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Negotiating Imperial Rule

Colonists and Marriage in the Nineteenth-Century Black Sea Steppe

Julia Malitska



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Negotiating Imperial Rule
Colonists and Marriage in the Nineteenth-century
Black Sea Steppe

Julia Malitska

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To my Grandmothers

Abstract

After falling under the power of the Russian Crown, the Northern Black Sea steppe from the end of eighteenth century crystallized as the Russian government's prime venue for socioeconomic and sociocultural reinvention and colonization. Vast ethnic, sociocultural and even ecological changes followed.

Present study is preoccupied with the marriage of the immigrant population from the German lands who came to the region in the course of its state-orchestrated colonization, and was officially categorized as "German colonists." The book illuminates the multiple ways in which marriage and household formation among the colonists was instrumentalized by the imperial politics in the Northern Black Sea steppe, and conditioned by socioeconomic rationality of its colonization. Marriage formation and dissolution among the colonists were gradually absorbed into the competencies of the colonial vertical power. Intending to control colonist marriage and household formation through the introduced *marriage regime*, the Russian government and its regional representatives lacked the actual means to exert this control at the local level. On the ground, however, imperial politics was mediated by the people it targeted, and by the functionaries tasked with its implementation. As the study reveals, the paramount importance was given to functional households and sustainable farms based on non-conflictual relations between parties. Situated on the crossroads of state, church, community, and personal interests, colonist marriage engendered clashes between secular and ecclesiastical bodies over the supremacy over it.

The interplay of colonization as politics, and colonization as an *imperial situation* with respect to the marriage of the German colonists is explored in this book by concentrating on both norms and practices. Another important consideration is the ways gender and colonization constructed and determined one another reciprocally, both in legal norms and in actual practices. Secret divorces and unauthorized marriages, open and hidden defiance, imitations and unruliness, refashioning of rituals and discourses, and desertions – a number of strategies and performances which challenged and negotiated the marriage regime in the region, were scholarly examined for the first time in this book.

Keywords: colonization, imperialism, imperial borderlands, German colonists, migration, marriage regime, agency, marriage, household formation, Ukraine, Black Sea steppe, Russian empire.

Sammanfattning (Summary in Swedish)

År 1804 formulerade tsar Alexander I:s regering nya riktlinjer för rysk migrationspolitik. Invandrare från de krigshärjade tyska länderna skulle värvas till kolonisering av stäppen norr om Svarta havet i en omfattande kampanj orkestrerad av den ryska staten. Dessa nykomlingar, som av myndigheterna kategoriserades som "tyska kolonister," etablerade kolonier i hela regionen inom ett par årtionden.

Boken presenterar den första studien av hur äktenskap och hushållsformering användes som instrument i den ryska koloniseringspolitiken i området, och hur dessa faktorer primärt styrdes av koloniseringens socioekonomiska rationalitet. Stabila hushåll och jordbruk som genererade avkastning eftersträvades in i det längsta. Ibland ledde detta till konflikter mellan den sekulära och den andliga makten om tolkningsföreträde rörande äktenskapets upplösning och ingående. Genom analys av både normer och praxis blottläggs samspillet mellan kolonisering som politik, och kolonisering som en *imperiesituation*, där äktenskapet och hushållet omförhandlades i skärningspunkten mellan myndigheter, kyrkosamfund, lokalsamhälle och enskilda.

Studien visar att den ryska centralmakten och dess regionala representanter saknade verktyg för att utöva den effektiva kontroll som eftersträvades över kolonistäktenskap och hushållsformering på lokal nivå. Denna slutsats stöds genom att ett antal strategier och handlingsmönster som utmanade och bidrog till att omförhandla *äktenskapsregimen* i regionen identifieras och diskuteras.

Acknowledgments

My fascinating journey of producing this doctoral dissertation has happily been completed. It would not have been possible without many people whom I met and who inspired me.

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Nacka, April 2017

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Note on Language and Transliteration

In this book, the Library of Congress system for the Romanization of Cyrillic letters has been used. However, there have been a few modifications. The ligatures in the Romanization of ‘ж’ ‘ц’, ‘ю’, ‘я’ and ‘е’ have not been used. The ‘ѐ’, ‘ї’, ‘й’ and ‘ѣ’ (hard sign) were left out.

Some names frequently used in the texts and footnotes are also written in their Anglicized plural versions, for example, *desiatinas*, *slobodas*, *burgermeisters*, *imams*, *guldens*. Generally known names such as *Crimea*, *Zaporozhian Sich*, *Tavria*, *Danube*, *Podolia* and *St. Petersburg* are used. The names of Russian emperors and empresses – *Alexander*, *Paul*, and *Catherine* – are written in English language accepted versions. With regard to the administrative territorial units and city names, the aim has been to use erotypical names and depending on a context. The names of some historical towns founded during the imperial period are written in Russian, such as *Ekaterinoslav* and *Odessa*, as source material of imperial origin has been used. *Kaushany* (Căușeni), *Kishinev* (Chișinău) and *Radziwilof* are written the way they were used in the imperial sources or transliterated from the Russian language. For instance, the name of the settlement of *Chortitza* is written in the version found in the source material, yet the name of the island, *Khortytsia*, is written in Ukrainian. The same applies to *Molotschna* settlement and the *Molochna River*. However, the names of the rivers are written in the Ukrainian language – *Pivdennyi Buh*, *Dnipro*, *Dnister*, *Siversky Donets River*. The cities of *Kyiv* and *Chernihiv* appear in the Ukrainian version as well.

When it comes to the modern-day names of the regional archives such as the *State Archives of Odesa Region*, the names are written in Ukrainian. In the footnote references to the source material, “*sprava*” (file) and “*arkush*” (page) and their abbreviations are used in Ukrainian, whereas the name of the files itself are in Russian.

