

Featured Book Review/Compte rendu d'intérêt



Ekaterina Pravilova

A Public Empire. Property and the Quest for the Common Good in Imperial Russia.
Princeton University Press. Princeton and Oxford. ix + 435 pp.

The issue of private property as the basis for personal freedom has always been a kind of a milestone of the discussions over the abnormalities of Russia's historical development. More so, underdevelopment of the institution of private property in pre-revolutionary Russia and its absence in the Soviet Union has been often seen as one of the main causes of the difficulties of Russia's economic and social development after 1991, while the establishment and legalization of it anew has been hailed as one of the greatest achievements of the post-communist period. Ekaterina Pravilova's book suggests an drastically different story and will probably be a great surprise for those who are used to a traditional scheme of Russian history. Focusing on the transformation of the ideas about private property from the eighteenth to early twentieth centuries – “a key goal of this book is to trace the reasons, circumstances, and moving forces that created these changes in the Russian context” (p. 11), she writes – Pravilova shows it as another possible key to a number of problems and questions that have been at the center of discussions about Russian history for decades.

According to Pravilova the institution of private property was established in Russia under Catherine the Great and her laws, “in particular, those relating to ownership over resources ... remained almost untouched until 1917”. She pays special attention to Catherine's manifesto of June 28, 1782 “that proclaimed the right of private owners to dispose of waters and mineral deposits on their lands as they wished” and which “was a time bomb, one that exploded only several decades later” (pp. 25–26). Since then, it was the government that fiercely defended inviolability of private property while the public – represented by professionals, experts in different fields, and intellectuals – was trying to destroy it by creating a ‘public domain’ that would include natural resources

(forests, rivers, minerals) and objects of national art and history, and which would be the property of the nation, society or people. The struggle for public property was not fully successful though it "cannot be considered as a total failure or as another sign of Russia's exceptionality" (p. 3). More important is that by the time these issues were treated by the Bolsheviks "the identity between property and freedom, established by Catherine the Great, proved to be unworkable, because property came to be understood as binding and obliging, and not only permitting" (p. 209)

Pravilova follows her predecessors who studied similar process in Europe and America in associating the struggle for public property with the evolution of liberalism and liberal ideas starting from the eighteenth-century Enlightenment to the early twentieth century. By doing so, she makes the problematics of her book not so much part of economic or social but rather intellectual history. Besides, by showing that the evolution of liberal ideas in Russia was similar to that in the West she obviously makes a contribution into 'normalization' of Russian history, which has become so popular both in and outside Russia lately.

However, understanding "the term 'liberalism' broadly and referring to its fin-de-siècle reincarnation" (p. 3), Pravilova takes for granted that Russian proponents of 'public domain' were really liberals. She treats this subject in her introduction, asserting that on the one hand "Russian liberalism does not appear as great a departure from the European tradition as one might think" but on the other "Russian social thought never fully embraced the idea of legal individualism and always reflected populist influences" (p. 6). These assertions arouse some questions. If Russian proponents of 'public domain' were liberals, no matter classical or modernized, would that mean that their opponents who insisted on the inviolability of private property were necessarily conservatives? Were those Russians who insisted on changing the law on private property because of the necessity to build railways and hydropower electric stations necessarily liberals? Did they realize that their ideas were liberal? While reading Pravilova's narration of discussions over private property, especially those from 1870s onward, one cannot but feel that socialist rather than liberal ideas influenced them. Starting with the Slavophiles and including Alexander Herzen, his followers and the *Narodniki* of 1870s, Russian socialists not only rejected the idea of private land ownership but insisted that Russian people *en masse* did not want it at all, accustomed as they were to life as members of the agricultural communes. A sort of a proof for this is the epilogue of the book, which gives "a glimpse into the history of property rights and the fate of the idea of public property during the Soviet period" (p. 17), which was the triumph of socialist ideas and the period in which private property was completely abolished.

At the same time, it seems that by concentrating on the liberal/non liberal paradigm, Pravilova has escaped paying enough attention to one more possible aspect of judgment, that is civil society, which is another milestone of the discussions about 'normality' or 'abnormality' of Russian history and which, according to the pessimistic view, was never present. Pravilova is obviously not so pessimistic about it, asserting, "the first half of the nineteenth century witnessed the formation and impressively fast evolution of the institutions of the civil society in Russia – from aristocratic salons to literary circles, scientific societies, and associations" (p. 45). This certainly is also a broad understanding of civil society as it makes us believe that Peter the Great indeed had founded civil society by making people attend the so-called 'assemblies' and that the salon of Anna Shirer in Leo Tolstoy's *War and Peace* was one of its institutions. However, Pravilova suggests a very important clue to this subject by quoting Carol Rose's assertion that without public property, "the public" turns into "a shapeless mob". If this is true then the struggle for public domain should be interpreted as the struggle for civil society, no matter whether it was clear for the participants of this struggle or not. However, Pravilova argues that the agenda of Russian intellectuals was even more ambitious as "they assumed that one could create the nation by giving it a material foundation" (p. 16). No need to say that not all Russian intellectuals cared about the nation; that the idea of a nation was different in the middle of the nineteenth century, at its end, and in the early 20th century; and that in certain ways it was sometimes close to the idea of civil society. One may waste a lot of time trying to prove that the struggle of Russian experts, professionals and intellectuals for public domain was the fight for the civil society but probably the very fact of this fight and the way the intellectuals were forming public opinion on it may be interpreted as the manifestation of civil society, as the proof that it was already there? The back flap of Pravilova's book suggests that one of its main arguments is that the formation of civil society "should be rethought as a process of constructing 'the public' through the reform of property rights". This is absolutely true and this is only one of the things that make this book so important, though its author has left rethinking to her readers.

