, for instance, a woman was attacked and beaten by a crowd in the heart of Moscow on suspicion that she was a witch. A. A. Lensthin, Susverie i ugolannoe pravo (SPb, 1899), 59.
Samosud not only increased considerably during periods of social unrest, revolution, and government weakness but also as peasants grew even more convinced that official justice and law could not protect their communities.4 Yet samosud was a far more complex phenomenon than it appeared to contemporaries. Most of Russia’s elite saw it as simple mob violence or lynching law (even adopting the American word “lynch”) and discussed it within the same cultural context where such negative elements of village life as criminality were usually placed: that is, samosud reflected the peasants’ primitive savagery and disrespect for human life.5 The best dictionary of the period took a somewhat broader view, defining samosud not only as willful punishment, but also arbitrariness or “judgment of one’s own affairs” [sud v svoem dele].6 In fact, many instances of samosud entailed no physical violence, although these, too, were cases of the public enforcing community norms and morality and bore close affinity to the charivaris, rough music, and shivarees of Western Europe and North America. An examination of the acts themselves reveals that peasants drew sharp boundaries between punishments inflicted on community members and those used against outsiders. With fellow villagers, samosud often took on a ritualized character in which overt violence seldom played a part. Violent samosud, on the other hand, more closely resembled vigilante justice and was reserved primarily for outsiders whose offenses threatened the community, or for local peasants viewed as incorrigible and depraved criminals.

The distinction between punishing community members and outsiders is a most useful framework for analyzing unofficial justice in rural Russia and for seeing it from the villagers’ own perspective. The three most frequently encountered forms of extrajudicial community measures will be considered here: ritualized disciplinary action such as charivari, which inflicted shame and public disgrace upon the guilty party, though usually without violence; punishment of serious theft, particularly of horses; and violence against persons suspected or accused of witchcraft. These examples reveal the range of peasant actions that the state and educated society commonly lumped together under a single heading. They allow us to get at the complexity of village justice by explaining why peasants turned to extralegal actions for the punishment of very different crimes and how they reached such decisions based on the offenders’ status and the nature of their infractions. Finally, samosud offers insight into the larger conflict between peasant and elite culture during the late nineteenth century, since such acts, being by definition illegal, not only transpired outside the official legal structure and clashed sharply with it but embodied the clearest statement of its rejection by peasants dissatisfied with this legal structure.

DEFINING POPULAR JUSTICE

Educated society had difficulty characterizing samosud because it was not a homogeneous category of crimes. No section of Russia’s criminal code dealt with summary justice or referred to samosud by name. Burning Agrafena Ignat’eva or beating a horse thief to death were treated as murder or manslaughter, while cases in which death did not result might be tried as torture, assault, insult, or arbitrariness. Ethnographers confused the problem even more, since some described samosud as any offense not brought before official courts but settled instead by unofficial moths. Such cases involved petty theft, injury, fights, quarrels, infliction of damages, even civil suits. Viacheslav Tenishev did draw a clear distinction between popular courts and extrajudicial punishment, writing in 1907 that samosud could be characterized by the application of judicial authority not recognized under state law that was carried out willfully and, in the majority of cases, violently. This violent implementation of a judicial decision distinguished samosud from the popular courts, “which also are not recognized by law but are voluntarily accepted by the litigants themselves.” But Tenishev was wrong not only about how unofficial courts functioned; he also ignored evidence that litigants sometimes did accept certain forms of samosud, not all of which were violent. One of Tenishev’s own sources, which he did not cite, stated that a peasant in Vladimir province who was found guilty of theft had received a choice of going to court or being punished by public shaming and chose the latter.9 Villagers did little to clarify matters. When asked by outsiders about samosud, they failed to mention violent incidents at all, speaking instead about public punishment of children or the humiliation of petty thieves. Peasant judges and local officials questioned during the 1870s also played it safe by stating that such incidents had occurred “in the past” but were no longer practiced in their localities.10

5. For a more reflective view, see L. N., “Narodnaia rasprava,” Sud’by, no. 44 (1897), 5–6.
6. Vladimir Dali, ‘Takovoi slovar’ chislovoi velikorusskogo iazyka, vol. 4 (SPb and Moscow, 1882), 135. Earlier, the term “samusud” was used in reference to all peasant courts.
7. P. S. Efimenko, Shornik narodnykh iuridicheskikh obychei Arkhangel’skoi gubernii (Arkhangelsk, 1869), 277–78; E. Karrete, “Sel’skoe pravo,” IE, no. 1 (1882), 333; Skul’d, V xabol’stv i iizboli (SPb, 1870), 144–45.
8. V. V. Tenishev, Pravosudie v russkom krest’ianskom byte (Briansk, 1907), 23.
10. V. V. Tenishev, “Obshchie nachala ugrozovogo prava v ponimani russkogo krest’ianina,” ZKMI, no. 7 (1909), 33–35; Efimenko, Shornik, 297; E. I. Ikushkin, comp., Obychnoe
Violence and the ignoring of state law, then, were not features of *samoustd* alone but characterized Russian justice far more broadly, particularly when administrative functionaries played a role in its implementation. We must therefore seek out those elements of *samoustd* which distinguish it from other forms of popular justice and help us to understand how a given act became a case of *samoustd*. Writing in 1880, the jurist Petr Skorobogatyi touched on certain of these elements and on reasons why much of the rural population continued to accept *samoustd*. Such punishments, he wrote, displayed the exclusive rights of peasant society in the moral control of its members, their strength deriving from “the peasantry’s respect for the authority of the commune, on that moral dependence upon the commune which the offender fully recognizes, and . . . on the close acquaintance and tight bonds which all fellow villagers have among themselves.” In this way, the commune stood in place of state authority, which villagers recognized only selectively and when necessary.

Invoking the commune’s authority was indeed one of the most notable features of *samoustd*. The village assembly had, after all, been a state-sanctioned organ of village justice prior to the 1860s, and after emancipation it retained a limited judicial authority that peasants managed to broaden. They usually brought a case before their assembly before inflicting punishment if the offender was a community member, and the assembly frequently sentenced the guilty party to *samoustd*. The assembly thereby sanctioned what was officially illegal, lessening the chance that a criminal would complain to authorities or seek revenge since to do so challenged the authority of the community itself. Peasants tried by state courts for collectively acts of violence against criminals often used the very fact of communal sanction as their primary defense. Other important aspects of *samoustd* included collective participation in punishments, a real or perceived threat to local norms or to the community’s well-being, and an attempt to prevent repetition of a crime either through ritualized public humiliation of offenders or by driving them from the village altogether without recourse to exile. Since these characteristics of *samoustd* depended on the nature of the crime as well as an offender’s status as village or outsider, they helped to differentiate the various forms of popular justice while at the same time binding them within a cultural web of common meaning.

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In *Charivaris* at its simplest level, *samoustd* was applied to a multitude of petty infractions such as damage caused to another’s crops by livestock and working on holidays when the commune had forbidden it; this “quick” or “home justice” was also used to discipline minor offenses and those who would come to be known among outsiders as hooligans. One of the more widespread types of *samoustd* took the ritualistic character of the charivar and, unlike other acts of popular justice, was employed primarily against fellow villagers. An ancient form of community policing, charivaris endured long into the nineteenth century throughout Europe and parts of North America under such names as *katzenmusiken, scampenate*, skimmingtons, shivarees, and rough music. The Russian variant was known as “leading the thief” (*vozhdenie vory*, or simply *vozhdenie*), and like its European counterparts, it served as a disciplinary mechanism and a means of public criticism or punishment whereby the entire community shamed village members into abiding by collective rules. As one student of British popular culture has written, “Rough music is a public naming of what has been named before only in private.” It “announced the total public nature of disgrace,” for the victim “must go out into the community the next morning, knowing that in the eyes of every neighbor and of every child, he or she is seen as a person disgraced.” A strong, formal similarity thus existed between charivaris in Russia and in other countries.