The names of institutions and documents (journals, newspapers etc.) are written in the original language. The documents cited in this book have been translated into English by the author. Regarding the overall English native-

speaking proofreading of this book, I would like to thank Christopher Kennard and Anchor English.

Abbreviations

Archival and Bibliography Terms

ark.	arkush (page)
arkk.	arkushi (pages)
f.	fond (collection)
ob.	oborotnyi (reverse)
op.	opys (register)
spr.	sprava (file)
vyp.	vypusk (issue)

DADO Derzhavnyi arkhiv Dnipropetrovs'koi oblasti
(State Archives of Dnipropetrovs'k Region)

DAOO Derzhavnyi arkhiv Odes'koi oblasti
(State Archives of Odesa Region)

PSZRI Polnoe sobranie zakonov Rossiiskoi imperii
(The Complete Collection of Laws of the Russian Empire)

SZRI Svod zakonov Rossiiskoi imperii
(The Digest of Laws of the Russian Empire)

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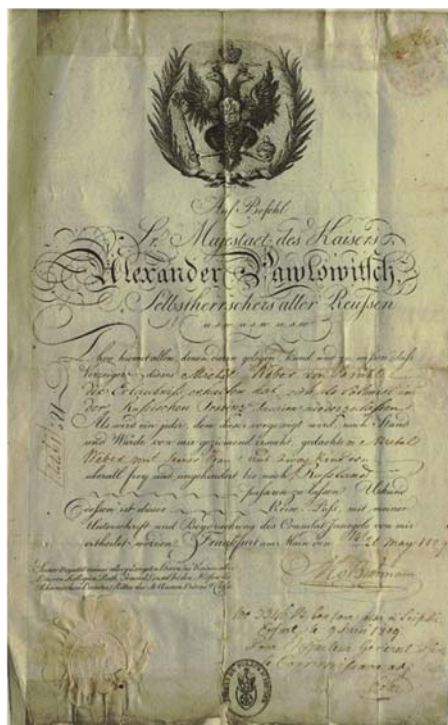


Figure 1. Passport issued for Michel Weber, his wife and two children, by the Russian consul in Rheinische Bund, 1809. Weber and his family should be let through on their way to Russia, as Weber has received permission to leave, issued in Frankfurt am Main on 14/26 May 1809. One can follow Weber's and his family's journey to the Russian border via Erfurt, Leipzig, Frankfurtam der Oder, and finally Könningberg, Tilsit and Georgenburg. They entered the Russian empire on 1/13 June 1809.¹

¹ DAOO, f. 6, op. 8, spr. 2 (Pasporta nemetskikh kolonistov [1809]), arkk. 26–26 ob.

CHAPTER 1
Introduction

My friend, I hasten to reply to Your letter of 29 June [1809], that I have just received. The emigration of Germans becomes significant and calls for imposing remarkable measures not to be left behind. Much land and money are needed. From Mr. Bethman, consul in Francfort, I received a list of 1 650 families who departed from there in April and May. 4 000 people have already arrived in Radziwilof,² apart from 67 families that are already here. Considering your advice, I made a decision to order a search for lands in Kherson and Olviopol counties. Sharzhinskii has already pointed out a relatively large extent [of lands], and tomorrow I will send him together with Mr. von Rosenkampf to inspect them. [...] I confess to you the necessity to populate the lands between the Bug and Dniester [Rivers] as densely as possible. And if I am able to locate those who are coming as I assume, then next year, a significant extent of private lands will pour into the treasury or will be sold at a low price. The more newcomers suffer on their way, the more it is necessary to bring them closer to their fellow countrymen, already accommodated here. We will receive colonists whom I would like to send to the Molochnaia River. These are resettlers from Prussian Poland. This spring 30 families have arrived here. [...] All houses will be finished during these months. Thus, there will be a place to winter for 1 650 families, only when cohabiting. It means one house for two families. [...] We ought to expect colonization on an unprecedented scale due to the poor people from Germany.³

² Radyvyliv in Ukrainian, Radziwiłłów in Polish, the city of Rivno region in Ukraine. During 1795–1914, it was a border town between the Russian and Austro-Hungarian empires.

³ * Letter №45 [6 July 1809], in *Pis'ma gertsoga Armana Emmanuila de Rishel'e Samuilu Khristianovichu Konteniusu. 1803–1814*, comp. and ed. Olga Konovalova (Odessa: "Astroprint," 1999), 129–130.

** Armand Emmanuel Sophie Septimanie de Vignerot du Plessis, (5th) Duc de Richelieu (1766–1822) was a prominent French statesman during the Bourbon Restoration. As a royalist, during the French Revolutionary Wars and Napoleonic Wars, he served as a ranking officer in the imperial Russian army, achieving the grade of Major General. In 1803, Alexander I appointed him as a governor of Odessa. During the eleven years of his administration, Odessa greatly increased in size and importance, eventually becoming the

Napoleon's last successful military campaign ended after his victory in the huge battle of Wagram in July 1809. In April – June, several battles between French and Austrian forces took place, including the siege of Vienna in May, which brought victory to Napoleon. At the same time, in the summer, migrants from troubled and war-torn German lands flooded the Northern Black Sea steppe. For the local colonial administration, there was no time for panic. There was a lack of financing and time to resolve the allocation of migrants. Houses were not finished in time, as timber was not grown locally and was too expensive, not to mention the migrants' despair and diseases, the shortage of food, drinking water, vaccines and doctors – all these problems took a great number of lives.⁴

At the beginning of Empress Catherine's reign (1762–1796), people from German lands settled vast steppe territories newly annexed by Russia. They were promised free land, exemption from taxes during the first years of settlement, full religious freedom and exemption from military service. The first migrants arrived on the banks of the Volga River in 1764. Following Russia's territorial expansion southward and westward during the last decades of the eighteenth century, the Russian government renewed its efforts to attract foreigners to the area. In 1804 and 1812, Alexander I (1801–1825) issued a series of decrees, setting new conditions for the extensive European immigration into the Russian empire and facilitating a new influx from war-torn German lands, particularly to the Black Sea steppe and Bessarabia.

