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MODERN CUSTOMS
AND
ANCIENT LAWS
OF RUSSIA

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MODERN CUSTOMS
AND
ANCIENT LAWS
OF RUSSIA

BEING
THE ILCHESTER LECTURES FOR 1889-90

BY
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To the Memory
OF
SIR HENRY MAINE

PREFACE.

THE six essays here published contain the outline of lectures delivered at the T aylorian Institution, Oxford. The chief purpose of the lecturer was to show how far the ancient laws of Russia have been preserved by the still living customs of the country people, and to what extent the modern political aspirations of the nation are rooted in its historical past.

I hope that those who make use of this small volume will come to the conclusion that the uncontrolled rule of old custom would, in Russia as elsewhere, be equivalent to the preservation of barbarism and oppression.

On the other hand the English reader may very likely alter his mind as to the supposed discontinuity with the past of the movement whose progressive evolution forms the chief interest of modern Russian history.

I am persuaded that the study of the old Russian folknotes, and that of the Russian Parliaments of the

sixteenth and seventeenth centuries, will impress on him the conviction that the modern Russian "ideal-ogues" deserve as little this nickname as those French Liberals, under Napoleon I, whose generous endeavours created modern France. The so-called Sobors, or old Russian Parliaments, constitute for the Russian Liberals a precedent not less important than the one furnished by the "États Généraux" to the school of Benjamin Constant. Both parties deserve the name of "doctrinaires" only in this sense, that they have a "doctrine," a definite scheme of social and political reforms, whilst their opponents cherished, and still cherish, such vague expressions as "nationalism in the State" and "submission to popular ideals."

The writer owes a special debt of gratitude to Mrs. Birkbeck Hill, who most kindly undertook the ungrateful task of looking through his MS., and deleting or amending all that was contrary to the genius of the English language. Whatever measure of success this work may obtain will be largely due to Mrs. Hill.

MAXIME KOVALEVSKY.

December 1890.

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