Discussing rough music in late eighteenth- and early nineteenth-century England, Edward Thompson explained that the rituals “expose some individual who has offended against community norms to the most public forms of insult, humiliation and sometimes ostracism—riding victims upon an ass or upon a pole, burning them in effigy, performing raucous ‘music’ outside their cottages upon tin cans, the horns of beasts, and so on, and reciting
obscene traditional rhymes." Nearly identical accounts exist for France.\textsuperscript{14} The typical Russian performance consisted of parading an offender through the street either on foot or in a cart, in some cases wearing a horse's collar, while villagers followed along playing paramusique upon iron oven doors (the most favored and readily available metal instrument), pots and pans, washtubs, wooden buckets, and other implements; sometimes they carried signs, mocked or cursed the victim, and sang songs. Women were often stripped naked or had their skirts raised before being led around the village; men might be stripped, tarred, and feathered.\textsuperscript{15}

Although the surface similarities are striking, the kinship between charivaris in different countries remains largely one of form. Disagreeing with Levi-Strauss, Thompson argues that "these forms are of importation not... as universal structures but precisely because the immediate functions of the rituals change. The kinds of offender subjected to rough music are not the same, from one country to another, or from one century to another."\textsuperscript{16} It is, in fact, in the function of the rituals and with the victims themselves that Russian charivaris differed from those in other countries. The charivari in England and France most commonly expressed disapproval of marital mismatches or conjugal relations considered deviant. In parts of the United States, marrying too soon after being widowed was cause for charivaris as late as the 1940s. Sexual offenders also frequently fell victim, as did cuckolded husbands, unwed mothers, individuals (usually women) who committed adultery, and household members deviating from accepted sex roles.\textsuperscript{17} In England, villagers directed rough music more and more against wife beaters toward the end of the eighteenth century. "Immoral" unmarried women and libertine priests seemed to be favored quarry in Bavaria, and political charivaris against offending notables or in support of a particular party, though "restricted to towns with a political public," were not unusual in France prior to 1849, or in Quebec during the rebellion of 1837.\textsuperscript{18}

In postreform Russia we do find charivaris aimed at adulterers and adulteresses, unwed mothers, "immoral" women and even priests, sectarians, local "informers," and officials, but the sources show that they accounted for only a small proportion of cases. Scarcer still are reports of rough music for cuckolded husbands or husbands beaten by wives.\textsuperscript{19} Incidents of this sort did occur, but their apparent scarcity in Great Russia indicates that other matters occupied a higher priority when it came to the collective enforcement of local norms. Chief among these was petty theft. As one correspondent to the Tenishev survey reported, "When a thief is caught red-handed, the peasants take back the stolen item and 'teach' him 'so that he'll never forget.'\textsuperscript{20} Vozdenia was a method frequently used for "teaching," and peasants determined the magnitude of punishment above all by the perpetrator's reputation and the value of the stolen item.

During vozdenia for petty theft, offenders would be marched through the village with the stolen object hung or draped on them, a practice dating at least to the eighteenth century. In 1899, for example, Kseniia Soboleva of Samara province was suspected of stealing reeds from a loom, and the elder and several other village officials came to her home to conduct an investigation. Once convinced of her guilt, they decided to punish Soboleva by leading her through the village streets with the stolen reeds hung around her neck. Two tenners held her by the arms as the procession, led by the elder, made its way along. A third peasant officer followed behind beating loudly upon an oven door. When they finally released her, Soboleva tried to commit suicide by throwing herself into the nearby river. All officials involved received sentences ranging from three to six months in prison.\textsuperscript{21} In Orel province, a woman who stole a neighbor’s sheep and butchered it was brought before the assembly, which promptly sentenced her to a vozdenia. Village women gathered with sickles, oven doors, and other "instruments,"

\textsuperscript{14} E. P. Thompson, "Folklore, Anthropology, and Social History," The Indian Historical Review 3, no. 2 (1977), 259; Eugen Weber, Peasants into Frenchmen (Stanford, 1976), 400. See also Thompson, Customs, 478; Thompson, "Rough music and charivari: Some further reflections," in Le Goff and Schmitt, eds., Le Charivari, 223-85; Martine Segalen, Love and Power in the Peasant Family: Rural France in the 19th Century (Chicago, 1983), 43-47.

\textsuperscript{15} GARF, f. 586, op. 1, d. 118, l. 34, 36-38; d. 120, l. 14; Minenko, "Traditional Forms of Investigation," 79; Khronika proisheshchii v Riazanskoii gubernii, "RigaG, no. 5, (1867), 4; Tenishev, "Obshchii nachala," 134; Iakushkin, Obuchenie pravo, 1:xxxviii-xxxix; Skorogobogati, "Ustroistvo," 344.


\textsuperscript{18} Thompson, "Rough music," 297; Thompson, Customs, 506; Wyatt-Brown, Honor and Violence in the Old South, 193-97; Shorter, Modern Family, 224-26; Weber, Peasants into Frenchmen, 402-3; Allan Greer, "From Folklore to Revolution: Charivaris and the Lower Canadian Rebellion of 1837," Social History 15, no. 1 (1990), 25-43.

\textsuperscript{19} See Christine D. Worboc, Peasani Rusa (Princeton, 1991), 201-4; Worboc, "Empress or Virgin? The Precarious Sexual Position of Women in Post-Emancipation Ukrainian Peasant Society," SR 49, no. 2 (1990), 236-37. Minenko notes that tarring adulterers was common during the eighteenth and early nineteenth centuries. This practice was not exclusive to adulterers, however; peasants also used it with thieves and horse thieves. See GARF, f. 586, op. 1, d. 120, l. 66.

\textsuperscript{20} Charskiiu, Narodniyu sud, 312.

\textsuperscript{21} Sud i, no. 6 (1903), 124.
hung the sheep’s head around her neck, and amid raucous songs and loud banging led the culprit three times through the town. When Stefan Bakin of Saratov district was caught stealing sheaves in 1906, villagers hung the sheaves around his neck and took him to the assembly, where he was forced to beg forgiveness and pay sixteen rubles for vodka. The assembly threatened him with exile if he did not pay. With local variations, accounts of this sort appear in hundreds of descriptions from other provinces.

Violence remained an implicit threat in acts of leading the thief, but it could become part of the procession, its degree depending on the offender’s reputation. In 1880, for instance, a volost’ court in Perm province sentenced the thief of a sheep to be led through the village wearing the butchered animal’s hide. He was brought to the window of every villager’s home and given one lash of the birch rod at each stop until the legal limit of twenty lashes had been administered, a creative adaptation of state regulations on corporal punishment. On February 17, 1892, a theft was perpetrated in one village of Kazan province. When a crowd of villagers conducting a search came to the home of the peasant Fadeev, who was widely disliked, he sought at first to hide. Though they did not uncover the stolen money while searching his home, Fadeev’s actions aroused the villagers’ suspicion and they began beating him to make him confess. At last he handed over a portion of the money, saying it was all he had taken, but this only angered his neighbors more. Therefore they harnessed him to his cart with children sitting inside and, “accompanied by whoops, whistles, and shouts,” forced him to pull it through the village at a trot, whipping him with a knout whenever he weakened or stopped. The beating continued after this procession, and only a constable’s intervention ended the punishment. A similar case occurred in 1899, when local peasants caught three Gypsies attempting to steal a horse. They were placed in a pig sty and smeared with honey, tar, and feathers while villagers laughed and joked over their appearance. Peasants then harnessed the thieves to a small cart in which the horse’s owner sat with his family and tied the horse itself—the “master of ceremonies”—to the back of the cart. Amid great shouting, mirth, and laughter from the crowd, this “troika” was forced to pull the cart through the entire village at full speed, “driven on by lashes from a whip that fell generously upon their backs.”