Ekaterina Pravilova's book has three parts comprised of seven chapters total, that deal with three very different objects: natural resources (forests, minerals, rivers), national art (mostly old church buildings and church relics like icons, manuscripts, etc.) and literary property, such as private letters of prominent authors. At first glance these three objects have nothing in common, and one wonders how it is possible to combine them in the same narration. While the struggle for natural resources was primarily the product of industrialization and the first sign of a new attitude towards nature and environ-

ment emerging, the transformation of the objects of worship into masterpieces of national art is commonly associated mostly with Russian national consciousness and a new sense of the past. For example, Pushkin, in the words of Apollon Grigoriev, "is all of ours" (*Pushkin – nashe vse*). That is, he himself and everything he had ever touched upon is naturally considered a shared property of Russian people and there cannot be anything private about it. Nevertheless Pravilova convincingly argues that all the three categories have to do with one and the same phenomena: the emergence of an oppositional tension between private property and the common good in nineteenth-century Russia. She points several times to similar arguments used by engineers and art experts in the discussions over natural resources and art objects.

In her first chapter Pravilova traces changes in the meaning of property in Russia prior to the emancipation of serfs in 1861. She begins with quite an accurate analysis of Catherine the Great's reform of property rights, trying to determine the origins of Catherine's ideas and coming to the conclusion that "the intellectual landscape of Enlightenment Europe was kaleidoscopically complex, and it is nearly impossible to position Catherine the Great within it" (p. 33). Pravilova is absolutely right in asserting that the introduction of absolute property rights to the nobles in 1782 was part of establishing a new system of relations between the state and nobility and that "strengthening the property rights of nobles unavoidably solidified serfdom" (p. 34). However it seems that Catherine's understanding of the problem and her initial plans were more complex. As early as 1766 she suggested her famous question for the competition announced by the Free Economic Society: "What is more beneficial to society – that the peasant should have land as property, or only movable property, and how far should the right of property be extended?" Earlier the same year she discussed the issue of peasants' property in her correspondence with Prince Dmitry Golitsyn. Besides the fact that she was a severe critic of serfdom as a phenomenon incompatible with the principles of Enlightenment, Catherine's economic ideas were formed under the influence of the French Physiocrats and she thought that, "the greatest engine of agriculture is freedom and property".¹ The reform of 1782 was more likely part of a broader project that had never been brought to fruition.

There is one more aspect of Catherine's reform that should be stressed: it was this reform that first introduced the notion of private property into Russian legislation. Until then it just did not exist. In practice there were at least two

1 Zapiski imperatritsy Ekateriny II. Saint-Petersburg, 1907. P. 646.

major forms of private landownership in Muscovy, *votchina* (estate held in hereditary or patrimonial possession) and *pomestie* (service-tenure estate), but by default everything in the country belonged to the sovereign. Peter the Great eliminated the difference between *votchina* and *pomestie* in 1714 but until 1762 noble landowning was conditional and depended on the service to the state. Starting with Peter the Great and with “the changes in the monarch’s role (from that of a private figure – the tsar as owner of the state – to that of a ruler)”, as Pravilova puts it (p. 42), there appeared a difference in what belonged to the tsar personally and to the state. By establishing the property rights of the nobility Catherine in fact announced that besides the state and the monarch there were also other private owners. By doing so she limited the state’s domain to everything that did not belong to anyone else. New problems attracting the reader’s attention emerge here. First, the state did not know what it owned and did not have enough resources to manage it. Second, the early nineteenth-century idea of the state presupposed the existence of one more actor with the right to possess property – that is, the people or nation. These two problems, as Pravilova shows, would doom all discussions over private property rights until 1917, and thus the reform of property rights would mean the reform of the state.

After a brief description of a few cases in the first half of the nineteenth century Pravilova proceeds to the period after the emancipation of the serfs which, she asserts, created a precedent of expropriation as the “emancipation corrupted the idea of inalienable property”. The reforms of 1860s proved that “private property was liable to state intervention, they led to the reappraisal of the state’s role as a regulator of property relations, and they called into question the status of state property” (p. 56, 59). This is certainly true. Moreover, this was the way Russian people thought about it at that time. There is probably only one small detail that should be added to complete the picture: neither the Russian legislation on property rights based on Catherine’s Great Manifesto of 1782 nor any subsequent laws mentioned serfs as private property of the landowners. There were numerous decrees that regulated the relations between peasants and landlords and limited the rights of the serfs, but no law openly declared them to be the landlord’s private property. This made the reform of emancipation easier as there was no need to cancel any old law, just to introduce a new one. Actually, until 1860s that was the way most of the reforms were carried out. This may be interpreted as one of the peculiarities of the Russian legal situation that naturally affected legal consciousness in Russia and makes it no surprise that the emancipation of the serfs produced consequences that were not possible to foresee as “rules replaced customs, litigation in court came in place of informal negotiations with landlords” (p. 79). It also partly explains why in the