These people were categorized by officialdom as one group, the “German colonists,” imputing a homogeneity that never existed, and thus neglecting the diverse social, ethnic and religious backgrounds of the immigrants, different arrival times, and their settlements in widely separated areas of the Russian empire. They settled among Ukrainians, Russians, Jews, Bulgarians, Poles, Serbs and others. Until the 1860s and 70s and the introduction of the Great Reforms in the empire, colonists had a distinct legal order and social status, and a separate governmental administration. Although the early decades were times of great hardship and misery, many of the settlements

third largest city in the empire in terms of population. Richelieu had a close friendship with Samuel Kontenius (1749–1830). Kontenius is primarily known for being a devoted chairman of the Guardianship Office for New Russian Foreign Settlers.

⁴ For more details about the colonization on the ground, see the published collection of the official records of 1801–1829, authored by Samuel Kontenius, the Chief Trustee of the foreign colonies in the Northern Black Sea region. *Samuil Khristianovich Kontenius ob inostrannoi kolonizatsii Iuzhnoi Rossii: sbornik dokumentov, 1801–1829*, ed. Olga Eisfeld (Odessa: “Astroprint,” 2003).

eventually prospered. According to Adam Giesinger's estimations of censuses, in 1825 the size of the German population in the Black Sea settlement area, including Mennonites, was 51,014; in 1841, 88,110; in 1859, 143,733; and 377,798 in 1897. Of the 1,790,489 Germans, listed in the 1897 census of the Russian empire, 1,360,843, about 76 per cent, were Protestants of the Lutheran faith. In the Black Sea colonies, 163,000 Lutherans were listed.⁵

This book is about historical actors, their actions and reactions, in a variety of situations related to marriage of the colonists, within the settings of colonization of the Northern Black Sea steppe.

1.1. Objectives and Scope of the Research

The aims of the present study are twofold. On the one hand, I scrutinize in what ways the marriage of the colonists was legally constructed and defined in the context of the ongoing colonization of the Northern Black Sea steppe. On the other hand, I study how German colonists' (non)actions and reactions regarding family formation and disintegration legalized, negotiated, and transformed practices of imperial governance in a region. In other words, I consider how German colonists' practices and (non)actions regarding marriage and imperial politics of colonization in a region were negotiated through the interaction between the two. Negotiation is a fundamental concept of the present study.

In this regard, my examination is positioned on the crossroads of two interlocking levels. At the first level, the normative one, I untangle the legal framework of colonist family formation and dissolution, and trace the imperial logic behind it. I introduce the concept of the *marriage regime*, which is coined to cover the whole system of accumulated rules, rituals and procedures regarding colonist marriage formation and disintegration, orchestrated by the Russian government. The marriage regime evolved

⁵ For regional details about the "German" colonies in the eighteenth–twentieth centuries, see Adam Giesinger, *From Catherine to Khrushchev: The Story of Russia's Germans* (London: American Historical Society of Germans from Russia, 1993), 155, 336. For places of emigration in German lands and area of settlements in the Russian empire, demographic details of the immigrants (immigration lists, passport lists), see Karl Stumpp, *The Emigration from Germany to Russia in the Years 1763 to 1862*. Parts I, II (Lincoln, Nebraska: American Historical Society of Germans from Russia, 2007). On the debate on the legacy of Karl Stumpp's research, see Eric J. Schmaltz and Samuel D. Sinner, "The Nazi Ethnographic Research of Georg Leibbrandt and Karl Stumpp in Ukraine, and its North American Legacy," *Holocaust and Genocide Studies*, vol. 14, no. 1 (2000): 28–64.

during the first decades of the nineteenth century and continued until the 1860s. At this point I approach colonization as politics. Reflecting the peculiarities of Russian imperial statehood and autocratic legality, practices and performances were not always regulated and grounded in formal legislation, and the legal framework did not accommodate and cover all possible turns and occurrences. At the second level, I therefore investigate the practices on the ground in respect of the colonist marriage formation and disintegration, which reveals colonization as an *imperial situation*. Hereby I critically untangle the legal relationships and trajectories of interactions between colonists, the colonist community, clergy and clerks on different levels in the field of colonist marriage and household formation.

The present research is also concerned with the non-normativity of practices regarding colonist marriage formation and disintegration, (non)actions that were not compatible with the legal framework or that deviated from the marriage regime. Only a small proportion of such non-normative performances came to the attention of the authorities, were documented in a certain way, and left in the colonial archive. It is mainly the problematic relationships and encounters that are recorded, not the harmonious ones.

Concentrating on the norms and practices, I examine the interplay of colonization as politics and colonization as an *imperial situation*, with respect to the marriage of the colonists. Both axes are affected by power relations of different nature and scope: imperial, regional, local, communal, and individual. In my examination, which heavily relies on the archives of the colonial administration, I focus on the allocation and the limits of power, its mediation and exercise. In this manner, a plethora of actors, agencies, (non)actions, discourses and rituals in respect of colonist marriage are localized in space and time. Metaphorically speaking, my study concerns the contact zone between the legal order/marriage regime and concrete happenings, actions and reactions of historical actors regarding colonist marriage formation and disintegration. Through an in-depth analysis of individual cases, I also identify the multiple outcomes of such contacts and negotiations, whether they are affirmation of power, conciliation or obstruction. The politics of marriage inevitably actualize the question of gender. Therefore, another important consideration for me is if and in what ways gender and colonization constructed and determined one another reciprocally, both in legal norms and in actual practices.

