

Chapter 4

The Politics of Reform

THE STOLYPIN REFORMS became law in something of a constitutional haze. Initially enacted via the tsar's ukaz of November 9, 1906, they were later confirmed in a June 14, 1910, statute, and further elaborated in one adopted May 29, 1911. Why not a statute at the outset? The answer, of course, is that in the First Duma there was no majority—certainly no ready majority—for the government's preferred solution to the "agrarian question." So Stolypin instead proceeded under Article 87 of Russia's Fundamental Laws, which allowed the tsar to adopt a law when the Duma was in recess and "extraordinary circumstances create[d] the necessity of a measure requiring a legislative deliberation."¹ The Fundamental Laws, Russia's first venture into constitutionalism, had been adopted on April 23, 1906 in partial fulfillment of the tsar's promises in the October Manifesto of 1905. Article 87 was one of several provisions giving legislative authority to the executive.

The agrarian reforms are linked not only to the government's use of Article 87 in November 1906, but also to two other key moments in Russia's abortive constitutional experiment. First, as a focal point of conflict between the tsar and the First Duma, agrarian issues helped bring on the tsar's proroguing of the First Duma in July 1906, at the moment of Stolypin's accession to the prime ministership.

1. Marc Szeftel, *The Russian Constitution of April 23, 1906: Political Institutions of the Duma Monarchy* (1976), 99.

The proroguing was a perfectly lawful act, but it reflected Russia's apparent inability to muster the rudimentary cooperation needed for a state to function with separate executive and legislative authorities—at least as then constituted. The Second Duma, elected in early 1907, was much farther to the left than the First and thus held out even fewer prospects for joint action on agrarian issues. There followed the tsar's June 3, 1907, dismissal of the Second Duma—a more fateful event, as the tsar simultaneously replaced the existing election rules with ones more favorable to non-peasant landowners. Only after this move, often characterized as a coup d'état, could Stolypin secure legislative approval of his property rights reform.

Yet Stolypin saw his agrarian reforms as part of an effort to build a rule-of-law state, with peasants acquiring the legal rights of full citizens and thus—he hoped—the attitudes of full citizens. Indeed, he accompanied his agrarian provisions with others reducing the legal boundaries between peasants and the rest of society. But means and ends did not jibe well. Reliance on Article 87, even if strictly legal, plainly did not advance the cause of constitutional government, conceived as a system where authorities are balanced and government action depends on the consent of the governed. So we must look at the alternative policies not simply as possible answers to the “agrarian question,” but also as possible strands in a scenario that might have enhanced constitutionalism—and thus moved Russia both politically and economically toward liberal democracy.

Composition of the First Duma

Elections over the late winter and spring of 1906 yielded a Duma leaning toward complete or partial expropriation of the pomeshchiki. And this left-wing composition emerged despite two obstacles. First, the electoral system was weighted in favor of landowners and against peasants (and workers), with a ratio of one representative for every 2,000 landowners, one for every 30,000 peasants, and one for every

90,000 workers.² Second, two major left-wing parties, the Social Democrats (later to split formally into Bolsheviks and Mensheviks) and the Social Revolutionaries (the party explicitly claiming to represent the peasants), boycotted the elections.³ An exact count of deputies' party affiliations is impossible because the Duma was dissolved before the elections were complete throughout the country; the most reliable breakdown of deputies relates to a point where 478 (out of a theoretical 524) had been elected.⁴ In the (relative) center were 185 Kadets, including about forty leaning toward socialism. To their right were seventy deputies: Progressives (including the Group for Peaceful Renewal), Polish National Democrats, Octobrists, and other moderates. And to their left were another 111, including the Trudoviki, Social Revolutionaries, and Social Democrats, all obviously most unpromising as potential allies of the government. Finally, there were "nonpartisans," some of whom were possible allies for a reform of allotment property.⁵

To understand the forces confronting a government interested in property rights reform as the key element of a solution to rural Russia's problems, we'll first examine the positions of right and left, and then of the Kadets, without whose support the First Duma couldn't possibly have adopted a reform of peasant allotment rights.

The pomeschchiki

It is fair to say that the pomeschchiki—putting aside those who went over to a party of the left or center—were marked more by their dislike of compulsory redistribution of their land than by commitment to any single view on the proper evolution of the commune. The dislike of involuntary redistribution, whether compensated or

2. Abraham Ascher, *The Revolution of 1905: Authority Restored* (1992), 43.

3. *Ibid.*, 47.

4. *Ibid.*, 42–43, 51.

5. *Ibid.*, 51, 87–90.

not, hardly needs explanation. Some nobles, however, were ready to accept some redistribution, commonly expressing the hope that this would satisfy the peasantry and preserve the remaining pomeshchik land.

In attitudes toward the commune, there appears to have been nothing remotely approaching a landowner consensus. In the 1890s, for example, there had been broad pomeshchik support for the December 14, 1893, restrictions on individual exit from the commune, on the ground that the commune was “a defense against landlessness and impoverishment.”⁶ And although a Special Commission chaired by Witte had by March 1905 reached a strong majority favoring arrangements for peasant exit from the commune, the Commission was then aborted, in part because of bureaucratic infighting, in part because of claims that such a policy would destroy the commune.⁷ Granted, the argument could be—and, in fact, was—made that the commune could serve as a vehicle for organizing peasant pressure against the pomeshchiki, and that that was a good reason to destroy it.⁸ But some thought the opposite—that exposure to unorganized households was more dangerous.⁹ In the State Council, the upper house of Russia’s post-1905 legislature and a bastion of pomeshchik

6. David A. J. Macey, *Government and Peasant in Russia, 1861–1906: The Prehistory of the Stolypin Reforms* (1987), 33.

7. *Ibid.*, 107–18; Boris Fedorov, *Petr Stolypin: “Ja Veriu v Rossiiu”* [*Peter Stolypin: “I Believe in Russia”*], 2 vols. (2002), 1:349.

8. See, e.g., P. N. Zyrianov, “Problema vybora tselei v Stolypinskom agrarnom zakonodatelstve” [“The Problem of Choice of Goals in the Stolypin Agrarian Legislation”], in *Gosudarstvennaia deiatel'nost' P. A. Stolypina, sbornik statei* [*State Activity of P. A. Stolypin: Collected Articles*], eds. N. K. Figurovskaia and A. D. Stepan'skii (1994), 100–101. Compare Marina Petrovna von Bock, *Reminiscences of My Father, Peter A. Stolypin*, (1970), 175 (saying that the “peasants’ communal life in villages greatly facilitated the work of the revolutionary,” which might refer to peasant deprivation, fueled by the communes’ ill effects on productivity, or to its possible role sustaining peasant solidarity, or to both).

9. Alexander Gerschenkron, “Agrarian Policies and Industrialization, Russia 1861–1914,” in Alexander Gerschenkron, *Continuity in History and Other Essays* (1968), 190–91.

interest, much opposition to Stolypin's agrarian reforms came from the right. Right-leaning members depicted the commune as a bulwark of law and order, decried the option of title conversion as license to appropriate others' property, and expressed fears that little would come of the reforms but more proletarianization.¹⁰ One anathematized them as "bourgeois liberalism."¹¹ Right-wing gentry offered similar criticisms in the Duma, arguing, for example, that newly entitled peasants would "drink their land away" or that it would fall into the hands of foreigners.¹² Given the pomeshchiki's varied and apparently fluid opinions, it seems gratuitous for Soviet writers to depict them as a solid phalanx moved by a universally shared belief that it was in their interest to "crush" the commune.¹³ The extent to which the reforms can be viewed as "crushing" the commune, or, to be less metaphorical, as putting questionable pressure on commune-preferring peasants, is hotly disputed. But the most useful way to address this conflict is to analyze the legislation itself, which we tackle in the next two chapters. On commune privatization, gentry opinion appears to have been split, as we might expect for a policy that would have no direct effect on gentry holdings and whose ultimate impact on gentry welfare was hard to predict.