The obvious purpose of charivari was to shame and frighten thieves to such an extent that they would never steal again. In this ritual public humiliation of a wrongdoer, both crime and criminal were judged by the offended community, which reaffirmed the necessity of participation in village life according to its rules and reasserted the primacy of communal authority. A vozhdienie always held out threats of greater sanction through the symbolic, though temporary, expulsion of an offender, for it proclaimed to all villagers, not just the thief, that banishment could be made permanent if someone repeated a crime or perpetrated a more serious offense. Petty thieves were permitted back into the collective fold only after publicly acknowledging their guilt and begging forgiveness. Hence the symbolic payment in vodka that villagers commonly demanded at the conclusion of a vozhdienie. Buying vodka either with cash or pawned possessions affirmed one’s submission (however unwilling) to the punishment and acceptance of the community’s power over its members. By “treating” the village to drinks, a thief not only won forgiveness and readmittance, but recognized the legitimacy of the vozhdienie. Beyond their immediate purpose of discipline, then, charivari were a constituent element of village social regulation. They played an often crucial role in governing behavior, regulating daily life, and ordering social conduct. In this respect, the vozhdienie served as one of the most overt tools in the village culture’s arsenal of regulatory customs and rituals. It also aided in the preservation of local solidarity by preventing the taking of sides in a dispute and the subsequent development of open feuding, which could disrupt normal activities and relations crucial to the peasant economy. In the small world of the village, where each person was known to everyone else, it was all too easy to be drawn into a feud that began over a seemingly minor offense like stealing sheaves or a goose. The vozhdienie thus acted to soothe ill feelings and hostilities by involving an entire village in the punishment, often with the elder’s authorization and active participation.

In most recorded cases, peasants first brought a thief before the assembly for sentencing, though a village or volost’ elder could also authorize it on

22. Tenishev, Pravoudie, 44. For another case conducted by women in Jaroslavl’ province, see GARF, f. 586, op. 1, d. 143, ll. 45–46.
23. Privolzhskii krai, no. 168 (1906), 3. For additional examples, see K. Chepurnyi, “K voprosu o iuridicheskii obychnak,” Universitetskoe cvezntia, no. 11 (1874), part 2, ch. 6, 704; Trudy, 1: 14; Tenishev, Pravoudie, 44. In a particularly gruesome holdover of these practices, a peasant who ate portions of his dead father’s body during the famine of 1932–33 was marched through the village with the corpse’s head hung around his neck. Eidwld Ammende, Human Life in Russia (London, 1936), 101.
24. Mosv., no. 105 (1860), 3. Another thief received five lashes on each village street in 1885 and was then forced to buy a bucket of vodka for the commune as a symbol of reconciliation. “Sel’skii sud,” Mosv., no. 214 (1885), 2.
27. See GARF, f. 586, op. 1, d. 120, ll. 59–60. As Allan Greer has argued, through the use of fines, “a charivari insisted on its own legitimacy by aping the methods of constituted authority.” Folklore to Revolution,” 31. For a similar process without charivari, see Harry E. Todd, Jr., Litigious Marginals: Character and Disputing in a Bavarian Village, in Nader and Todd, eds., The Disputing Process, 86–121.
his own. Even when an elder refused to summon the assembly, villagers sometimes determined punishment in unofficial assemblies, which gave their actions a tenuous collective legitimacy.28 The absence of any firm or consistent state control at the village level assured that collective responsibility would continue to reign as it did before the reforms of Alexander II; it "rendered the de facto authority of the village over its members virtually absolute."29 Here we can see the basis of the commune’s "exclusive right in the moral control of its members" referred to earlier by Skorobogaty. Here, too, is the reason peasants sought approval from the assembly before performing rough music, for it legitimized a charivari in the eyes of all and made revenge on the wrongdoer’s part extremely unlikely. To seek retribution against the participants was tantamount to fighting the entire community and its authority. Escalation of punishment during a vozhdienie resulted from just such a challenge, which could not be tolerated in a society that depended primarily upon itself to regulate and control the everyday behavior of its members. Escalation similarly occurred when a demand for "payment" in vodka went unmet and the offender thereby rejected reconciliation with the community. 

Invoking the assembly’s authority and the will of the community also served as a protective ploy against punishment by the state. Four Iaroslavl’ peasants stood trial in 1881, for example, charged with torturing a suspected sorceress, and used as their only defense the argument that they had acted with the commune’s agreement. In 1892 a crowd in Kazan’ province caught two Tatars stealing flour from a barn and beat them so severely that one later died. Authorities had difficulty determining who took part in this collective reprisal since nobody would testify, and the three villagers finally prosecuted pleaded innocent, saying that ‘the whole commune’ was responsible. Since no witnesses came forward, the three were acquitted. When seven villagers from Tambov province came before the circuit court a year later for beating and torturing a thief, they argued that they had punished the criminal ‘on orders of the entire commune.’30 In 1907, seventy peasants of Kizan’ district beat an accused arsonist to death. After the murder, the village assembly was summoned to give its approval: a “death sentence” was quickly drawn up, signed by over 100 household heads, and marked by the elder’s seal of office. Placing responsibility upon the wider community or assembly was viewed by peasants as their best defense if brought to trial for, in their words, “they can’t send the whole village to Siberia.”31

Charivaris directed against persons other than thieves do not fit so neatly into the conclusions drawn thus far. Many forms of charivari, together with such well-tried methods of shaming as gossip, public ridicule, and exclusion from festive and social events, worked to maintain local norms of morality and exerted direct community control over conjugal relations, and here one sees a resemblance to the more familiar European charivari. Adulterers, for example, might be subjected to vozhdienie, particularly if the case involved a maiden or unmarried woman caught with a married man. One investigator writing from Tomsk province in the 1870s noted a custom whereby local male youths who caught an adulterer couple would dress the woman in men’s clothing and her lover in women’s attire, then lead them through the streets.32 Peasants from a village near Kadnikovo imposed a similar punishment in 1882, but here it was a monk who had been caught with a married woman. The villagers put a woman’s sarafan over his cassock and led him back to the monastery, accompanied by laughter, jeers, and the “music” of children beating on oven doors and washbasins.33 In one Ukrainian village, a farmer caught a girl in his shed with a married man, locked them in, and summoned the local “lads,” who put the guilty pair in a cart and drove along the village streets calling them “newlyweds.” During the procession, the man’s wife showed up and showered the pair with mud. The man was then taken to the local tavern and forced to buy drinks for everyone as payment for the ride. In other parts of Ukraine and Russia, adulterous couples would be led around the village while wedding songs were sung; villagers sometimes clipped the woman’s hair or paraded both parties stripped and covered with tar in public.34

28. When a village elder of Livonsk district refused a request from several peasants that he summon the assembly to decide the fate of three captured thieves, these villagers held an unofficial assembly meeting on March 23, 1884, attended by 163 household heads, where it was resolved to take the thieves from jail and whip them. The peasants put this sentence into effect at first light. “They whipped them the entire day of March 24, let them rest on the 25th in honor of a holiday, and on the 26th began to whip them again. When the precinct constable from a neighboring district passed through the village by chance, he told the peasants that what they were doing was illegal and they would answer for this. In reply the villagers advised him not to meddle in their affairs if he did not want to undergo the same treatment.” Samosud, Marf, no. 100 (1884), 4.


30. Iakushkin, Obychnoe pravo, 2: 89; VobhV, no. 79 (1892), 2; TambahV, no. 35 (1894), 4.

31. “Riazanskii okruzhnoi sud. Samosud,” Aizh, no. 80 (1909), 3–4; Vrnenevnik Zhiupinopoi Rossi 2, no. 65 (1904), 83–84. Similarly, when five peasants were tried by the Kazan’ Circuit Court for beating a suspected thief in their village, they pleaded not guilty of all charges, attributing “to the entire commune.” VobhV, no. 259 (1892), 2. See also “V okruzhnom sude,” Aizh, no. 33 (1912), 3.