My study is limited to the roughly 60 years of the so-called “colonist era,” when ex-foreign subjects who migrated to the Russian empire attained and

enjoyed the colonist status (*kolonistskoe zvanie*). I focus primarily on the period from the beginning of the nineteenth century, with the extensive migration of the population from German lands to the Northern Black Sea steppe following Alexander I's decree in 1803, to 1860s–1870s, when the distinct legal order with respect to the colonists and colonial administration began to dissolve as a result of the Great Reforms. With the inauguration of the councils of new provincial assemblies (*zemstvo*) in 1864, the German colonists were given access to this new local self-governing administration. At the same time, the administrative reforms of 1866–1871 abolished the separate administration of the colonies and subjected the colonists to the general imperial administration.⁶ Because of this dramatic shift in policy, tens of thousands of discontented ex-colonists emigrated prior to 1914. Among the remaining population, the twentieth-century revolutions, civil war, famine, and deportations caused an enormous death toll and turmoil. In my inquiry, I mainly focus on those German colonists who settled in the Northern Black Sea steppe. For most of the nineteenth century this space administratively comprised the three imperial provinces of Ekaterinoslav, Odessa and Kherson; in modern terms the southern and partly central eastern Ukraine.

1.2. Disposition

In this study, I combine macrohistorical and microhistorical analysis, expressed in two intertwining worlds of colonization as politics and colonization as imperial situation. Each chapter in some way conceptualizes the intersection of imperial politics and the imperial situation of colonization. In Chapter 1, I present the scope of the research, discuss the theoretical and methodological standpoints and define my approach when dealing with

⁶ The reforms conducted in the 1860s–1870s in the reign of Alexander II were called the Great Reforms or Bourgeois Reforms. Defeat in the Crimean War (1853–1856) made Russia's lack of modernization clear, and the first big step towards it was the emancipation of the serfs in 1861. It made peasants equal and helped to create a new concept of a generalized peasant estate. Further important reforms were self-government, town, and judicial, educational and military reforms. The council system, *zemstvo*, reform had allowed for relatively equal participation of all estates in local administrative affairs, in counties and provinces. On the abolition of the colonists' separate administration and its implications, see James W. Long, *From Privileged to Dispossessed: The Volga Germans, 1860–1917* (Nebraska: University of Nebraska Press, 1988), 16–25. On the impact of the Great Reforms on the imperial social system, see Alison K. Smith, *For the Common Good and Their Own Well-Being. Social Estates in Imperial Russia* (New York: Oxford University Press, 2014), 126–141.

the sources on which my study is based. My points of departure are the imperial geographies of power, the paradigm of the Russian imperial statehood, the plurality of imperial legal regimes and the segmentation of the imperial social system. In my empirical analysis, I use an intersectional approach and a microhistorical perspective, but also the concepts of gender and patriarchy.

Having introduced the reader to the framework of the research, in Chapter 2 I turn to a short presentation of the history of the Northern Black Sea steppe before and after Russia's annexation of the region. The first part of the chapter builds on previous research and serves as a historical preamble. My task here is to outline the increasing presence and dominance of Russia in the region instigating, among other measures, a colonization project. I also present the main characteristics of colonization as politics, its changes and shifts over time, with a special focus on the so-called "foreign colonists." Migrations, displacement, socioeconomic engineering and re-drawings of the administrative territorial units, discussed in the second part of the chapter, were imperial strategies for governing the Northern Black Sea steppe.

Chapters 3–4 present new empirical findings. Chapter 3 is devoted to the agents – clerks and clergy – and the agencies of the politics of colonization in the Black Sea region which were supposed to administer, surveil, assist and control people designated as colonists. Here I scrutinize the power assigned to their offices by political tasking. An analysis of the legal status of the colonists in Chapter 4 shows the boundaries of the colonists' rank within the imperial estate and legal system. My focus is on marriage eligibility and the legal restrictions imposed on colonist marriage, and the bureaucratization of colonist marriage conclusions. This means that I scrutinize the deployment of the marriage regime and its implications.

Through an analysis of individual cases, Chapter 5 presents the way the legal restrictions on marriage conclusions and the marriage regime deployed by the Russian government operated in practice, in a variety of situations. Particular attention is drawn to marriages between colonists and non-colonists, and the ways and outcomes of their accommodation both in the legal order and the social system, and in actual practice. The role of clergy and clerks in the functioning and implementing of the marriage regime is critically untangled here, as well as how the power assigned to the offices of clergy and clerks was actually exercised in concrete situations.

Chapter 6 focuses on colonist marriage breakdown and family disintegration, through an analysis of the legal frame, the regulations and

routines for marriage dissolution, and practices on the ground. I trace the institutionalization of colonist divorce and its bureaucratization. By in-depth reading of the sources, I present a paradigm of colonist marriage breakdown that shows the narratives, standpoints and the powers of the actors involved, and also reveals the causes of broken marriages. Apart from this, in Chapters 5–6, I also trace how the legal acts regulating colonist marriages were generated, implemented and applied on a grassroots level.

The last chapter of the book presents a final discussion of the findings and their contribution to imperial studies and the social history of the Russian empire, but also the history of the Black Sea region. This study points out new features of the imperial governance in the non-Russian borderlands and the mechanisms of normalization within the empire, and generally deconstructs the politics of colonization. It generates new knowledge about the interrelation of individual and imperial, gender and politics, the role of individual agency in the imperial situation, bridging the imperial, regional and situational.

1.3. Main Concepts of the Study

Ukraine and New Russia

In the last few decades, a host of analytical tools and concepts from “frontier,” “peripheries,” and “borderlands” to “internal colonies” have been applied to comprehend the Russian annexation, expropriation and integration of regions, from the Northwestern Black Sea steppe, Central Asia, and the Volga-Kama region to Siberia. The meanings of concepts do not travel across space and time; they are contextualized and localized. Compared to (Western and Central) Europe and America, concepts of imperialism and colonialism have a certain particularity in the Russian context.