The SRs, the Trudoviki and other peasant representatives

The most extreme program on the left was the "Proposal of the 33," reflecting the views of the Social Revolutionaries.¹⁴ The draft began

10. A. P. Borodin, *Gosudarstvennyi sovet Rossii, 1906–1917* [*The State Council of Russia, 1906–1917*] (1999), 170–79, 187.

11. *Ibid.*, 184.

12. G. I. Shmelev, *Agrarnaia politika i agrarnye otnosheniia v Rossii v XX veka* [*Agrarian Policy and Agrarian Relations in Russia in the 20th Century*] (2000), 8–9.

13. See, e.g., Zyrianov, "Problema vybora tselei," 100–101.

14. Launcelot A. Owen, *The Russian Peasant Movement, 1906–1917* (1963), 34; E. S. Stroev et al., eds., *Zemelnyi vopros* [*The Land Question*] (1999), 89 (attributing the proposal of the 33 to the "influence of the SRs").

with bold strokes declaring that “all private property in land . . . is henceforth completely eliminated,” and that all land was the public property of the entire population.¹⁵ Every citizen was to have an “equal” right to the use of land for carrying out agricultural pursuits and, indeed, enough land so that after payment of taxes the product would be enough for his health and that of his family (a “consumption norm”). No one would have the use of more land than he could work without hired help (a “work norm”). Sale of land was, of course, out of the question, as the first clause destroyed all private property in land. But just in case anyone might see chinks in the anti-property armor, the draft banned rentals. In a minor concession to practical needs, someone who “by some sort of accident” was unable to conduct farming himself could transfer his tract to a local commune or partnership in exchange for money; he could get the land back when again able to resume farming.

At some level, this draft probably captured the prevailing viewpoint among peasants. The qualifier “at some level” is necessary because two possibly transient features dominated the world in which the viewpoint was formed. First, there was the contrast between the resources, effort and rewards of pomeshchiki on the one hand and peasants on the other. The pomeshchiki had far more resources per capita, made far less effort, and enjoyed far more rewards. As the peasants did all the brute physical labor, and as that work must have seemed to them to dwarf any managerial or entrepreneurial contribution of the pomeshchiki, slogans in favor of “land for the tillers,” and only the tillers, would have had obvious appeal.

Second, because the peasants lived in a universe with the very weak property rights described in Chapter 2, they had little experience of the conveniences and incentives that secure property rights could provide. Although peasants could edge into the world of relatively secure property rights, and did so on a large scale from 1877 to

15. The entire text is published at S. M. Sidelnikov, *Agrarnaia reforma Stolypina* [*The Agrarian Reform of Stolypin*] (1973), 73–77.

1905, many—perhaps most—seem to have projected their hostility toward the pomeshchiki onto anyone with above-average landholdings. Thus, we see the condemnation of any holdings beyond what family members could till by themselves; thus, too, the epithets for relatively well-off peasants: “kulaks” (fists) and “miroedy” (commune eaters).

Petitions drafted by peasants in the revolutionary fervor of 1905–7 pleaded their case in terms that fit perfectly with the Proposal of the 33.¹⁶ Resentment of the pomeshchiki burns from the page: “If we had 5 kopecks a day for all the work for the whole time of serfdom we could easily buy out the pomeshchiki.”¹⁷ “We work without rest, while gentleman and priest revel in torpor and enjoy their bread at will.”¹⁸ “The peasants and other estates have created the wealth of Russia with their calloused hands.”¹⁹ The petitions viewed the allotment process at Emancipation as a total injustice²⁰ and cited Leviticus 25:23 for the Lord’s prescription that the “land shall not be sold for ever: for the land is mine.”²¹ Rentals from the pomeshchiki are said to have been available only on “crushing terms.”²² The petitions explicitly invoked the policy ideas animating the Proposal of the 33, calling for an end to private property in land, and its replacement with the principle that land belongs to those who work it. Any thought of compensation was rejected, though it is clear that the petitioners’ main concern was to avert a repeat of the redemption process, in which peasant fees supplied most of the compensation.

16. I’ve drawn here on the work of a scholar who has read substantial samples. L. T. Senchakova, “Krestianskie nakazy i prigovory, 1905–1907 gg.” [“Peasant Mandates and Orders, 1905–1907”], in *Derevnia v nachale veka: revoliutsiia i reforma* [*The Countryside at the Beginning of the Century: Revolution and Reform*], ed. Iu. N. Afanasev (1995), 43–66.

17. *Ibid.*, 49.

18. *Ibid.*, 50.

19. *Ibid.*, 63.

20. See, e.g., *ibid.*, 48.

21. *Ibid.*, 53 (misciting Leviticus 26).

22. *Ibid.*, 50.

The petitions made no effort to walk a reasoned path from the injustices to the policy prescriptions, much less to consider the prescriptions' effects on productivity. There was no consideration of the possible advantages of private property in land, whether in creating sound incentives for cultivators, in facilitating re-allocation of resources into more productive uses and combinations, or even in providing a marketable entitlement for peasants who wanted to move to the city or turn to non-agricultural pursuits locally. There was some language linked to productivity—references, for example, to the scattering of tracts, to strips so narrow that you could not use a plow on them,²³ and to peasants' inability to get loans²⁴ (an inability that is hardly surprising in view of the frailty of allotment land title). Although private property rights and measures facilitating consolidation would have responded to these concerns, the petitions seemed not to recognize the link. Some of them, interestingly, referred to devices other than confiscation of private property in land as solutions to peasant distributional concerns, such as replacing existing taxes with progressive income taxes.²⁵ And many also advanced ideas of civic equality that were quite consistent with Stolypin's policies—demands for elimination of the separate peasant estate, for a comprehensive court system, and for better education.²⁶

The petitions were in a curious tension with evidence of radical peasant criticism of both repartition and open fields. A poll of 646 people, including 328 peasants, conducted in Smolensk Province in the fall of 1902, showed a majority of peasants who answered the relevant questions to be against the commune (118 to 68). Many attacked the incentive effects of repartition, even alluding to its beneficiaries as “plunderers.”²⁷ Even more directed fire at the multi-

23. *Ibid.*, 49–51.

24. *Ibid.*, 49.

25. *Ibid.*, 57–58.

26. *Ibid.*, 58–60.

27. I. Chernyshev, *Krestiane ob obshchine nakanune 9 noiabria 1906 goda: K voprosu ob obshchine* [Peasants on the Subject of the Commune on the Eve of Novem-

ple inconveniences of open fields: the collective control; the delays caused by the need to wait for slower peasants to catch up, and the grain losses resulting from these delays; the underuse of land serving as borders between tracts; and the difficulties of ultra-thin plots for cultivation and use of fertilizer. They framed their attack in individualistic terms, seeing all these drawbacks as impediments to innovation, to individual effort, and to an individual's use of his own experience. And they spoke very sharply of what they saw as accompanying social maladies: being a "slave" of the commune; endless quarrels, fights, and even lawsuits; and conflicts between rich and poor, caused in significant part by overgrazing on the part of the rich.²⁸ The tone is often of exasperation: "The village controls every step." For the active peasant, life in the commune is a "torture," involving "eternal slavery."²⁹

Even peasant defenders of the commune accepted these criticisms, but saw offsetting advantages and anticipated problems in shifting to private ownership.³⁰ The advantages included protection for the very poor, such as access to pasture, water supply, and other resources treated as a commons, as well as more space for cattle (presumably because of less need for fencing). Some made social claims—that large families should get more land, and that the commune bound the peasant to the motherland.³¹ Some even asserted the mirror image of critics' argument about quarrels, claiming that separate ownership would increase them. And many thought that a once-for-all division could not be fair, presumably believing that defects in short-term divisions were less troubling because they might be corrected in later rounds.³² Even the commune's supporters

ber 9, 1906] (1911), 42. Shmelev, 22–25, also gives an account of the poll results, consistent with Chernyshev's but less detailed.