33. Skorobogaty. “Ustroistvo,” 344; Efimenko, Shniki, 277; Iakushkin, Obychnoe pravo, 1:XXXIX–XV. For other examples, see Worobec, Peasant Russia, 202–3.
Here are all the common elements of the charivari: parading offenders, public derision, humiliation, and paramusique. But in many cases of adultery violence was used even when those who committed it did not resist. The process of escalation did not function here because violence seems to have been inherent to this type of charivari. In 1870 a woman named Oksana Vereshchikha from Volynia province was suspected by peasants of carrying on an illicit affair with the local clerk. For this offense they stripped her naked, placed her in irons, and tied her to a post, where she stayed all night. In the morning the villagers returned and ordered her to buy them a bucket of vodka even though they had already pawned her kerchief and sheepskin jacket for liquor on the previous day. Since she had no money, they organized a vozhdanie with "musicians" marching in front, followed by Vereshchikha and the elder and villagers trailing close behind. This was a particularly elaborate procession in which villagers placed a garland of straw and burdocks on the victim's head and forced her to dance, then led her seven times along the street, beating and flogging her, all the while passing vodka around. At last they took her home, beat her once again, and released her. In 1887 peasant youths in Novomoskovsk district played the primary role in organizing a vozhdanie for a married woman having an affair during her husband's absence at outpost. After forcing the woman to buy them vodka "for ransom," the local lads later returned to continue her punishment. They seized her, stripped her naked, smeared her with tar, and showered her with dust from the road. "A huge, fervent crowd" of mostly children and teenagers then led the woman to the township administration in this state. In addition to "shouting, whistling, and whooping at the poor woman," some peasants pushed their way through the crowd to pinch the prisoner, spit in her face, and throw dirt in her eyes. "The shouts of the women were especially savage," this account noted.26

Charivaris of adulteresses or of housewives who shirked their domestic duties may well reveal the ability of traditional communities "to compel individual family members to follow collective rules" and the public control to which "the deviant relations of husband and wife are subject," as Edward Shorter has argued.27 Yet as Thompson has cautioned, "because certain adulterers were rough musicked, it cannot be assumed that we are observing a community of pagan puritans, for whom marital fidelity was an imperative." The norms that charivaris enforced "should not be set up as absolutes." Indeed, "it need not have been adultery as such which invoked public disgrace, but the way in which particular adulterers... carried on."28 For Russian villagers, in fact, communal authority played a lesser role in punishing adultery than it did in the case of theft because adultery involved a different set of property and power relations that rested on male domination within both family and village structures and on the husband's acknowledged authority to punish his wife (at least under specific circumstances) with nearly complete impunity. Neighbors rarely intervened to quell domestic violence between husband and wife.29 Here is one important reason we find relatively few charivaris directed against adulteresses by Great Russian peasants, since villagers usually left it up to a husband to mete out appropriate punishment. The expectation of violence, in turn, may account for its use in those instances when villagers did subject an adulterous woman to vozhdanie, for the community symbolically took on the role of offended spouse.

Women frequently sought protection against domestic violence, as evidence from judicial and local administrative bodies testifies. Yet peasant judges, who heard most such complaints, ruled in a woman's favor primarily when they found no justification for a beating, or when they deemed that the husband had treated her with excessive cruelty.20 With cases of adultery or "abandonment," however, litigation had little chance of success for the husband was believed within his rights to punish his wife as he saw fit; community leaders even intervened to support him and bring matters to a close. Such was the case with an Arkhangelsk woman named Ferapontova who, in the early 1880s, fled her husband's beatings and filed charges against him.

40. Shrag, "Krest'ianskie sud'y," no. 7–8, 74–77; Trudy, 2:10, no. 24 and 29; Churushin, "Narodnyi sud," 312.

35. Iakushkin, Obychnye pravo, 1:xxxx. It is quite likely that Vereshchikha was punished so severely not just for her crime but as a way for villagers to strike out at her lover, the clerk, a figure of considerable local power whom peasants often viewed as corrupt and abusive. For a similar case, see "Samosud," SPb, no. 201 (1875), 4.
at the *volost’* court. Rather than allow her suit to be tried, the village elder came with her spouse and other peasants to bring her home. At the elder’s urging, her husband tied her up and then thrashed her through the entire village to their house, accompanied by a supportive crowd. There he dragged her inside, where people had already gathered, threw her on the floor, and mocked and cursed her. As she later wrote in a complaint to a justice of the peace, “I implore you to carry out an investigation quickly, otherwise I will have to endure still more torture from my husband. Is it possible that they can order people to be tortured and mocked? Save me, for the sake of God, I haven’t the strength to bear this torture.”41 Thirty years later, in Putiatino village of Riazan’ province, an abusive husband whose wife fled to her father’s home together with their children “could not tolerate this shame and decided to bring her back ‘with the help of the community.’” Men and women gathered and set out in a “highly original procession” carrying washbasins and rattles, broken pots, spades, rakes, and other tools. “The husband walked at the head of this procession carrying a large besom of switches—the symbol of casting a maiden out from her father’s home.” Once they arrived, he demanded that the entire crowd be treated to drinks and that his wife be returned to him. The frightened father handed over his daughter, “after which the crowd conducted the woman home, banging their ‘instruments’ and singing songs.” Township court records are also replete with stories of women ordered back to husbands who often beat them again for complaining to the authorities.42

Even in cases when they employed charivaris, peasant communities favored husbands and punished wives for adultery or other conjugal behavior deemed improper. If adultery led to neglect of the household and tax arrears, a community might intervene to punish the guilty party, often using the courts or administrative measures to do so.43 But *volost’* courts generally declined to hear cases of adultery not merely because it lay outside their jurisdiction but because a husband was expected to control and master his recalcitrant wife. Though an element of public supervision remained, peasants reserved the infliction of punishment for husbands. Thus when a peasant woman in Orel province stole cloth from a neighbor, villagers organized a *vozhdenie,* but when she resisted their collective discipline and in doing so insulted the community, the elder ordered her husband to flog her and thereby reassert his personal authority and restore honor to the family.44 Similarly, in the case of Feraontova, the elder himself decided to settle this family crisis by taking the woman from where she had fled, but it was the husband who bound her, dragged her home and beat her, unassisted by the boisterous crowd of supporters that accompanied them.

Such village dramas take us beneath the fact of everyday domestic violence, which rested upon a number of poorly understood socioeconomic and cultural determinants, chief among which was the restoration of a husband’s honor before the community. As already noted, honor and reputation played extremely important roles in village life and underlay much of what outsiders deemed to be the widespread malicious litigation between peasants. Within the patriarchal social structure of rural Russia, a male villager could not ignore shame, particularly when his shame became common knowledge and called into question his reputation and standing among other household heads. These punishments served as explicit, public acts of repression directed at women whose behavior threatened not only a male’s honor but also village cultural norms. They reassessed the boundaries of male authority by reproducing relations of domination and subordination within the rural community. Yet the fact that so many abused wives sought separation or divorce, took their husbands to court, and committed murder when the law failed to protect them suggests that domination itself had boundaries that women believed should not be transgressed and that their actions might be one useful starting point for understanding the nature of female space and power in the Russian countryside.45

Unfortunately, many questions concerning Russian charivaris remain unanswered because of the limited information afforded by existing sources. Much like *volost’* court records, they tell us little or nothing about the background and history of a given case or the relationships between actors and victims. Did the *vozhdenie* manifest long-standing hostilities between villagers, household members, or even spouses, for example? Some records hint that this was so, and in those few cases that stand out, it is clear that many were already unpopular within their communities. Could behaviors that peasants punished have been “only pretexts for much deeper rifts, with implications going beyond particular targets,” as Martine Segalen

44. Tenishev, *Pravosude,* 41–43.
asks in her study of rural France and as Edward Thompson argues convincingly with regard to England. The case of Oksana Vereshchikha discussed above certainly suggests that this was so. Russian sources also say little about youth groups—often the main initiators of charivari and guardians of village norms across much of Europe—although peasant youth in Russia played active roles in other public rituals that served to reproduce community norms, social relations, and boundaries.46

Still, we do know enough about the voskhdenie to draw certain conclusions. First, it differed in important respects from those in many parts of Western Europe. Great Russian peasants employed rituals of public shaming far more against theft than sexual and conjugal misconduct, perhaps because of the increased significance of property relations in the postemancipation period and a weakening of kinship’s primacy, at least in comparison to peasant society under serfdom.47 When villagers did punish sexual misconduct, their attention focused primarily on unmarried girls and adulteresses whose husbands were either absent or, in the community’s view, required assistance to control their wives. Couples might be punished collectively if an outsider (usually male) was involved or if their affair brought neglect of their fiscal obligations, but for the majority of adulteresses punishment was administered by the husband, not the community.48

It is also clear that ritual shamings perpetuated a popular kind of prereform justice by employing punishments that courts and village assemblies had regularly imposed in the past. The voskhdenie thus linked two periods of rural justice through the peasants’ rejection of those limitations placed upon the authority of their village assemblies and courts after 1861. In doing so they preserved a semi-autonomous sphere of justice within the local community. Finally, Russian charivari usually sought to reintegrate offenders rather than drive them from the community and used the threat of expulsion together with forced purchase of vodka (i.e., symbolic reconciliation) as instruments that reestablished fractured intravillage relations. This fact sharply distinguishes voskhdenie from other types of samosud in which ritual was largely absent, violence inherent, and expulsion the overriding objective. It is to these more familiar manifestations of popular justice that we now turn.