The very notion of “region,” which is quite ambiguous, also complicates the picture, since the criteria for identifying or imagining regions have also varied. Aleksei Miller points out that historians in fact use “region” to describe any territory that does not coincide with present state borders.⁷ He also rhetorically asks “whether it is possible to return to the history of

⁷ Aleksei Miller, “Between Local and Inter-Imperial: Russian Imperial History in Search of Scope and Paradigm,” *Kritika: Explorations in Russian and Eurasian History*, vol. 5, no. 1 (2004): 8.

empires not as imperial narrative serving present political interests but as history written in the past perfect tense.”⁸

When dealing with imperial histories of Ukraine and the history of the Russian empire, a problem of terminology arises. The names “Southern Ukraine” or “Steppe Ukraine,” for instance, were widely used in the historical research and ethnographic explorations of the Northern Black Sea steppe starting from the end of the nineteenth century and during the twentieth century.⁹ The territorial designation “Khan Ukraine” (*Khans’ka Ukraina*) or “Tombasar Mukataasi” applied to Northwestern Black Sea steppe, the territory between Pivdennyi Buh and Dniester Rivers, became officially established during the first half of the eighteenth century. The name “Khan Ukraine” appears in Ukrainian, Moldavian, Valahian and Russian sources, notes Oleksandr Sereda, whereas “Tombasar Mukataasi” is found in Ottoman-Turkish administrative and tax documentation.¹⁰

The names “New Russia” and “Southern Russia” were applied to the Northern Black Sea region in history-writing as well. Willard Sunderland argues that the adoption of the name “New Russia” for the Northern Black Sea region was “the most powerful statement imaginable of Russia’s national coming of age” and that the “colonial status” of the annexed Black Sea steppe was clear, even though the European steppe as a whole was never described as a colony, apparently because it was not geographically separated from the rest of the state.¹¹ Inserting the name “New Russia” into the eighteenth-century discourse was also a tribute to fashion. European countries named conquered territories as New England, New Zealand, and New Amsterdam. The name “New Russia” had yet another meaning: it was an official version of the Russian future. Sunderland notes:

⁸ Miller, “Between Local and Inter-Imperial,” 14.

⁹ From a huge amount of literature on historical-ethnographic explorations of different parts of the Northern Black Sea steppe and their historiographical tradition, see O. M. Marchenko and O. A. Priharin, “Istoryko-etnografichne vyvchennia Stepovoho Pobuzhzhia iak skladovoi Pivdnia Ukrainy u XIX–XX st.,” in *Naukovi pratsi Mykolaivs’koho derzhavnogo humanitarnoho universytetu im. Petra Mohyly*, vol. 96, issue 83 (2008): 124–130.

¹⁰ Oleksandr Sereda, *Osmans’ko-ukrains’ke stepove porubizhzhia v osmans’ko-turets’kykh dzherelakh XVIII st.* (Odesa: “Astroprint,” 2015), 97–117; Oleksandr Sereda, “Khans’ka Ukraina v administratyvnyi strukturi Silistypyns’ko-Ochakivs’koho eialetu,” in *Chornomors’ka mynuvshyna: zapysky Viddilu istorii kozatstva na pivdni Ukrainy*, issue 3 (Odesa: Feniks, 2008), 57–81.

¹¹ Willard Sunderland, *Taming the Wild Field: Colonization and Empire on the Russian Steppe* (New York: Cornell University Press, 2004), 70, 89.

When the title was formally adopted for the conquered steppe lands to the north of the Black Sea, there followed a process of conscious naming and renaming of all localities in the area in order to erase any memory of the former inhabitants of the region.¹²

Being aware of terminological traps, historiographical entanglements and methodological dilemmas,¹³ I prefer to use terminology instrumentally. I extensively use the geographical names such as the Northern Black Sea region (*Pivnichne Prychornomor'ia*), the Black Sea steppe and the Lower Dnipro River region (*Podniprov'ia*). The name “New Russia” is used as both imperial administrative and imagined spaces, the names of (Right Bank and Left Bank) Ukraine and Poland are also applied.

Colonization, (Re)Settlement, Colony

Veracini Lorenzo examines the historiographical evolution of “settler colonialism” as an analytical concept during the second half of the twentieth century and in relation to the British empire.¹⁴ Willard Sunderland, among others, addresses the issue of evolution of the meaning of colonization in the Russian context.¹⁵ Russia’s colonization for most of the period was described as “settlement” (*zaselenie*) or “resettlement” (*pereselenie*). By the early nineteenth century the term “resettlement” had become the universal term used by the Russian government to describe both the officially regulated settlement policy and the spontaneous migration process. In the minds of imperial governors, resettlement meant the relocation of peasants from one place to the other for farming. In these terms, resettlement appeared internal and agricultural, even in cases when Russian peasants were relocated from the central regions to the non-Russian borderlands of the Black Sea steppe.

¹² Sunderland, *Taming the Wild Field*, 69–70.

¹³ See Natalia Yakovenko, “Choice of Name versus Choice of Path: The Names of Ukrainian Territories from the Late Sixteenth to the Late Seventeenth Century,” in *A Laboratory of Transnational History: Ukraine and Recent Ukrainian Historiography*, ed. Georgiy Kasianov and Philipp Ther (Budapest: Central European University Press, 2009), 117–148.

¹⁴ Veracini Lorenzo, “‘Settler Colonialism’: Career of a Concept,” *The Journal of Imperial and Commonwealth History*, vol. 41, issue 2 (2013): 313–333.

¹⁵ Willard Sunderland, “The Colonization Question: Visions of Colonization in Late Imperial Russia,” *Jahrbücher für Geschichte Osteuropas* 48, 2 (2000): 210–232; Willard Sunderland, “Empire without Imperialism? Ambiguities of Colonization in Tsarist Russia,” *Ab Imperio*, no. 2 (2003): 103–106. On the elite’s “mythology” of colonization, see Sunderland, *Taming the Wild Field*, 94–95.