28. Chernyshev, 5–29, 41–51.

29. *Ibid.*, 41, 46.

30. *Ibid.*, 29–41.

31. *Ibid.*, 35.

32. *Ibid.*, 36–38.

seemed to think that private ownership would be all right if more land were available.³³

Chernyshev's report on the poll describes the poor peasants as leaning in favor of the commune, the middle generally against, and the richer ones split, depending simply on calculation of expected advantages.³⁴ Critics of the commune seemed to feel that any solution lay outside their control, with the country's leadership rather than through private transactions.³⁵

Obviously there are limits to what we may infer from the 1902 poll. Smolensk was relatively advanced economically; for example, its levels of land consolidation in the reforms were above average. The reports don't give us the poll's exact methodology. Nonetheless, such a blistering critique of the commune by a substantial bloc of peasants cautions against accepting the political petitions as the whole story. Even a single peasant might have been of two minds. One, well-dressed and thus presumably prosperous, responded to a reform official, "By conviction I'm a Trudovik and according to our programme I am against the law of November 9, but in my life I approve of it. . . . And therefore I will say thanks to you."³⁶

In the end, of course, the peasants got what their political petitions said they wanted; the Bolsheviks' 1917 decree on agricultural land was very similar to the Proposal of the 33. But five years' experience (perhaps seasoned with the complete removal of the *pomeshchiki*) mellowed them a bit, as the Land Code of 1922 implicitly acknowledged. It at least allowed communes to elect non-communal (*uchastkovoe*) ownership,³⁷ and allowed individual peasants to obtain separation of their lands with communal consent—and in some cases

33. *Ibid.*, 40, 49–50.

34. *Ibid.*, 75–78.

35. *Ibid.*, 29, 47, 82.

36. David A. J. Macey, "Government Actions and Peasant Reactions During the Stolypin Reforms," in *New Perspectives in Modern Russian History*, ed. Robert B. McKean (1992), 161.

37. *Zemelnyi Kodeks R.S.F.S.R.*, 1922, § 100.

without.³⁸ But it forbade any purchase, sale, mortgage, bequest, or gift, and it sharply limited peasants' ability to rent land out.³⁹ This mellowing, however slight, suggests that peasant views reflected in the petitions and the Proposal of the 33 might have dissipated reasonably fast under the right conditions. It seems possible that widening peasant ownership of real private property (through continued purchase from the pomeshchiki and privatization of communal land) might have done the trick.

Lying at a point on the spectrum between the Proposal of the 33 and the ideas of the Kadets was the "Proposal of the 104," the work of the Trudoviki, which thus reflected SR influence.⁴⁰ Unlike the Proposal of the 33, it included a provision for compensation, but a very weak one, specifying only that the issue, including "those cases where land is appropriated without compensation," was not to be resolved until it had been "discussed by the people" in their localities.⁴¹ Apart from this vague treatment of compensation, the proposal seems to have added nothing distinctive to that of the 33 on one side or of the Kadets on the other, and it was even more distant than the Kadets' from anything that might have supplied a basis for compromise with the government; so it requires no more discussion here.

Before leaving the hard left, we should briefly consider the Bolshevik position. Standard Marxist theory, of course, claimed that society marched inexorably through stages specified by Marx: feudalism, capitalism and, finally, communism. If one characterizes as feudal the social and economic relations prevailing in rural Russia from Emancipation to 1905, as the Social Democrats did, one could deduce that the next stage must be capitalism. By moving to capitalism, then, society would take a step toward communism. Marxist

38. *Ibid.*, § 136.

39. *Ibid.*, § 27.

40. Stroeve et al., 87–88, seeing the proposal as the outgrowth of discontent with Kadet proposals on the part of peasant and intelligentsia deputies, including SRs.

41. Sidelnikov, 70 (text of § 4 of the proposal).

logic, therefore, put a good communist in the position of rooting for the advance of capitalism, and we should expect Lenin to have favored the Stolypin reforms.⁴²

In fact, Lenin's response seems only in part orthodox. He did indeed take the position that the Stolypin reforms would advance capitalism (a good thing), and would hasten "the expropriation of the peasantry, the break-up of the commune, and the creation of a peasant bourgeoisie" (all aspects of advancing capitalism and thus also good things).⁴³ The reforms were, he said, "undoubtedly progressive in an economic sense."⁴⁴ In fact, in a 1903 pamphlet titled "Explanation, for peasants, of what the Social Democrats want," he had called for repeal of all laws limiting a peasant's right to dispose of his property.⁴⁵ On the other hand, Lenin divided rural capitalism into two types: Prussian—with a small number of landowners (including rich peasants) on one side and a rural proletariat on the other—and American.⁴⁶ His view of American rural capitalism wasn't based on the relatively small size of individual holdings, but on the fact, as he saw it, that the farmers had received their land free, from the government. He believed this implied that American farmers could make investments in labor and capital without "superfluous" expenditures for rent or purchase.⁴⁷ On this theory, of course, only

42. See L. Owen, 56.

43. Donald W. Treadgold, "Was Stolpin in Favor of Kulaks?" in *The American Slavic and East European Review* 14 (1955): 10. See also Peter I. Lyashchenko, *History of the National Economy of Russia to the 1917 Revolution*, trans. L. M. Herman (1949), 219.

44. V. I. Lenin, *Sochineniia* [Works], 4th ed. (1947), 13: 219.

45. V. I. Lenin, *Polnoe sobranie sochinenii* [Complete Collected Works], 5th ed. (1959), 7:134, 182–82. See also Shmelev, 30.

46. Treadgold, "Was Stolpin in Favor of Kulaks?" 9, citing V. I. Lenin, *Sochineniia*, 13:216.

47. Esther Kingston-Mann, *Lenin and the Problem of Marxist Peasant Revolution* (1983), 104–05. In "Agrarnaia programma sotsial-demokratii v pervoi Russkoi revoliutsii 1905–1907 godov," Lenin relied on Marx for the proposition that private ownership of land seriously limits productivity because the farmer's payments for rent or purchase squeeze out investments in agricultural improvements. See Lenin, *Polnoe*

initial settlers and their heirs would have prospered: any farmer who had bought his land at market prices would have faced terrible odds. There seems to be no evidence in support of this notion. The view plainly resonates with the notion discussed earlier, attributing low productivity to peasant poverty: thus the cause of poverty was poverty, rather than any defects in the structure of rights and incentives.