Samosud and Property Crime

Two additional forms of summary justice help to clarify the difference between voskhdenie and samosud, the first of which brings us to property crimes of a serious nature. Treatment of thieves depended largely upon the value of what they had stolen, with punishment increasing in severity for theft of more important items and for those that, through their loss, threatened a community’s economic well-being. If criminals were outsiders or repeat offenders, reprisals against them were likely to be especially harsh. “Samosud takes place most often when a thief is caught [red-headed],” wrote a correspondent from Smolensk province in 1898, “after which the most beastly punishments occur: They inflict such a beating that the thief dies before he can stand trial.”49 Usually involving beatings, gruesome and often lethal tortures, maiming, and killing, such punishments were almost always carried out by a crowd but lacked the organized and ritual character of voskhdenie. While an elder might direct the punitive violence, it did not require a meeting of the village assembly, although assemblies often ordered prisoners brought before them for judgment and retribution.50

Peasants could indeed be merciless in their reprisals against a criminal, whether their aim was to take revenge on outsiders who stole from them or to rid the community of a known thief once and for all. Two Gypsies in Skopin district were among the hundreds who learned this over the course of many years. Caught one summer evening in 1891 during an attempt to rob a peasant’s barn, the would-be thieves were set upon by a crowd of villagers who inflicted such beatings upon them that one died as he was later being transported to the police; the other spent months recuperating at the zemstvo hospital.51 A similar fate befell another thief in the township seat of Dubovoe, Ranenburg district. Responding to reports of widespread criminal


47. Several historians have found that charivari against thieves were not as uncommon in the West as previously believed. See Ernst Henrichs, “Le charivari et les usages de réprimande en Allemagne. État et perspectives de la recherche,” in Le Goff and Schmitt, eds., Le Charivari, esp. 302–3; Weber, Peasants into Frenchmen, 409.

48. My conclusions apply only to the provinces of Great Russia, for important differences seem to have existed between Russian and Ukrainian charivari. Although sources suggest that peasants of both nationalities punished adultery and theft with voskhdenie at an earlier period, the practice remained far more common in Ukraine after emancipation. The implication here is that such unexplored changes under way during the nineteenth century altered both the nature of the charivari and the local concerns and needs of Russian peasants. See Worobec, “Temptress or Virgin,” 227–38.

49. GARF, f. 586, op. 1, d. 190, l. 27.

50. For examples of assembly-ordered punishments, see, e.g., SV, no. 18 (1895), 204; Sl. Aleksandrova, Atkar. uzdx. Samosud, “Saratovskii listok, no. 84 (1906), 3; “V okruzhnom sude. Samosud,” RussZh, no. 35 (1912), 3.

51. GARO, f. 7, op. 1, d. 613, 760b. For a similar case involving Gypsies, see f. 5, st. 3, op. 4, d. 850 (1866), ll. 24–25.
activities near this village, the local constable and village elder came on the night of July 9, 1908, to search several dwellings and carry out arrests. At one home they apprehended a man named Molodosov and took him to the volost office, together with three stolen horses. Shortly thereafter a second suspicious person was seen leaving this same house, but he fled when the constable tried to seize him. A shot from the officer's pistol failed to halt the fleeing suspect, but the noise attracted a large crowd that quickly chased him down. When they realized that this was Ivan Ozerov, a local resident who had already been banished by communal resolution for previous crimes, the peasants began beating him. Others ran to the volost office, dragged Molodosov outside, and set upon him. The constable and his assistants managed to free both suspects but could not prevent the angry crowd from following along and pummeling them all the way back to jail. By the time they reached the lock-up, Ozerov had been beaten unconscious, and he died the following day. Nevertheless, peasants returned again that day, forced their way into the volost office, and resumed beating both Molodosov as well as Ozerov's corpse. The township elder later ordered Ozerov buried near the jail.52

Arsonists fared even worse than thieves. Vasili Zaitkin, for example, was well known as a local drunkard in Naumovskaja village, Riazan' district, and residents suspected that he had set several fires during the summer of 1907 as revenge against those who had refused to buy him vodka. On July 23 Zaitkin set fire to his uncle's grain shed after the latter denied his request for money. A neighbor immediately reported Zaitkin's deed to the village assembly and a crowd of about seventy people quickly gathered, seized the arsonist, struck him, and tied him up. Some shouted that they should "finish him off." Soon vodka appeared, which the milling villagers consumed while Zaitkin lay tied and bleeding on the ground. "Everyone looked at him like one doomed to death. Some women—his relatives—approached and bade him farewell." When Zaitkin pleaded for forgiveness, several peasants told him, "If we untied you, the crowd would kill us." Shortly thereafter he was set upon by all and beaten with clubs until dead.53 At the end of May 1912, a ten-year-old boy came under suspicion for having set a fire in one village of Mikhailov district that burned down three homes. Angry residents wanted to throw the boy and his father into the flames but were stopped by authorities, who instead turned both over to the judicial investigator. But the latter found no concrete evidence against the accused and, after questioning him and his father, released them. Neither returned home, however. After six days they were found dead in a field of rye not far from their village. The boy's head had been severed.54 In at least two 1910 cases from different villages of Sapozhok district, peasants threw arsonists into burning buildings and watched them die; a similar incident occurred that year in Spassk district, where angry villagers killed three suspected arsonists.55

Peasant officials did not shy away from taking a prominent role in these punishments. In Skopin district, for example, nearly 500 peasants turned out after church services one Sunday in 1907 to watch their elder and others "interrogate" a thief apprehended the previous evening. The accused died following a day-long beating with fists, pitchfork handles, and a bar of iron. Two peasants finally tried in this case received short prison sentences.56 When the elder of Sapozhok district's Boroshevo village arrested a thief in December 1909, he appointed three peasants as judges to direct the culprit's punishment. Together with a group of villagers the judges participated in severely beating the accused with truncheons, following which the elder ordered that he be taken to the volost jail. Along the way the thief's escort continued beating him until he died.57

Organized, collective reprisals sometimes resulted when peasants could no longer tolerate the activities of criminals living in their midst. In a Ukrainian village of Skvirsk district, peasants seeking to stop an upsurge of thefts in 1882 caught twelve "notorious thieves," each of whom received one lash of the birch from every household head. Since the village counted 200 households, this punishment was severe indeed. When three of the thieves committed yet another crime several months later, villagers once again rounded up all suspects and sentenced them to three lashes from each household. Then they tied the thieves' hands and feet together, passed a stout stick through the rope, and twisted it to elicit confessions about other recently perpetrated thefts.58 Residents from the southern town of Sukhuma, similarly exasperated by police inability to protect their community, decided in 1905 to rid themselves of all "depraved persons." They formed a popular court, closed local stores in solemn anticipation of the

52. GARO, f. 5, st. 3, op. 4, d. 4828, ll. 44–440b. Equally severe was the punishment meted out to Konstantin Sinikov of Riazan' district. A reputed thief to whom peasants attributed numerous crimes (including horsetheft) and who was believed to belong to a gang, Sinikov was set upon at his home and beaten to death by an armed crowd of fifty exasperated, angry villagers in December 1909. "V okruzhnom sude. Samosud v s. Dubrovichkhak," RiazZh, no. 106 (1912), 3.


55. Riaz', no. 185 (1910), 3; no. 235 (1910), 3; RiazZh, no. 117 (1912), 3; GARO, f. 5, st. 3, op. 4, d. 5053, ll. 10–10b.

56. "Vyezdnaia sesiia Moskovskoi udebnoi palaty v g. Riazani," Riaz', no. 70 (1910), 4; no. 71, 4.