Compared to “resettlement,” the term “colonization” had another connotation with broader implications, suggesting “both physical occupation of the land as well as a more comprehensive process in which outsiders and their institutions take over, develop, and incorporate a territory not originally their own.”¹⁶ For a long time, the term “colonization” was not used in the Russian imperial discourse. However, the used terms “colonist” and “colony” referred to foreign farmers and their settlements within the empire from the late eighteenth century. During the first decades of the nineteenth century, the term “colony” was mainly used to describe ethnically, culturally and religiously distinct enclaves of agricultural settlement. The power hierarchy established to administer these colonists-settlers, in paperwork as well as discourse, was designated as colonial/colonist authority (*vlastʹ*)/department (*vedomstvo*). According to Sunderland, during the 1860s the term “colonization” seems to have become more prevalent in official and public writings, though its increasing use did not displace “resettlement” but rather supplemented it.¹⁷ However, the interrelationship between the two terms of “resettlement” and “colonization” remained complicated, overlapping, and even confusing for imperial officials and contemporaries like Petr Semenov-Tian-Shanskii, Apollon Skal’kovskii, Dmytro Bahalii, and Aleksandr Kaufman, who used to flip back and forth when using these terms.¹⁸

In his study of the colonization discourse articulated by the Russian intellectual and administrative elite, Alberto Masoero illustrates the intertwining usage of the two concepts. As Masoero points out, “resettlement” involved a precarious spreading over the territory, whereas “colonization” signified a purposeful, economically solid, and culturally influential transformation of the environment:

The meaning of colonization intensified over time, from providing “assistance to the migrants” to organizing people’s lives in the new places, and

¹⁶ Sunderland, “Empire without Imperialism,” 104.

¹⁷ *Ibid.*

¹⁸ Aleksandr Kaufman, *Pereselenie i kolonizatsiia* (St. Petersburg: “Obshchestvennaia pol’za,” 1905); Apollon Skal’kovskii, ed., *Opyt statisticheskogo opisaniia Novorossiiskogo kraia. Geografiia, etnografiia i narodoisчисlenie Novorossiiskogo kraia. Part 1.* (Odessa: Gor. tip. L. Nitche, 1850); Dmitrii Bagalei, *Kolonizatsiia Novorossiiskogo kraia i pervye shagi ego po puti kul’tury* (Kiev: Tip. G. T. Korchak-Novitskogo, 1889); Dmytro Bahalii, *Zaselennia Pivdennoi Ukrainy (Zaporizhzhia i Novorosii’skoho kraiu) i pershi pochatky ii kul’turnoho rozvytku* (Kharkiv: Soiuz, 1920); Petr Semenov-Tian-Shanskii, ed., *Rossiia. Polnoe geograficheskoe opisanie nashogo otechestva. Vol.14. Nororossiia i Krym* (St. Petersburg: Izdatel’stvo A. F. Devriena, 1910).

finally, after the revolution, to building a “state organization of social production.”¹⁹

The most important role in the building of the Russian empire was played not by the military and officials, but by peasant settlers, Anatolyi Remnev notes. This presumed the active intervention of the state in ethno-demographic processes, the regulation of the flow of migration, and the manipulation of the ethno-confessional composition of the population in the imperial borderlands to fulfil the task of military mobilization, as was the case in the Amur and maritime regions.²⁰

I approach colonization two-dimensionally: both as imperial politics and an *imperial situation*. The first dimension refers to, to name a few features, a large scale and multifaceted process of Russia’s absorption of annexed lands southward and eastward, accompanied by state-sponsored and state-inspired migrations and dislocations of Russians, non-Russians and foreign subjects. It also involved the unification of the administrative system, the destruction of existing agricultural, societal and economic structures and ties, as well as the imposition of new ones, while also spreading Russia’s fiscal and feudal system to the newly annexed territories. Colonization also changed the ecological face of the region. Here the top-down perspective is crucial, which problematizes the agenda-making of colonization in the form of official regulations, visions, intentions, and ideas. Colonization as life situation is more nuanced and polyphonous, and calls for a bottom-up perspective. It concerns the multiplicities of microcosms of the region under colonization, and the interactions and contacts between different historical actors. Colonization beyond the decrees was much more thorny and complicated. It did not occur smoothly, and not infrequently collided with human and natural factors on the ground. The already long-standing disconnections between official colonization and “real” colonization during the Catherinian period became even more pronounced in the reign of Alexander I. The concept of colonization in imperial discourses is characterized by wide variation, inconsistency and ambiguity, as well as fluidity over time.

¹⁹ Alberto Masoero, “Territorial Colonization in Late Imperial Russia: Stages in the Development of a Concept,” *Kritika: Explorations in Russian and Eurasian History*, vol. 14, no. 1 (2013): 89.

²⁰ Anatolyi Remnev, “Siberia and the Russian Far East in the Imperial Geography of Power,” in *Russian Empire: Space, People, Power, 1700–1930*, ed. Jane Burbank et al. (Bloomington and Indianapolis: Indiana University Press, 2007), 442.

Colonizers/Colonists/Colonized

In the ethnically and confessionally mixed areas like the Volga and Northern Black Sea regions, there was not a simple dichotomy between a dominant and a colonized subordinated population, but rather several interacting ethnic and confessional groups. It is crucial to investigate the triangular relationship between Russians, non-Russians and the state in the specific localities. One should also consider elites, both regional and imperial. Analytically it is problematic to underscore the distinction between “colonizers” and “colonized,” since the boundary between these two concepts often turns out to be fluid and depends on the point in time, locale and interacting subjects.

Discussing the attitudes of the state towards its subjects, Paul Werth points out the difficulty of ascertaining where a specifically colonial set of relations *began* in geographical terms and/or with respect to certain group, and more importantly, the degree to which relations in any given locale were unambiguously “imperial” or “colonial” as opposed to being subjected to some other social logic.²¹ Due to the “unevenness” of the Russian empire, the ambiguity in the distinction between “metropole” and “colony,” the hybridity of imperial rule, and the “imperial” and “colonial” character of the Russian state, Werth claims, need to be conceptualized and empirically established rather than merely asserted.²² As Werth postulates, a region like Central Asia is quite comparable to British India or French North Africa. Similarly, the Caucasus, characterized by more recent imperial conquest, a small non-autochthonous population, and particularistic forms of governance, can be perceived as a colonial arrangement.