In any event, Lenin went on to argue that nationalization of the pomeshchiki's land, under something like the Trudoviki's scheme, would lead to a particularly benign form of capitalism.⁴⁸ Holding a rather static view of capitalism, he seems to have been wholly untroubled by the Trudoviki's prohibition of land transactions, although he noted with seeming approval that their proposals made no mention at all of preserving the outmoded commune.⁴⁹

Some have discerned in Lenin's statements an anxiety that the Stolypin reforms would steal his thunder, transforming the peasants into a class of independent entrepreneurs and leaving no rural proletariat to speed the revolution. Two obstacles tend to undermine this theory. First, Lenin's dogma taught him that capitalism necessarily produced hostile, sharply differentiated classes, and his statements seem not to indicate any abandonment of that axiom. Second, there is little indication that Lenin ever thought of peasants as likely spark-plugs for socialist revolution.⁵⁰ A passage often said to support the

sobranie sochinenii (1961), 16:295. See also *ibid.*, 16: 216–17 n.* (arguing that the less farmers pay for land, the more they can invest in improvements, and the faster productivity will advance, and identifying this with the American experience). Lenin seems oddly to associate all this with the post-bellum American South. See *ibid.*, 16:270. The approach fits the conventional Marxist concern for distribution and indifference to incentives.

48. Lenin, *Polnoe sobranie sochinenii*, 16:215–21. See also V. I. Lenin, "Po tornoi dorozhke" ["Along the Beaten Path"], in *Polnoe sobranie sochinenii*, (1961), 17:26–32.

49. V. G. Tiukavkin, *Velikorusskoe krestianstvo i Stolypinskaia agrarnaia reforma* [*The Great Russian Peasantry and the Stolypin Agrarian Reform*] (2001), 184–85 (citing V. I. Lenin, *Polnoe sobranie sochinenii*, 5th ed. (1961), 16:263–64).

50. Kingston-Mann, *Lenin and the Problem of Marxist Peasant Revolution*, 212, n. 20, citing Lenin, "Agrarnaia Programma," in *Polnoe sobranie sochinenii*, 5th ed. (1961), 16:325.

idea that Lenin saw the reforms as preempting revolution appears ambiguous at best. In 1908, having depicted the Stolypin reform as requiring for its success long years of pressure on the peasants, forcing them into starvation, Lenin said that such policies had succeeded in the past. And then:

It would be empty and stupid democratic phrasemongering to say that the success of such a policy in Russia is impossible. It is possible! . . .

. . . [If] the Stolypin policy continues long enough for success of the “Prussian” path . . . then the agrarian structure of Russia will become completely bourgeois, the more powerful peasants will accumulate almost all the allotment land, landowning will become capitalistic and any resolution of the agrarian question, radical or not, under *capitalism* will become impossible.⁵¹

The language seems obscure. What, for example, does the impossibility of a “resolution” “under capitalism” mean? In view of Lenin’s general notions on the relation between capitalism and socialist revolution, and on the peasantry’s probable role (or non-role) in revolution, the passage seems weak support for a claim that he recognized the reform’s potential to ruin his program. Other Bolsheviks apparently recognized the risk,⁵² however, and in the occasional restless night, Lenin may have as well. And at least some speakers at the SRs’ London conference in September 1908 seem to have frankly seen government success in developing private property in the country-

51. Bertram D. Wolfe, *Three Who Made a Revolution: A Biographical History* (1948), 361; also quoted in W. Bruce Lincoln, *In War’s Dark Shadow: The Russians Before the Great War* (1983), 342. The translation from Lenin, “Po tornoi dorozhke,” *Polnoe sobranie sochinenii*, 5th ed., 17:31–32, is mine. See also Abraham Ascher, *P. A. Stolypin: The Search for Stability in Late Imperial Russia* (2001), 161 (quoting observation that the agrarian structure of Russia might become “completely bourgeois”).

52. See Fedorov, 1:404 (quoting an unidentified Bolshevik as saying that if Stolypin had been able to carry out his reforms for another 8–10 years there would have been no revolution).

side as potentially inflicting “serious damage on revolutionary activity.”⁵³

The Kadets

The Kadets didn’t adopt an official party position on the agrarian question, but a group of them offered a “Proposal of the 42,” a plan for compulsory but partially compensated appropriation of pomeshchik land.⁵⁴ The government would accumulate a supply of land for redistribution to peasants, starting with the lands of the state, the imperial family, and the monasteries and churches. It would also expropriate the lands of private landowners to the extent that an owner’s lands exceeded some locally calculated norm deemed suitable for individual cultivation with one’s own animals and equipment (implicitly, then, with no hired labor).⁵⁵ Lands that an owner rented to others would be confiscated even if the owner’s total holdings were smaller than this norm.⁵⁶ The accumulated land would then be distributed to the landless or land-short, in amounts needed to bring them up to a sort of subsistence norm, adequate for meeting average needs, taking into account not only land quality but also “stable, non-agricultural income.”⁵⁷ Current owners would receive compensation on a “just” (but undisclosed) principle, based on the productivity normal for the particular region with independent farm-

53. Stolypin’s December 5, 1908, speech in the Duma quotes an SR leader to that effect. P. A. Stolypin, *Nam nuzhna velikaia Rossiia: polnoe sobranie rechei v gosudarstvennoi dume i gosudarstvennom sovete, 1906–1911* [We Need a Great Russia: Complete Collected Speeches in the State Duma and State Council, 1906–1911] (1991), 179.

54. For text of the proposal, see Sidelnikov, 77–80. See also Roberta T. Manning, *The Crisis of the Old Order in Russia: Gentry and Government* (1982), 216 (noting opposition among the Kadets).

55. Sidelnikov, 78–79 (text of proposal § V(a)).

56. Ibid.

57. Ibid., 78, § II.

ing and *not* taking into account “rental values created by the need for land.”⁵⁸ The parcels would be doled out for “long-term” use, with recipients paying a charge calculated on the basis of the land’s productivity.⁵⁹

The appeal of the Kadets’ program lay in its effort to address the purely distributional issue. The pomeshchiki’s claim to their land did not, after all, arise from the skill of any present noble, or even his ancestor, in coaxing products out of the land. They had received their land supposedly to support them in their provision of military or bureaucratic services to the state. The duty to provide those services had ended formally in 1762;⁶⁰ their retention of the land quid for the cancelled service quo was anomalous. The productivity of their land vis-à-vis that of the peasants suggests that many did have agricultural skills (or the sense to hire people who did), but that was, to some degree, a happy accident. But not altogether an accident: they held their land as marketable property, so one could expect it to have gradually flowed from the hands of the less competent to those of the more. Think again of *The Cherry Orchard*, and the charming but irresolute aristocrats’ loss of their orchard.

The Project of the 42 had the great advantage that it was never enacted; thus it never confronted grubby reality. One of the realities was that the areas of truly vast gentry estates were not in the areas of extreme peasant “land shortage.” Only seven tenths of the privately owned land was located in the ten provinces with average allotment sizes under seven desiatinas per household.⁶¹ Any careful matching of expropriated land with needy households would have set millions of peasants on the march across Russia. Beyond that, it had two serious additional flaws. First, the production and consumption norms that were to guide taking and distribution would have tended

58. *Ibid.*, 77, § I.

59. *Ibid.*, 79, § VI.

60. David Moon, *The Russian Peasantry, 1600–1930: The World the Peasants Made* (1999), 109.

61. Tiukavkin, 212. See also Stolypin, 86–96 (speech in Duma, May 10, 1907).

to lock Russia into small farms, regardless of the cost in productivity. Indeed, as the total supply of pomeshchik land was a mere third of the land that peasants *already* held in 1905, the norm would have been quite small. The resulting costs in reduced productivity would likely have been high. Optimal sizes of farming enterprise were sure to vary across types of soil, crops, weather, availability of labor supply, management skills of owners, and access to markets. Only via a land market, reflecting the individual decisions of millions of owners responding to price signals that, in turn, reflected innumerable trade-offs, could Russia have worked its way to ownership patterns that would adjust for all these factors and adapt to future changes.