57. "Sessiiia okruzhnogo suda v g. Sapozhke," RiazZh, no. 62 (1912), 3. For other provinces, see, e.g., TamdGV, no. 35 (1894), 4; "Delo ob istiazani," ViazD, no. 58 (1892), 3; "Zhestokaya rasprava," OdV, no. 249 (1898), 3.

finally caught the thief, villagers started beating him and were soon joined by more and more people until they numbered nearly 100—women and men, children and adults. "Everyone took part in the beating. Once he had been killed, they stopped and quickly dispersed in different directions." Hundreds of similar reports testify with numbing regularity to the problem of horse theft in Russia and to the only sure means peasants possessed for protecting their livestock. 63

Villagers also organized collective reprisals against horse thieves. In 1876, residents of three districts in Volyn province joined with German colonists to carry out popular "executions" throughout the region. Up to 1,000 people "went from village to village . . . and applied terrible punishments on horse thieves." Suspects underwent beatings with sticks, whips, and fists. "Many of the thieves were beaten to death; some were horribly maimed." This popular "court" continued its work for nearly a week before the provincial administration finally intervened with armed force. When confronted by police and other officials and admonished as to the illegality of their actions, the peasants and Germans agreed completely, but asked, "Tell us what to do about the thieves." Five hundred people were prosecuted for these events. 64 Thirty-three years later, in 1911, Samosud against horse thieves had grown even more commonplace in this province. Peasants from five villages armed themselves with guns, clubs, axes, and pitchforks and went in search of the criminals, "subjecting them to cruel tortures." Seven thieves were killed and twenty wounded as a result, but shortly thereafter the remaining gang members began taking revenge for the murders of their comrades. In effect, a virtual state of warfare erupted between local residents and organized criminals, much as occurred in other parts of the empire. 65

Even when they did not orchestrate collective reprisals, peasants reserved unimaginable punishments for horse thieves, "rarely letting them escape alive" in one reporter's words. Some criminals were whipped to death, castrated, or beaten in the groin until dead; others underwent searing and branding with hot irons, had their teeth methodically smashed out with hammers, stakes pounded through their throat or chest, nails pounded into their heels, or sharpened stakes driven into their anus. Villagers put out horse thieves' eyes, cut open their stomachs, burned them to death, even

59. Juris. 4, no. 32 (1905), 1141-42. Similarly, following a murder in March 1877, a crowd of over 200 residents in Mallop decided to deal with all known criminals living among them. They went through the town breaking in doors and windows (pulling one suspect from the stove where he was hiding), dragging them into their yards, and beating them. In less than an hour they punished fourteen persons. MosId, no. 68 (1877), 3. On the use of judicial rituals in other settings, see Eric D. Langer, "Andean Rituals of Revolt: The Chayahuan Rebellion of 1927," Ethnohistory 37, no. 3 (1990), 227-53.

60. "Mikhailov (Ubiatv toiポイ vora)," RvA, no. 239 (1910), 3.


64. MosId, no. 19 (1877), 4; "izlava konokradstva," Nedelia, no. 8 (January 1877), 251-53.

65. "Konokradstvo," SPrVid, no. 201 (1911), 5. Vigilantism against criminals was especially widespread in the Polish countryside during the 1905 Revolution. See Blobaum, Revolutiia, 142-48.
decapitated them. In one locality, peasants elicited confessions from suspected thieves by securing them to a horse and cart and pulling them at full speed along rough ground; when the nearly dead culprit finally provided the names of his accomplices, they too would be subjected to the same treatment. Elsewhere, after being beaten and maimed, thieves were simply tied to a horse and dragged along the ground until dead. According to one account from Ufa province, “Corpses are frequently pulled out of rivers with their hands tied behind them and a horse’s bridle in their mouths, secured to the backs of their heads.”

Two punishments were reported to have been quite widespread. In one, villagers nailed a pulley high onto a gatepost, tied the thief’s hands and feet together, and raised him into the air with a rope running through the pulley. Once he hung at a sufficient height, they released the rope “and he falls to the ground, striking the lower part of his back in a terrible way. This is repeated many times in succession, and each time the snap of the poor devil’s vertebral can be heard. The punishment might continue long after he had died.” Another torture involved wrapping a thief’s naked torso with a wet sack, placing a plank on his stomach and beating upon it with hammers, logs, or rocks until “the unfortunate’s insides are gradually destroyed.” The utility of such a punishment was that it left no external signs, making it easier to conceal the criminal’s murder. Even without these more elaborate preparations, peasants commonly sought to hide the cause of death by elaborating on only internal injuries. In one case, as a crowd began beating two thieves brought before the assembly for punishment, one of those present advised, “Don’t hit them in their heads, so there won’t be any marks; just break all their bones!”

Although educated Russians regularly professed sympathy for the struggle against horsetheft, the brutality of popular punishment conformed their views about the violent, bloody nature of rural crime and reinforced their image of peasant otherness. As a defense attorney argued in 1899, samosud against horsetheives demonstrated not only the ignorance of coun-

try folk but the primitiveness and savage nature of their thinking. These were “beastly crimes” and “inhuman tortures” of a sort “encountered only among savages.” Indeed, wrote one contributor to a liberal journal regarding incidents of samosud that occurred during the cholera riots of 1892, they were akin to “a chapter from an African adventure of Livingston or Stanley... with a tribe of utter savages.”

The inhumanity of samosud cannot be tolerated in a modern, civilized state,” declared another writer, and in 1912 Russia’s premier criminologist Mikhail Gernet wrote that summary punishments carried out by villagers summoned up images of “a medieval torture chamber which, louder than any words, say that the peasant, whose human dignity has for too long been trampled, has not yet learned how to relate with any care to another person, to his rights of inviolability, and even to his life.”

These depictions of the rural savage satisfied many who sought ready explanations for samosud, but at least a few writers suggested a deeper, historical complicity between popular and official justice. They pointed to the examples set by criminal codes like the 1649 Ulozhenie or even later laws that allowed for mutilation, execution, or other severe punishments of criminals that were generally carried out in public. The Orthodox church, too, sentenced adulterers and adulteresses alike to public penance and whippings at least until the early nineteenth century. Even more important from the village perspective were the often brutal punishments applied on serf-owners’ estates—a disciplining of the subordinate, servile body that must have contributed to peasants’ conceptualization and implementation of justice (though this influence likely worked in both directions). The methods they used and passed down through generations had conceivably been modeled, at some time in the past, on official and gentrify treatment of criminals in a dynamic of cultural interaction, transmission, and accommodation of which the forms and methods remained, especially the linkage of justice with spectacle. Moreover, the state itself retained several of these

67. G. N. Breitman, Prestoni mir (Kiev, 1901), 129; Shch.—n., “Narodny samosud,” 783.
69. Ch.—v., “Samosud nad konokradami,” 857; Iakushkin, Obuchnay pravo, 1:179; 2:90; Sud, no. 6 (1893), 124; “Iz obschestvennoi kroniki,” VE, no. 8 (1892), 901.
70. SPW`d, no. 231 (1911), 6; Vremennik Zhitopisi Rossii, no. 63 (1902), 83; Gernet, “Prestupnost’ krest`ian,” 240–41.
71. See, e.g., E. M. Barantschevich, Konokradstvo i meri protiv ego v Rossii (Moscow, 1898), 8–12; Levenstum, “Konokratstvo,” 32; Aleksandr Filippov, “Narodnoe obuchnoe pravo kak istoricheskii material,” RusM, no. 9 (1886), 65; Efimenko, Sbornik, 278–79.
72. In his final comment on rough music, Edward Thompson (Customs, 480) suggested such a convergence of customary and official punishment. Wyatt-Brown (Honor and Violence, 194) also argues that both state and Church "adjusted their practices to accommodate the popular mode. For instance, common-law punishments prior to the great reformation of penal policies in the late eighteenth century consisted largely of folk tradition carried out under the aegis of the law, itself a ritualistic and supposedly divine institution." On spectacle and pun-
practices after emancipation: the partial shaving of exiles’ heads and beards as a form of identification; branding and chaining them to wheelbarrows; mass floggings and executions in retribution for peasant uprisings. Nor did police and other administrative authorities shirk from applying the “law of the fist” to unruly and recalcitrant villagers. As in earlier times, popular and official violence moved in both directions and continued to do so, though less overtly, during the late nineteenth century. Yet as peasants knew well, and as Austin Sarat and Thomas Kearns have recently reminded us, “Violence stands as the limit of law, as a reminder of both law’s continuing necessity and its ever-present failing. Without violence, law is unnecessary, yet, in its presence, law, like language and representation themselves, may be impossible.”