As Sunderland points out, it was foreign migrants who were usually called “colonists” and “settlers,” but never “resettlers,” because resettlement was seen as a purely domestic issue.²³ The term “colonist” entered the official vocabulary only in the late eighteenth and early nineteenth century, when the groups of foreign migrants were officially designated as “colonists” in decrees and legislation. They were distinguished, both semantically and legally, from domestic migrants and other groups of peasants. As to the state vision, population increase and population redistribution, particularly in the Catherinian era, were the means of empire-building and promotion. To govern meant to populate. Yet

²¹ Paul W. Werth, “From Resistance to Subversion: Imperial Power, Indigenous Opposition, and Their Entanglement,” *Kritika: Explorations in Russian and Eurasian History*, vol. 1, no. 1 (2000): 31.

²² Werth, “From Resistance to Subversion,” 22, 28, 35–36, 41.

²³ Sunderland, *Taming the Wild Field*, 88.

[...] Russian colonization remained for many so elemental, so long-standing, and so intimately tied to issues of agriculture and peasant life that its imperialist dimensions were easy to forget, or at least omit from the picture.²⁴

Most migrants, whether native or foreign, did not associate themselves with empire-building and empire-extending, nor did they perceive their relocation or immigration as a part of an imperial enterprise. Instead they (im)migrated either because they were forced to by landlords or circumstances or because they were drawn by expectations of a better life in new places. Escaping war disasters and driven by the chance of obtaining land and facilities for farming in the Black Sea region and the prospect of fewer landlords, people from German lands travelled long distances and fully met the challenges of the steppe. Religious sectarians, like Old Believers from Central Russia, also sought religious freedom in the Black Sea steppe.

The ethnically Russian population was predominantly concentrated in the “centre,” while most non-Russian people lived in the borderlands. Colonization, whether it was internal development and/or external expansion, was rarely construed as a purely Russian endeavour. Russian peasants did not articulate visions of colonization based on a sense of ethnical, religious or civilizational superiority and mission. According to Jane Burbank, among the reasons why Russians could not be securely attached to a hegemonic “we” was serfdom, with its subordination of roughly half the peasant population to their landlords, not all of them Russian. The divide between social estates, educated and non-taxpaying nobility, and enserfed peasantry with their very different rights, meant that commonality as “Russians” and as dominant people was hard to imagine in contemporary terms.²⁵

Baltic German, French, Moldavian, and Tatar noblemen frequently occupied the highest positions of government. Over time, some of those noble families became the Russian aristocracy. Burbank claims that loyalty to the Russian empire did not necessarily demand the erasure of origins.²⁶ Stephen Velychenko suggests that the lack of a consistent personnel selection policy as well as single borderland administrative policy were features of Russia’s imperial statehood. Informal networks, and patronage rather than competence, were the crucial criteria of advancement in the tsarist system. On the example of nineteenth-century Ukraine, Velychenko maintains that

²⁴ Sunderland, “Empire without Imperialism,” 111.

²⁵ Jane Burbank, “An Imperial Rights Regime. Law and Citizenship in the Russian Empire,” *Kritika: Explorations in Russian and Eurasian History*, vol. 7, no. 3 (2006): 406.

²⁶ Burbank, “An Imperial Rights Regime,” 405–406.

poor education, ethnic background and religious affiliation were not insurmountable barriers to social mobility.²⁷ Russian nobles often considered Russian peasants to be as “backward” as non-Russian “aliens.”²⁸ There were different classifications of the imperial subjects, not only by social estate and religion, but also, as Andreas Kappeler suggests, by way of life and ethnicity. In a society based on service, Kappeler claims, the social and cultural gap between a Russian and a non-Russian, or non-Orthodox noble, was usually less than that between Russian nobles and Russian peasants.²⁹

Most of the peripheral territories were incorporated into the Russian state by conquest, yet it remains hard to draw a clear line between the “colony” and “metropole” in the Russian empire, the “interior Russia,” the “core Russia” and its borderlands. Perceiving Russia as an empire-colony, Alexander Etkind introduces the concept of “internal colonization” as a model of the Russian empire where the state colonizes its people. Madina Tlostanova criticizes Etkind’s approach for “an old and worn-out imperial strategy of self-whitewashing.” The core of this strategy, according to Tlostanova, is “to treat the colonized territory as space devoid of the human factor by removing inhabitants from view.”³⁰

Russia’s imperialism and its regional forms were extremely complex. The multidimensional Russian imperial/colonial matrix caused a great fluidity of the concepts, and the shifts in meanings depended very much on the context, time period and the subject under scrutiny. The discussed concepts are characterized by flexibility and vagueness which accommodate and signify diverse connotations. I do not mean to idealize the empire, nor do I aim to deny its repressive and subordinating dimensions. Rather, I wish to

²⁷ Stephen Velychenko, “Identities, Loyalties and Service in Imperial Russia: Who Administered the Borderland?” *Russian Review*, vol. 54, no. 2 (1995): 188–208.

²⁸ On the category of “aliens,” see, for example, John W. Slocum, “Who, and When, Were the Inorodtsy? The Evolution of the Category of “Aliens” in Imperial Russia,” *The Russian Review* 57, 2 (1998): 173–190; Eric Lohr, *Nationalizing the Russian Empire: The Campaign against Enemy Aliens during World War I* (Cambridge, MA: Harvard University Press, 2003).