Even though the Kadets' plan didn't formally abolish the land market, as did the SR proposal, it necessarily implied severe distortions if its norms had been taken seriously. Even assuming that the ultimate legislation didn't flatly prohibit ownership of farms exceeding the norms, the proposal's expression of an unqualified preference for such farms would, at a minimum, have made it risky for anyone to acquire more than the norm. And by creating that risk, it would also have made exit from farming more difficult. Suppose a farmer wanted to start a small business or seek employment in non-farm activity. (Recall that peasants are estimated to have obtained 23.6 percent of their total income from non-agricultural pursuits even in 1877–94.⁶²) Could he have sold his land? Presumably, as a practical matter, he could have done so only to a peasant or impoverished nobleman who held less land than the norm, or to some state intermediary institution buying for resale to such a person. At a minimum, this would have clogged small farmers' departure to other activities. With farm size stultified and the career choices of individual farmers impeded, the scheme seems almost perfectly designed to yield a static and inefficient rural economy and to stifle non-agricultural economic growth.

62. A. M. Anfimov, *Ekonomicheskoe polozhenie i klassovaia borba krestian Evropeiskoi Rossii, 1881–1904 gg.* [*The Economic Situation and Class Struggle of the Peasants of European Russia, 1881–1904*] (1984), 156–57.

A second serious flaw in the Kadets' plan was that, although their support of compensation reflected an admirable commitment to the rule of law, it would have brought other problems in its wake. Calculating compensation for nearly 100 million acres of land by any formula—at least any non-mechanical formula—would have been a gargantuan task. Of course, shortcuts might have been devised, sacrificing accuracy for simplicity. In fact, the proposal in some ways complicated the exercise. By excluding evidence based on rents due to “need,” it would have required the adjudicator to draw a virtually metaphysical line. While one can't ask perfection of courts, saddling any legal system with such a task, especially the underdeveloped Russian one, seems more likely to have engulfed than to have enhanced the rule of law.

The process of modernization, to the extent that it survived the proposal's nostrums, would only have exacerbated the economic distortions and administrative quagmire. Modernization implied gradual increases in both productivity and population. If Russia had embraced a politically determined ceiling on farm size, both types of change would have forced a continual shrinkage of the ceiling, with further impacts on productivity and administrative complexity.

Despite these objections as a matter of pure policy, might there have been a case for the Kadets' proposal in the circumstances of Russia in 1906? A bit of bad policy may seem a small price to pay to avert seventy years of Bolshevik rule, or, more precisely, to improve the chances of averting that rule. There are two possible angles here. First, the Proposal of the 42 might have either improved matters in the countryside or satisfied the peasants. Much real improvement in peasant welfare seems unlikely, however, given the relatively modest amounts of pomeshchik land available (compared to what the peasants already held),⁶³ the probable inter-peasant conflicts over alloca-

63. When the peasants ultimately took over the land of the state, the imperial family, the church and the pomeshchiki, the gains evidently amounted to between one-third and three-quarters of a desiatina per capita. James W. Heinzen, *Inventing*

tions, the likely injuries to the rule of law in both the taking and the distribution, and the complex migration needed to match the most land-hungry peasants with the most surplus land. All these would have inflicted injuries on both the agricultural and the non-agricultural economy, injuries borne in part by peasants. Might the peasants, nonetheless, have been satisfied? Certainly the policy would have largely mooted the idea that seizing pomeshchik land was the road to contentment. And the shift in attitude from 1917 to 1922 suggests a clear peasant ability to spot advantages in aspects of private property. But it would have been quite a gamble to try to build liberal democracy on the incompletely compensated confiscation of an entire class of property owners.⁶⁴

The second theory of justification would be that the process of legislative compromise needed for adoption of the Kadets' proposal might have nurtured the growth of constitutional norms enough to outweigh its effects as agricultural policy. Such a compromise would have to have satisfied the preference of the government and its supporters for rules enabling peasants to exit the commune if they wished, and of the Kadets for some measure of land transfer from the pomeshchiki to the peasants. It would likely have averted the July 1906 dismissal of the Duma, the November 1906 use of Article 87 to bring about property rights reform, and the quasi-coup of June 1907. Here, obviously, we are into even fuzzier realms of speculation. But the experience of effective collaboration within and between branches of government, and of more closely implementing the consent of the governed, would surely have been a good thing.

a Soviet Countryside: State Power and the Transformation of Rural Russia, 1917–1929 (2004), 24–25.

64. Carol M. Rose argues in “Property and Expropriation: Themes and Variations in American Law,” *2000 Utah L. Rev.* (2000): 1, 27–38, that massive expropriations may occur without strongly undermining reliance on private property if the claims of those expropriated are perceived as completely illegitimate, such as being on the wrong side of a “*We versus They*” divide. Such a perception perhaps prevailed after the Bolshevik revolution, but by that point reliance on private property was out of the question.

In hindsight, and speaking only of agricultural policy, the government's and the Kadets' positions do not seem so hopelessly far apart as to preclude compromise. The Kadets' bark may have been worse than their bite, their stated policy preference worse than what they might have accepted in a crunch. The Proposal of the 42 was by no means the unanimous view of the Kadets,⁶⁵ and the views the Kadets expressed in the Second Duma were slightly more restrained than in the First.⁶⁶ When the Third Duma considered the draft that became the act of June 14, 1910, adopting the Stolypin Reform with some embellishments, the Kadets, now reduced to fifty-four out of 441 deputies,⁶⁷ seemed to accept the principle that the government should facilitate peasants' exit from communal tenure. They objected mainly that this exit must not come about by force. If the objection is at all fair, it must rest on specific features of the statute; we'll examine these in Chapter 6. In any event, legislative bargaining could at least in part have corrected such flaws.⁶⁸

On the government side, as well, one can detect some give on the policy issues. Although high officials sometimes expressed absolute opposition to even the slightest expropriation of property,⁶⁹ forces within the government were ready to accept some expropriation in order to accommodate the opposition. Stolypin himself, who as min-

65. See V. V. Shelokhaev, *Kadety—glavnaia partiia liberalnoi burzhuzazii v borbe s revolutsiei 1905–07gg.* [*The Kadets—The Main Party of the Liberal Bourgeoisie in the Struggle with Revolution, 1905–05*] (1983), 125 (quoting critical comments of Kadets Shechepkin and Petrazhitskii).

66. Ascher, *1905: Authority Restored*, 320; see also Shelokhaev, 123 (quoting Kutler for view that in the Second Duma the Kadets seemed to shy away from the ideas of the 42).

67. Ascher, *P. A. Stolypin*, 210.

68. George Tokmakoff, *P. A. Stolypin and the Third Duma: An Appraisal of Three Major Issues* (1981), 34; but see also 35 (recounting the puzzling statement of Paul Miliukov, leader of the Kadets, that the “ideal of small individual ownership is not a Russian ideal”).

69. See, e.g., Macey, *Government and Peasant in Russia*, 176 (quoting Goremykin speech of May 13, 1906), 210 (citing June 19, 1906 report excluding expropriation).

ister of the interior was active and influential even before his ascension to the prime ministership and the dismissal of the first Duma on July 9, 1906, noted privately in the summer of 1906 that he agreed with the Kadets' desire to increase peasant ownership, but "only den[ie]d a large-scale compulsory expropriation of privately-owned lands."⁷⁰ He also said to Count Bobrinski in the presence of many witnesses, "You'll have to part with some of your land, Count."⁷¹ Later, relying at least in part on data about the bad fit between areas of large gentry holdings and severest peasant scarcity,⁷² he moved to a narrower position; he accepted the propriety of compulsory acquisitions of pomeschchik (or other) land only when necessary "for the improvement of peasants' use of their land," such as developing a water supply, improving access, or (of course) solving problems of scattered plots.⁷³ That sort of land taking, akin to rather innocent uses of eminent domain, does not indicate much real give. But earlier, before the peasant insurrections of 1905 were put down in December, some of the most conservative figures in the regime expressed acceptance of some expropriation. D. F. Trepov's (perhaps apocryphal) statement is the most emphatic: "I . . . will be happy to give away half my land since I am convinced that only on this condition will I preserve the second half for myself."⁷⁴

In the end, however, it was probably not the specific disagreement over agrarian policy that doomed any joint Kadet-government resolution of the issue, but broader divergences. Nicholas II's resistance to

70. *Ibid.*, 221.