discussions on property rights “the argument that the law may be wrong and must be changed never came up”. At the same time, it is not only “interesting” but deserves special attention that, according to Pravilova’s observations, “legal arguments almost always triumphed over economic reasoning: the question of what was better for the economy – private ownership or public property – was raised rarely” (p. 110). Insofar as this was the same on both sides of the discussions, it shows that, in contrast to the previous centuries, the attitude of the educated part of the Russian society towards the law had drastically changed. This attitude was comparatively new and this was another reason why it was so difficult to change the law.

And here we arrive at the problem of the state. Pravilova briefly discusses the issue of a strong and a weak state asserting, “The capacity of the state is often measured by its ability to enforce the security of property. In theory a ‘stronger’ state provides better guarantees for property holders than a ‘weaker’ one. It would be reasonable to suggest that the strong state would also more often interfere in the sphere of private ownership by regulating the use of property ...”. While “a firm definition of a state’s strength or weakness is elusive” Russian intellectuals obviously took the state’s reluctance to expropriate natural resources as a weakness (p. 94). This is again something that made Russian situation special as Russian people were used to waiting for the state to solve all their problems. Comparing the politics of preservation of historical monuments and objects of national art in Russia and Britain Pravilova shows that “Russian zealots of preservation (as well as engineers and industrialists), instead of trying to work within the existing legal regime – for instance, buying off historical estates and artistic objects – preferred to wait until the state interfered and cut the knot through overall expropriation or another radical reform of property” (p. 202). However, “The zeal of the Russian police state in the spheres of political control and censorship contrasted sharply with its absentee behavior in areas where property rights were involved. ... [T]he government feared above all else the prospect of using its power to regulate another’s possessions” (p. 116). Pravilova explains this situation in the following way: “The projects of introducing ‘public property’ in Russia ... offered nothing to the government itself, while the benefits of maintaining political loyalty of landowners overweighed the potential advantages of industrial development” (pp. 116–117). This seems to be only part of the truth. First of all, who is the ‘government’? Are the words ‘government’ and ‘state’ synonyms and, as far as we are discussing an autocratic monarchy, where is the emperor? Second, if the Russian state was so reluctant to interfere into the sphere of private ownership, was it really a “police state”? Third, why should the political loyalty of landowners be more important for the government than that of industrialists and intel-

lectuals, especially in the second half of the nineteenth and early twentieth centuries? Fourth, is it possible to suggest that the government bureaucrats feared that public property would be just another variation of private property? Pravilova proves that “through the debate on water law, Russian administrators and lawyers uncovered a deficit in the terminology describing proprietary relations in the Russian Civil Code: it turned out that there was no expression to describe the state’s attitude to “public” things held in individual use or possession” (p. 121). Wouldn’t it be even more difficult for the government to regulate “public property” because nobody knew who was “public” and who could represent it? Wasn’t Lev Kasso right in his reply to Sergei Korzhinskii asking, “Who is this ‘society’ that, according to the academician Korzhinskii, holds the right of ownership to the products of literary labor? Until now, there has not been such a juridical person in our legislation” (p. 239). All these questions need more rethinking and research work, which certainly was not the primary goal of Pravilova’s book.

Pravilova also shows that carrying out the emancipation reform of 1861 the government “failed to anticipate the effects of reform on other spheres of the economy” (p. 79). The peasants often appeared even more stubborn than the nobles in their reluctance to give access to the natural resources they now owned but a real “catastrophe” for mining industrialists was Stolypin’s reform: “before the reform, they had dealt with a handful of peasant society patriarchs, some compliant, some stubborn; after the communes were disassembled, they would have to conclude agreements with millions of individual peasants” (p. 83). Again, this raises the much broader problem of the government’s policy towards the peasantry and the ‘agrarian question’, and the book adds much valuable data to the endless discussions surrounding these issues.

The range of issues discussed in parts II and III of Ekaterina Pravilova’s book is also much wider than just the fate of historical monuments, objects of art, products of literary labor or personal correspondence of public figures like authors, artists and scientists. It is a story about the formation of the idea of the past and historical memory, of artistic tastes and the idea of a nation, about the role of scientific expertise and experts who first appeared in Russia as government’s agents but now applied for an independent role. It is about the Church that, according to Pravilova, failed “to create a sense of community among believers in a country where the overwhelming majority were Orthodox and Orthodoxy continued to be the empire’s official religion” (p. 176). Many scholars have studied various aspects of these issues but the book shows them in a new perspective.

A short review cannot embrace all the topics that Ekaterina Pravilova’s book engages and for which it suggests possibilities for new studies. No doubt this is

what makes this book a highly valuable contribution to the so very complicated process of rethinking Russian history.

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