Still, why did peasants continue to employ samosud knowing the dire consequences that could follow? The primary reason was their conviction that courts did not punish crimes like horse theft or arson with sufficient severity, and this conviction grew stronger throughout our period. One horse thief tried in 1901 was found guilty by the Kazan’ Circuit Court but received a sentence of only four years at penal servitude—not much different from punishments meted out for relatively minor robberies. As late as 1910, courts sentenced horse thieves to as little as three years’ imprisonment, after which they could resort once more to their old trade or seek revenge.

For crimes that so threatened the economic foundations of village life, a few years in prison did not seem adequate punishment. Nor could peasants believe that a thief would be punished at all. Even if honest, the rural police were in no match for professional horse thieves working in large groups and living secretly in their own prosperous, well-protected settlements. As one writer noted in 1878, many, perhaps most cases examined by prosecutors never came to trial for lack of evidence.

With no real police or judicial pro-

tection to speak of, villagers were forced to take their own measures and ensure that a thief, when caught, was rendered incapable of stealing again. Such was the case in a village of Pasherevitsk volost’, Pskov province, in the 1890s, where peasants seized a thief trying to break into someone’s yard. A discussion ensued concerning what to do with the thief, and one villager suggested turning him over to the police captain. But another said, “And what will the stanovoi do? Put him in prison for three months, and then he’ll steal even more. Come on, better to punish him ourselves. Only take care not to kill him, boys, so as not to take a sin on our souls.” They therefore decided to break his legs “so he won’t come into other people’s yards.”

Even when they turned a criminal over to authorities, peasants often did so only after punishing the culprit themselves, certain that they knew best how to treat persons who threatened their village. “Now they won’t steal anymore!” was an exclamation regularly heard from those taking part in the maiming or murder of a horse thief. The steady growth of horsetealing throughout the second half of the century thus combined with the failings of police, prosecutors, and courts to reinforce and even increase the practice of popular justice.

SORCERY

The widening divergence between official and popular views of maleficent sorcery also left peasants with limited alternatives for dealing with persons whose ability to manipulate supernatural forces endangered the health and welfare of community members, crops, and livestock. During the first half of the nineteenth century, criminal courts did mete out punishment to persons accused of practicing sorcery, though they often convicted on other grounds. In the early 1850s, for example, a landowner acted on a complaint by his serfs and reported to the Vologda Court of Equity (sovetsnii sud) about a widow and her son who cast harmful spells on local women. The investigating magistrate learned that twelve villagers had already been afflicted, and peasants from surrounding localities came forward to level identical accusations against the woman. Despite this evidence, the accused were charged with sedition and deception and sentenced to punishment with birch rods.

A few years earlier, in 1824, the same court tried a case that arose among crown peasants in Aksenovka village. The miller Andrei Kopal’ in stood accused by locals, who claimed he cast spells on people that caused

76. GARF, f. 586, op. 1, d. 117, l. 40.
78. N. P. Karabchevskii, Okolo pravosudiiia. Stati, sobshcheniia i studeby ocherki (SPb, 1902), 228–30.
them to become hysterics or to suffer ailments such as hernias, swollen stomachs, and pains in the lower back. After hearing testimony and gathering evidence, the court sentenced Kopalin to seventy lashes, which were administered on site in the village. Eight years later, peasants of several adjoining townships brought new charges against Kopalin, his wife, sister-in-law, and three others associated with him and requested that all five be banished to Siberia for settlement. But this time the magistrate and a local doctor found no evidence of evil spells, attributed ongoing cases of kikushhestvo to “simple minds” and ignorance, and dismissed all charges.

These decisions indicate a certain ambiguity toward witchcraft and magic on the part of tsarist courts. On the one hand, eighteenth- and early nineteenth-century criminal law engaged popular belief by the fact that it forbade sorcery, magic, and “superstition.” Both the 1832 and 1842 editions of the Code of Criminal Laws punished practitioners of magic either with a public whipping or by exile to settlement and loss of all rights. A convergence of belief was also evident when serfsowers lodged complaints against sorcerers or took an active part in their punishment. Nor did the Orthodox church remain above complicity, for parish priests regularly sermonized about “superstitions” like divining and the practice of sorcery. Crown, private, and state serfs therefore looked to the courts for protection from the supernatural powers of an angry or offended sorcerer. In adhering to Church views on magic, however, courts most often treated these cases as “superstition” or as a form of swindling, deception, or disturbing the peace. Yet the linguistic and juridical transformation of charges from “sorcery” to “swindling” once a case came to trial was of little matter to those making the accusations as long as the guilty party received punishment.

By the 1840s and 1850s, the divergence between popular belief and official judicial practice had widened so substantially that peasants who sought legal protection from witchcraft found access to courts increasingly difficult, as prosecutors became less willing to try such cases and courts more reluctant to convict. To win a case proved virtually impossible during the postreform decades because state courts no longer prosecuted sorcerers even though witchcraft remained in the 1885 Criminal Code (articles 937 and 938). Indeed, it was the plaintiffs who might be punished for slander while the sorcerer went free, as happened in an 1872 case from Tikhvinsk district, Novgorod province, and again in 1912 in the Mikhailov
district of Riazan’ province, where a couple was found guilty and jailed for fifteen days after falsely accusing a fellow villager of casting a spell on their son. In 1910 a reputed sorceress of Zaraisk district was severely beaten at home by several peasants and the village elder, who claimed she had cast a spell on him. During this attack she struck the elder in the face with an ax. The Riazan’ Circuit Court allowed no discussion of evil spells during her trial for assaulting an official and acquitted her.

Unable to achieve satisfaction in the courts, villagers had recourse only to older practices of popular justice for protection against witchcraft and sorcery, as illustrated by the burning of Agrafena Ignateva. This may in part account for the continued vitality and possible increase of samosud after emancipation. Charivari remained another weapon in the villagers’ arsenal, as the following case demonstrates. In 1898, Mariia Marchevskaia of Zhitomir district was accused by a local woman of being a witch. Marchevskaia’s accuser came to her home and called the woman outside, where she proceeded to insult and mock her in the street. Next, aided by the village elder and his police assistant, she took Marchevskaia to a resident “expert” to examine her and determine whether she possessed a tail. Finally the woman was led through the street by a crowd, which tried to tear off her clothing, and by children beating on “drums.” Marchevskaia later lodged a complaint with the justice of the peace, who found her accuser guilty of insult and sentenced her to five days in jail. The village elder and policeman would be tried at a later date before the circuit court.

More commonly, however, punishment of witches and sorcerers resulted in beatings or murder. In June 1878 a deaf mute came to Tarachevskaya village of Vologda province begging for food, but to his misfortune an epidemic was raging among the livestock and villagers believed that epidemics of this kind were spread by mutes with the aid of “deadly drugs, potions, and charms.” Shortly after his arrival, three men took the mute outside the village and killed him. Occurrences of this sort were recorded around Penza province during the late 1870s and early 1880s—four known cases in 1880 alone. One involved a sorcerer invited as an honored guest to a peasant wedding (a common practice). The parents wanted to win his approval for

79. Ibid., 230–32.
80. Ardal’ion Popov, Sud i nakazannia sa prestupleniiia protiv veroi i rasstvennosti po russkomu pravu (Razan’, 1904), 370–82.
81. S. Fomomarev, “Ocherki narodnogo prava,” SeV, no. 2 (1887), 90; Karabchevskii, Okola pravoslavii, 233; Pavel Balkashin, “O suveriialkah v krest’ianskom soslovi,” RiazZh, no. 43, (1895), 5; Sv. Evgenii Smirnov, “Po voprosu o bor’be sel’skikh pastyrei s znakhariami i vorozhestami,” RiazZh 25, no. 5 (1890), 242–44.