71. Tiukavkin, 212.

72. *Ibid.*

73. Stolypin, 96 (speech of May 10, 1906); Ascher, *1905: Authority Restored*, 321–22.

74. Macey, *Government and Peasant in Russia*, 127. See also V. S. Diakin, "Byl li shans u Stolypina?" ["Did Stolypin Have a Chance?"], in *Gosudarstvennaia deiatel'nost' P. A. Stolypina: Sbornik Statei* [*State Activity of P. A. Stolypin: Collected Articles*], eds. N. K. Figurovskaia and A. D. Stepanskii (1994), 20 (Trepov in the Fall of 1905 forwarded a memo to Nicholas II proposing the transfer of 20 million desiatinas to peasants).

constitutionalism was profound. He displayed it in his hostility to giving the Duma any credit for the agrarian reforms. After the Third Duma had regularized them in the law of June 14, 1910, Stolypin's brother Arcady published an article saying enthusiastically that the act had "ratified the administrative law [the ukaz of November 9, 1906] which heralded for the economic situation of Russia an epoch similar to that established for the country by the [Emancipation statutes]."75 Nicholas wrote a rather sharp letter to Stolypin, saying that the "article did not please me." Pointing to the passage on the ukaz and another arguably comparable provision, he asked with apparent disgust, "Does he mean to say that both measures came from the Imperial Duma?"76

Among the Kadets one finds a parallel disdain for collaboration in the interest of legislation. Before their electoral sweep in early 1906, the Kadets had committed their party to serious legislative work in the forthcoming Duma, but their electoral triumph induced what one observer called "drunkenness with success"⁷⁷—an interesting premonition of Stalin's famous "dizzy with success" slogan. The party seems to have believed that the revolution launched in 1905 was continuing, so that it "had to steer a radical course or risk losing its constituency."⁷⁸ It denounced the Fundamental Laws, demanded radical increases in Duma authority, and expressed a general spirit of unreadiness to compromise, seemingly confident that, in any clash, the people's revolutionary sentiment would have forced the government to back down.⁷⁹

The pervasiveness of the Kadets' aggressive mood is suggested by the enthusiasm of Petr Struve—one of the party's more level-headed members—for the Proposal of the 42. In earlier days, Struve had applied his sharp and independent mind to Russian agriculture, ar-

75. L. Owen, 46 (quoting Krasny arhiv, 5:124 [1924]).

76. Ibid. (quoting Krasny arhiv, 5:122).

77. Richard Pipes, *Struve: Liberal on the Right, 1905–44* (1980), 33.

78. Ibid., 35.

79. Ibid., 37; Ascher, *1905: Authority Restored*, 79.

guing that its problem was not a land shortage (*malozemele*) but rural overpopulation. While the distinction might seem to be only a matter of looking at the denominator rather than the numerator of a single fraction (land/population), his view was in fact completely different from the standard cry of *malozemele*. He focused on the lack of productivity and on the immobility of labor, arguing that the commune kept people in the countryside artificially, away from burgeoning industry.⁸⁰ Yet, in the fervor generated by the First Duma elections, even Struve embraced the Proposal of the 42, proclaiming that if it were implemented he would be “proud of having belonged to a party that has carried it out.”⁸¹

Of course, the Kadets’ “drunkenness with success” dwindled when the tsar’s dismissal of the First Duma failed to set off a popular groundswell, and after elections to the Second Duma radically cut their share of deputies. But even then, in the run-up to dismissal of the Second Duma and the “coup d’état” of June 3, 1907, the Kadet majority reviled as traitors four moderate party members (including Struve) who had simply been so bold as to meet with Stolypin and talk about possible resolutions of the Duma-government impasse.⁸² Thus, while the agrarian question clearly played a role in Russia’s constitutional setbacks—the Duma dismissals, the use of Article 87, and the unilateral tsarist change of the electoral rules—a deeper divide between the parties made those setbacks virtually unavoidable. The tsar and gentry were unready to give up their advantages, and no competing social force had the clout to force a relinquishment.

Use of Article 87

As the government’s use of Article 87 was a central Kadet objection, it’s worth considering whether that use was valid. The text allows use only in “extraordinary circumstances”:⁸³

80. Richard Pipes, *Struve: Liberal on the Left, 1870–1905* (1970), 93, 112, 196.

81. Pipes, *Struve: Liberal on the Right*, 37.

82. See, e.g., *ibid.*, 55–65; Ascher, *1905: Authority Restored*, 350–51.

83. Szeftel, 99.

When the State Duma is in recess and extraordinary circumstances create the necessity of a measure requiring a legislative deliberation, the Council of Ministers submits it directly to the Emperor.

Did the circumstances surrounding issuance of the November 1906 ukaz qualify as “extraordinary”? Stolypin argued that the imminent termination of redemption dues created an emergency of sorts. In a March 15, 1910, speech in the Duma, he argued that the end of dues would bring into force a provision—Article 12 of the General Statute on Peasants—that he suggested would cause trouble.⁸⁴ But it is unclear how combining the end of redemption with Article 12 created any problem at all, much less an emergency. Article 12 merely provided for agreements between pomeshchik and peasant under which the peasant could acquire property in land, after which “all obligatory land relations” between the pomeshchik and peasant would cease, presumably referring simply to their lord/serf relation as to the parcel. Further, if the statute of December 14, 1893, and Article 165 of the Statute on Redemption are read as proposed in Chapter 2, it would seem that the end of redemption duties would have sprung the catch on latent peasant rights to exit the commune. Of course, the absence of clear procedures for such exit might well have called for administrative regulations, similar in overall purpose to the ukaz of November 9, 1906. So long as such regulations merely implemented the previously created rights, there would seem to have been no legal obstacle to their adoption by the executive. But there was division on the correct interpretation of Article 165 and the Act of December 14, 1893,⁸⁵ and the need for clear authority might have been thought to constitute “extraordinary circumstances.” There may also have been a political goal in proceeding by ukaz rather than

84. Stolypin, 246–47 (speech in the Duma, March 15, 1910). The reference to the General Statute is evidently to the General Statute on Peasants Who Have Left Serfdom (“Obshchee Polozhenie o Krestianakh, Vyshedshikh iz Krepostnoi Zavisimosti”), the major statute on emancipation, adopted February 19, 1861.

85. George Yaney, *The Urge to Mobilize: Agrarian Reform in Russia, 1861–1930* (1982), 235–36; 236 n. 21.

resting on interpretations of existing law; by issuing the ukaz the government not only responded to the peasants' plight but was *seen* to respond. In any event, if the composition of the Duma precluded legislative approval, Stolypin was doomed to pay a serious political price either way: proceeding by interpretation in the face of ambiguity or using Article 87 to override legislative resistance.

Assuming "extraordinary circumstances," there remains the question whether the ukaz lapsed—or would have lapsed under a sound interpretation of Article 87—when the Second Duma failed to adopt it or any equivalent. Article 87 provided for the lapse of measures enacted under it:⁸⁶

The operation of this measure comes to an end if a bill corresponding to the adopted measure is not introduced by the qualified Minister or the Chief Administrator of a separate agency into the State Duma within the first two months after the resumption of the Duma's business, or if the State Duma or the State Council does not adopt⁸⁷ the bill.

The Article didn't expressly cover the case in which a suitable bill is introduced in ample time but languishes without action for well over two months. None of the language imposing a two-month time limit applies to *adoption*, so it seems clear that this scenario in itself would not have caused a lapse. But what if the months dragged on, with the bill under intermittent discussion, and the Duma and State Council went out of session without taking action? As Article 87 calls for termination "if the State Duma or the State Council does not adopt the bill," it might seem natural that the measure would then have to lapse. But once the Duma was again out of session, the con-

86. Szeftel, 99; Vasiliĭ Alekseevich Maklakov, *Vlast i obshchestvennost na zakat staroi Rossii (Vospominaniia sovremennika)* [*State and Society in the Sunset of Old Russia (Contemporary Reminiscences)*] (undated), 576 n.*

87. This is Szeftel's translation of "primut." The more conventional translation is "accept."

ditions for use of Article 87 would likely have reappeared, and the executive could have readopted the measure. So it might seem an exercise in futility to read the Article as canceling the extraordinary measure if the session of the Duma (or of the Duma and State Council) ended without adoption of the proffered counterpart.

Whether because of this logic, or because of the Russian tradition of executive omnipotence, or for some other reason, the Duma seems to have accepted an understanding that an Article 87 measure would live on indefinitely in the absence of affirmative repeal by the Duma (or by the State Council).⁸⁸ The memoirs of V. A. Maklakov, a moderate Kadet deputy, note that the leftwing Second Duma, though displeased with many of the Article 87 measures taken by Stolypin between the two Dumas, chose to “*otmenit*” (repeal) only a few, not including the ukaz of November 9, 1906. This was, he says, out of fear that its repeal would prompt dismissal of the Duma.⁸⁹

It is easy to criticize Stolypin’s reliance on Article 87 but hard to see an alternative route to serious reform. Struve, for example, later said that it was clear that the peasant could be freed from the commune only by the use of Article 87, and that even the Third Duma, chosen under an even more pro-gentry franchise than its predecessors, wouldn’t have approved the reform in the statutes of June 1910 and May 1911 unless it had already been implemented.⁹⁰

Collateral reforms

Property rights reform was the government’s most complex and fundamental answer to the agrarian question, but it was only a part. The other answers—by Stolypin and his predecessors—deserve mention.

88. See M. E. Jones, *The Uses and Abuses of Article 87: A Study in the Development of Russian Constitutionalism, 1906–1917* (1975), 71–73, 214. The alternative of affirmative repeal of an Article 87 measure by the State Council seems highly improbable, as the tsar was entitled to appoint half of its members. See Ascher, 1905: *Authority Restored*, 59–60.

89. Maklakov, 579.

90. Tiukavkin, 164.

Late nineteenth-century Russian governments relieved the peasants of two core sources of their misery. First, in a series of reforms in 1859, 1868, and 1874, the government reduced the term of conscription from twenty-five years (effectively a life sentence, and so regarded by the peasantry) to fifteen (of which only the first six were on active duty). The 1874 change ended the nobles' exemption from service and provided, instead, for varying terms of service for all, the shortest being for those with the most education. The nobility naturally benefited far more from these education-based reductions than did the peasants, but the reform somewhat lightened the peasants' burden.⁹¹ Second, at the instigation of Minister of Finance Nikolai Bunge, the government phased out the poll tax in European Russia over the years 1883–87; abolition in Siberia followed in 1899.⁹²

In moves more directly related to communal relationships, the government eliminated the peasants' collective responsibility (*krugovaia poruka*) for land taxes and redemption dues. It did this for communes with hereditary tenure in 1899⁹³ and for ones with repartitional tenure, in most provinces, in March 1903.⁹⁴ And on August 11, 1904, to celebrate the birth of a male heir, Nicholas II cancelled debts on redemption payments and direct taxes imposed by the central government, effective the first of the next year, and exempted the peasantry from corporal punishment, which had been a common tool for extracting taxes and fees.⁹⁵ As already mentioned in Chapter

91. Moon, 113, 335.

92. *Ibid.*, 113–14.

93. 3 *Polnoe sobranie zakonov* [*Complete Collection of Laws*], No. 17286, art. 38. Collective responsibility is ended for “okladnye sbory.”

94. *Ibid.*, No. 22627. See also Geroid T. Robinson, *Rural Russia Under the Old Regime* (1969), 146.

95. Stephen G. Wheatcroft, “Crises and the Condition of the Peasantry in Late Imperial Russia,” in *Peasant Economy, Culture, and Politics of European Russia, 1800–1921*, eds. Esther Kingston-Mann and Timothy Mixer (1991), 170.

2, a ukaz of November 3, 1905, cut redemption dues for 1906 in half and ended them completely as of January 1, 1907.⁹⁶

Stolypin saw vesting peasants with real property ownership as just part of a project of erasing the formal distinctions between peasants and other “estates” and ending their role as less than full citizens. A decree of October 5, 1906, on the brink of the property rights decree, advanced that goal. Although less complete than draft proposals developed when peasant unrest was sharper, the decree moved fairly dramatically in the direction of civil equality.⁹⁷ It eliminated collective responsibility from the few areas where it had survived the decree of March 12, 1903,⁹⁸ and it denied communes the power to subject members to forced labor for failing to meet their financial obligations.⁹⁹ It removed various obstacles to peasant participation in the civil service and institutions of higher education.¹⁰⁰ It restricted the authority of the “land captains” (*zemskaa nachalniki*), executive officials whose offices had been established in 1889 and whom the peasants deeply resented; after the October 1906 decree, they could not impose discipline on peasants without administrative review.¹⁰¹ The decree removed various special disabilities restricting peasants’ ability to make family divisions of property and to undertake certain debts (*veksels*).¹⁰² It removed the rules that prevented the better-off peasants from having their votes enjoy the same

96. Robinson, 168.

97. See Tiukavkin, 189–90, for a discussion of the proposals of April 16, 1906.

98. Robinson, 209.

99. Robinson, 209; ukaz, art. 7 (Sidelnikov, 98).

100. Ukaz, arts. 1–3, Sidelnikov, 96–97; Avenir P. Korelin and K. F. Shatsillo, “P. A. Stolypin. Popytka modernizatsii selskogo khoziaistva Rossii” [“P. A. Stolypin. Attempts at Modernization of Russian Agriculture”], in *Derevnia v nachale veka: revoliutsiia i reforma* [*The Countryside at the Beginning of the Century: Revolution and Reform*], ed. Iu. N. Afanasev (1995), 24; Tiukavkin, 188–89.

101. Ukaz, arts. 11–12, Sidelnikov, 99; Lazar Volin, *A Century of Russian Agriculture: From Alexander II to Khrushchev* (1970), 56, 108.