82. "Kolduny i kikushi," no. 4, 84–85; L. Vesin, "Narodnyi samosud nad koldunami (Kistorii narodnykh obyчаев)," SeV, no. 9 (1892), 61–63; "Kastinki derevenskoi zhizni," RiazZh, no. 171 (1912), 5.
the newlyweds, “but whether they treated him badly, or for some other reason, he remained unsatisfied, and when the young couple returned home from the wedding, the bride’s mother became hysterical [stala ‘vyklihat’].” Her relatives were embittered by this incident, and on the following morning the sorcerer’s corpse was found “mutilated beyond recognition.” 86 In a village of Moscow province, a series of misfortunes had long been attributed to the evil eye of an elderly sorceress named Dar’ia. Soon after she came to beg alms from the peasant Luk’er’ia Ivanova in the summer of 1892, the latter suffered fits of hysteria and remained thus afflicted for several days. Villagers decided to cure Ivanova by putting a bridle on her and leading her through the town, believing that the guilty party would appear during the procession. Unfortunately, Dar’ia came to visit her sister at the very time this peculiar “vozhdenie” was under way, fulfilling the crowd’s expectations. When the peasants saw the old woman, they seized and dragged her to Ivanova’s home where she was confronted by the victim, interrogated, then taken from the house and beaten:

And how they beat her: A policeman broke a yoke on her; another broke a cane against her side and threw a brick at her head; others beat her with fists. From all ends of the village peasants came running, having heard that they were beating a sorceress. They, too, added their hands to the task. Finally, they took the old woman by the legs and dragged her to a ravine, broke off branches, and whipped the half-dead woman until she was bleeding; and when she opened her eyes and Avdot’ia Rybina saw this, she began beating [Dar’ia] with a chain until it was nearly broken. The old woman lay in the ravine until evening, and... when it began to rain, the village elder had her brought to her sister’s house [which was now empty, for her sister had since fled the village], where she lay all night on the bare floor. Next day the constable learned of these events and had Dar’ia taken to the zemstvo hospital, but she died one day later. 87

The early twentieth century, too, saw assaults upon witches regularly reported by the provincial press. An elderly peasant woman from the Dmitrovsk district of Moscow province was accused of casting a spell on a young maiden in February 1912, for example, and nearly all of the village women decided to force her to remove the spell. Taking an icon and the victim, they marched to her home singing “Christ has Risen.” When the old woman appeared at her cottage door, the afflicted girl immediately attacked and began striking her. “This served as a signal for all the other women, who also attacked the ‘sorceress.’ As a result, after several minutes the lifeless, mutilated corpse of the unfortunate old woman lay on the ground.” 88

Nowhere does the link between peasant culture and samosud appear more dramatically than in these cases of reprisal against suspected practitioners of magic. Though by no means everyday occurrences, they could not be written off as aberrations as long as peasants explained epidemics, mental disorders, and a plethora of natural phenomena within a framework of supernatural causation. The case with which rural charlatans and criminals exploited peasant beliefs merely confirms that such a mode of explanation survived into the late nineteenth and early twentieth centuries. Although this element of popular culture waned and in some areas retreated before the inroads of education, literacy, industrialization, and social mobility, especially among the younger generation, the number of cases in which villagers were charged with torturing or murdering witches and sorcerers tells us that change in postemancipation Russia was far from universal. 89 In fact, Russell Zguta has suggested that the swimming of witches in Ukraine increased during the nineteenth century, though we have no similar information for Great Russia. If true, this lends further confirmation to arguments by historians and anthropologists that escalations in witchcraft accusations often accompany changing social and economic conditions. It is certainly a plausible explanation for nineteenth-century rural Russia, where population pressure and land shortage helped to erode the tradition of charity and support for impoverished members of the community. 90

Like charivari, charges of witchcraft also reflected intravillage conflict. Most cases examined in this study conform to the general pattern of witchcraft accusations found earlier in Western Europe, in which victims were mainly elderly, itinerants, or socially isolated. Given the traditional gender of peasants toward wanderers and beggars, this may seem surprising. When such people lived in the community and depended on others for their daily subsistence, however, they could easily become a burden and, under certain circumstances (such as an outbreak of disease), the target of long simmering resentment or hostility. Much the same can be said regarding

86. Vesin, “Narodnii samosud,” 68–69; Gol’s, no. 210 (1880), 3.
88. “Samosud nad ‘kolduni’,” RiazZh, no. 32 (1912), 4.
mendicants; usually tolerated, their appearance during bad times presented an outlet for otherwise undirected fear and anger and helped to explain whatever calamity beset the community. Having little or no say in local affairs, such people proved particularly vulnerable to denunciation, a fact well known to neighbors and other villagers, who could use it to their advantage. Charges of witchcraft might also be useful in domestic conflicts as an extreme means for divorce or solving other intractable differences within the household. We have numerous examples in which husbands accused wives or sons accused mothers of sorcery and punished them accordingly. As one anthropologist has argued, “Accusations of sorcery are not random and whimsical, but tend to attach to recurrent relationships and situations.”

This is not to say that witchcraft accusations were no more than pretexts for settling pre-existing conflicts in the village, though very likely many were, and someone leveling an accusation against a “witch” may well have known the charge was false but have been equally confident that others would believe it. Evidence attesting to the widespread persistence of belief in magic and supernatural forces among all classes in Russia, however, is too convincing for us not to recognize that most peasants who brought charges of witchcraft, together with those who helped to punish the accused were directed by their beliefs about the supernatural.

In the three areas treated here, samosud was a response to threats against the community or challenges to village norms and authority. It was not simple lawless violence, as many outsiders charged, but action aimed at suppressing particular forms of behavior and criminality that could disrupt social relations or seriously harm the village economy. With little or no protection against such threats other than that offered by local rules and institutions, peasants responded with the weapons available to them: charivaris, public beatings, ostracism, and murder. Their weapons, however, differed in form and purpose. Directed against village members, the voskhdenie employed an array of symbols and ritual designed to reconcile criminal and community and to restore peaceful relations between villagers. Only if reconciliation was rejected did peasants resort to violence or outright expulsion, for in such cases the offender effectively earned the status of outsider by spurning the community itself. Violent samosud, by contrast, focused on outsiders, defied as nonmembers of the community or those who, through the harm they caused or because of their isolation, had removed themselves from the community. Hence the absence of ritual “processions” with their symbolic steps of expulsion and reconciliation. Outsiders, by definition, could not be brought into the community except through bonds of marriage or kinship, and when they threatened the village’s well-being, mechanisms of reconciliation did not come in to play. The punishments used against them were intended to ensure that they would pose no further harm.

Samosud forced peasants to defend their judicial beliefs and practices before elite culture. Educated Russia saw these acts not only as violations of the criminal code but as proof of the low level of civilization in which the rural population was mired. Villagers, however, rejected official law on this matter (or at least appeared willing to risk its sanction) as they did on many issues that touched their lives, resorting to charivaris or violent retribution when necessary and accepting the risks accompanying popular justice. In their view, after all, the state regularly employed arbitrary punishments against its rural wards for far less serious offenses. Russian peasants were well aware that state law forbade samosud, since they frequently attempted to conceal its results and probably succeeded far more often than we would imagine. But local notions of justice did not draw the same delimitations as official laws with regard to crimes that rural communities could and could not punish. Since infractions punished by the voskhdenie concerned the community alone, outsiders simply had no business meddling in its affairs regardless of what state law might forbid. Most important, official courts did not punish crimes like horse theft as severely as peasants believed they should, and as for witchcraft, the state had ceased to regard this serious problem (as villagers saw it) to be a crime at all. Official law punished serious crimes according to a different set of criteria than used by the peasantry, and from the village perspective its representatives and institutions appeared increasingly unable to apprehend or prosecute criminals. Participants in the murder of a horse thief or a witch therefore found few alternatives to their own methods of justice. The growth of samosud throughout the postemancipation era, and particularly after 1890, served as a clear and potentially dangerous indicator of the state’s failure to bring its law and justice to the countryside in any effective, systematic way.

91. Sally Falk Moore, Social Facts and Fabrications (New York, 1986), 257. See also Favret-Saada, Deadly Words, esp. 39–63; Robin Briggs, Witches and Neighbors (New York, 1996), 259–86. For examples, see, e.g., Vesin, “Narodnyi samosud,” 76–77; Tulub, “Sueverie i prestuplenie,” 1084–87. In an 1893 case from Tver province a woman was accused by her daughter-in-law of casting a spell on her and for this she was killed by her son (the daughter-in-law’s husband). It was widely known that the two women were on hostile terms. Levenstim, Sueverie, 36.

92. The distinctions between voskhdenie and violent samosud, of course, should not be taken as absolutes. In some instances, boundaries between the two were crossed. Breiman (Prestupnyi mir, 190) provides several examples of charivaris involving horse thieves, though these were thieves who had stolen within their own village.