102. Ukaz, art. 8; Sidelnikov, 98; Korelin and Shatsillo, 24.

weight as those of the non-peasant estates, so long as they held enough non-allotment land to otherwise qualify for such voting.¹⁰³

Perhaps most important, the October 5, 1906, decree provided peasants with increased freedom of movement. It cancelled the authority of commune and local officials to hold a peasant in place by denying him a passport. And it relieved a peasant leaving one commune of the duty to register with another, allowing him alternatively to register with a local government (specifically, a *volost*). The Ministry of the Interior initially undermined these provisions by interpreting them as conditioning a peasant's exit from a repartitional commune on his removing his allotment from repartitional tenure; but the ukaz of November 9, 1906 made that removal fairly easy and thus made the mobility intended by the October 1906 decree a reality.¹⁰⁴

There were also "softer" measures to help peasants, namely via education. According to the 1897 census, more than 40 percent of males aged ten to nineteen were literate, compared with barely 20 percent of the 50–59 cohort,¹⁰⁵ clearly indicating a recent hike in educational investment. Education's relationship to agricultural productivity and rural tranquility was complex. A witness at a hearing in Nizhni Novgorod offered statistics showing a correlation between years of education and use of fertilizer—which makes intuitive sense.¹⁰⁶ But older peasants, even when they recognized the advantages of literacy, often limited their children's access to education for fear of the "cultural baggage that accompanied basic instruction," especially distaste for traditional ways.¹⁰⁷ Maximizing a child's opportunities "often threatened the overall interests of the family farm and security in old age for the parents. The child might use that education to leave for good. At the least, too much education threat-

103. Ukaz, arts. 9–10; Sidelnikov, 98; Korelin and Shatsillo, 24.

104. Robinson, 209–11; ukaz, arts. 4–5; Sidelnikov, 97; Tiukavkin, 189.

105. Moon, 348.

106. Volin, 65.

107. Ben Eklof, *Russian Peasant Schools: Officialdom, Village Culture, and Popular Pedagogy, 1861–1914* (1986), 476.

ened the authority of elders and, hence, the equilibrium of village life.”¹⁰⁸ Nevertheless, over the period 1908–13 (given ordinary lead times, the years probably best reflecting Stolypin’s prime minister-ship), state expenditures on primary education rose nearly four-fold.¹⁰⁹

There were also specific efforts to offer the peasantry the lessons of agronomic science. Until 1907, when central government expenditures along these lines surged,¹¹⁰ the efforts were undertaken mainly by enterprising zemstvos (rural bodies of local self-government). At least some of the results were impressive: the active Moscow zemstvo encouraged nearly a thousand villages to adopt a productive innovation in crop rotation in fewer than ten years, while within the realm of the lethargic St. Petersburg zemstvo, only five villages did so over a thirty-year period.¹¹¹ Anxious that zemstvo activism was associated with hostility to the autocracy (as in fact it was), however, the central government gave zemstvos no encouragement in these projects and actually dismissed and arrested the main instigator of the Moscow innovations.¹¹²

Finally, Stolypin expanded subsidies for peasants seeking to relocate in Siberia, arranged to set aside about 1.5 million desiatinas of state and imperial family lands for sale to peasants,¹¹³ and, by lowering the interest rate on Peasant Bank loans, further facilitated the

108. Ibid. See also *ibid.*, 263–64, 428 on the role of education in the tension between generations and persistence of the rural culture.

109. Ibid., 91. See also Ascher, *Stolypin*, 232–35.

110. Agronomic aid rose from about 5.7 million rubles in 1908 to about 23 million in 1913; agronomic aid in connection with land consolidation rose from about 12,000 rubles to 5.9 million. Tiukavkin, 217. A. A. Kaufman, *Argrarnyi vopros v Rossii* [*The Agrarian Question in Russia*] (1918), 263, presents similar figures.

111. Volin, 66–67.

112. Ibid., 68.

113. Robinson, 199, 230. The government also greatly increased the provision of credit for agriculture generally and especially for agricultural cooperatives, but for reasons discussed in Chapter 7, that policy appears to have rested on assumptions that completely contradicted the goals of the property rights changes and were likely to have set them back.

peasants' acquisition of gentry land.¹¹⁴ In the period 1905–14, peasants acquired another ten million *desiatinas* and raised their share of agricultural land to about 70 percent.¹¹⁵

Because of the natural and the government-assisted shift of land from gentry to peasant, the idea that peasant “land scarcity” was at the root of peasant unrest and justified government confiscation of gentry land, seems at best oversimplified. It was, nonetheless, true that the gentry continued to enjoy the economic *value* of much of their immediate post-Emancipation holdings, either directly (for all land retained by gentry owners, even if worked by peasants as tenants, laborers, or sharecroppers) or indirectly (through funds received as a result of peasant purchase). As Stolypin's program did nothing to shift these values, it promised no large immediate increase in peasant welfare—only the gains expected from increasing productivity and the gradual spread of industrialization.

But the end of redemption dues and the government's enhancement of the peasants' legal position were substantial changes, and a naïf might suppose that these affirmative efforts would have worked in the government's favor among the peasantry. There seems little evidence of any such effect. This would not surprise those familiar with the pattern of reform preceding the French Revolution. Indeed, Wheatcroft argues that the government's tolerance for default in tax and redemption payments not only reduced revenues but encouraged peasant resistance. Noting the widespread earlier use of flogging for collection purposes, Wheatcroft asks, “Did the government really think that the peasantry would continue to pay the hated redemption tax, once the government had foresworn the use of violence, and group pressure, and once it had forgiven those who refused to pay?”¹¹⁶ The 1905–06 disturbances, after all, followed the relaxations of 1903 and 1904 (the end of collective responsibility and flogging,

114. See discussion of October 14, 1906 decree in Chapter 3.

115. See Robinson, 271, and sources cited in Chapter 1.

116. Wheatcroft, 170.

plus cancellation of arrears), and much of the brief drop in peasant living standards occurred only *after* those disturbances. It seems quite plausible that some of these collateral reforms mainly emboldened the peasants¹¹⁷—a cautionary tale for anyone confident that the more radical answers to the agrarian question would have mollified the peasants.

The driving force for commune privatization was plainly *not* the sort of process that North depicts as the route toward economic liberalization: a political struggle in which groups convert practical bargaining power into institutional change, which, in turn, systematically constrains predation by the ruler or by ruling elites. Even if a majority of the gentry thought that privatization was good policy, they were not demanding it for protection of their interests (except to the extent that they may have come to see the commune as a vehicle for rallying peasant rebellion). And even if the Smolensk survey suggests that a solid fraction of the peasants favored privatization, they plainly hadn't mobilized in its favor.

Adoption of the policy appears, then, to have been the sort of governmental decision that some of North's followers seem to regard as non-existent—adopted freely by government choice rather than as the result of social interaction.¹¹⁸ To be sure, the rural unrest of 1905 and 1906 suggested a need to do *something*, and the end of redemption fees required, at a minimum, that the government clarify the commune exit rules, which were no longer needed to assure collection of those fees. Forced land redistribution was a non-starter, given the tsar's and gentry's opposition, particularly after the uprisings had simmered down. But the government could have proceeded more cautiously and put more relative weight on other aspects of its program, such as rural education, the spread of agronomic skills, and

117. *Ibid.*, 171–72.

118. Thus, Avner Greif writes: “State-mandated rules, values, or social norms that actually constrain behavior, for example, are considered as outcomes rather than exogenous forces.” Avner Greif, “Historical and Comparative Institutional Analysis,” *American Economic Review* 88 (1998): 80.

support for new settlement in Siberia. When the tsar chose Stolypin as prime minister in 1906, he did so with his eyes open; not long before, he had scrawled a favorable note on Stolypin's memorandum suggesting that the government empower peasants to form individual farms (Chapter 1). While Stolypin was also outstanding for his skill in calming disturbances without bloodshed, his property rights enthusiasm was a known part of the package. So the tsar's choice of Stolypin embodied a choice for property rights. As a case of genuine liberalization from above, then, the Stolypin reforms clearly pose the question of how such a program can be expected to work out.