²⁹ Andreas Kappeler, “Russia as a Multi-Ethnic Empire. Classifying People by Estate, Religion and Ethnicity, 1760–1855,” in *Defining Self: Essays on Emergent Identities in Russia, Seventeenth to Nineteenth Centuries*, ed. Michal Branch (Helsinki: Finish Literature Society, 2009), 68, 61.

³⁰ Alexander Etkind, *Internal Colonization. Russia’s Imperial Experience* (Cambridge and Malden: Polity Press, 2011). Madina Tlostanova, review of Alexander Etkind, *Internal Colonization: Russia’s Imperial Experience*, Cambridge and Malden: Polity Press, 2011, 289 pp., *Postcolonial Europe*, accessed April 13, 2015, <http://www.postcolonial-europe.eu/reviews/166-book-review-internal-colonization-russias-imperial-experience-.html>.

emphasize that the oppositions between dominant and subordinate, colonizer and colonized, were not as absolute, fixed and given as they might seem. I intend to place and localize imperial relations with respect to the colonist marriage in a polyconic set of dialectic interactions and processes, rather than see them in terms of a binary opposition.

1.4. Living and Making the Empire: The People of the Study

They [the colonists] are our Americans who change our wild desert into marvellous villages with gardens and meadows, our capitalist farmers who become richer and richer from year to year, occupy more and more land, attribute value to the land, and raise the price of labour by their extraordinary demand. Full awareness of the necessity to work and social benefit of mutual help, simplicity of life, almost leading to stoicism, and duty to the government – are their distinctive features.³¹

The present study is primarily concerned with Lutheran Protestants and Roman Catholics from the southern and western German lands, referred to as “German colonists” in the imperial discourse and legislation of the eighteenth and nineteenth centuries. These people started to settle the Northern Black Sea steppe in the 1780s and 90s, on the invitation of the Russian monarchs. The foundation of most colonies in the Northern Black Sea region, however, occurred during the years 1803–1806, 1808–1811, and 1814–1823. (See Appendix 1) The migration of German people to the rural territories of the Azov and Black Sea reached its peak during the first decade of the nineteenth century. By 1850, more than 139,000 German-speaking migrants (among them 20,000 Mennonites from Prussia) had settled there.³² Although there was a continuous influx of Germans, Serbs, Jews, Mennonites, Bulgarians and Russians from Central Russia, Ukrainian peasants from Left and Right Bank Ukraine, as historiographic tradition indicates, still constituted a majority among the migrants in the region.³³ The

³¹ Aleksandr Schmidt, comp., *Materialy dlia geografii i statistiki Rossii, sobrannyye ofitserami General'nogo shtaba. Khersonskaia guberniia*. Part 2 (St. Petersburg: V Voinskoi tipografii, 1863), 623.

³² Sergei I. Zhuk, *Russia's Lost Reformation: Peasants, Millennialism, and Radical Sects in Southern Russia and Ukraine, 1830–1917* (Washington, D.C.: Woodrow Wilson Center Press / Baltimore: The John Hopkins University Press, 2004), 40.

³³ From a vast literature, see Maryna Hrymch, *Zvychaevye tsyvil'ne pravo ukrainsiv XIX–pochatku XX stolittia* (Kyiv: Aristei, 2006), 85–94; Vladimir M. Kabuzan, *Zaselenie Novorossii (Ekaterinoslavskoi i Khersonskoi gubernii): v XVIII–pervoi polovine XIX veka (1719–1858 gg.)* (Moskva: Nauka, 1976), 142–165.

study does not, for several reasons, focus on the Mennonites. Frequently conceptualized as an ethno-religious, congregational and/or sectarian community, the Mennonites had a different legal standing and relationship with the state compared to other groups of colonists. They had another kind of “special deal” with the Russian state, reflected in the Charter of Privileges’ implied formula of religious autonomy in exchange for economic cooperation. This religious autonomy meant that questions regarding family, marriage and divorce rested entirely within the Mennonite congregation.³⁴

The Russian government benefited from the economic distress of the people in the German southern and western lands caused by overpopulation, the Seven Years’ (1756–1863) and Napoleonic Wars (1803–1815), high taxes imposed by the absolutistic rulers, and several crop failures in the second decade of the nineteenth century. Due to religious intolerance and persecution, particularly in West Prussia and Württemberg, Anabaptists, Mennonites, and Pietists, so-called “sectarian groups,” were particularly keen to emigrate to the Russian empire. The government was interested especially in religious sectarians since it was hoped that they would prove as successful as the Moravian Brethren in Sarepta colony, a small but prospering model colony on the Volga River.³⁵ Most colonists were simply not aware of the

³⁴ There was an essential ambiguity in the Charter of Privileges of 1800, because it did not consider the relationship between religion and economy in Mennonite theology. From the Russian state’s perspective, the Mennonites’ religious autonomy was dependent on their economic cooperation. Still, the document was symbolically important: it established the right of Mennonites to negotiate with the state, which they did. Mennonites brought with them their traditional communities, which were coterminous with church congregations. The very strong tradition of religious endogamy affected the Mennonite view of marriage. The dynamics of the Mennonite – state relationship, social identity and organization, gender, family and the role of woman in a congregation are well-researched. For example, see James Urry, “Gender, Generation and Social Identity in Russian Mennonite Society,” *Journal of Mennonite Studies*, vol. 17 (1999): 95–106; James Urry, “Mennonites, Nationalism and the State in Imperial Russia,” *Journal of Mennonite Studies*, vol. 12 (1994): 65–88; John Staples, “Religion, Politics, and the Mennonite Privilegium in Early Nineteenth-century Russia: Reconsidering the Warkentin Affair,” *Journal of Mennonite Studies*, vol. 21 (2003): 71–88; Paul Redekop, “The Mennonite Family in Tradition and Transition,” *Journal of Mennonite Studies*, vol. 4 (1986): 77–93; Rodney J. Sawatsky, “Mennonite Ethnicity: Medium, Message and Mission,” *Journal of Mennonite Studies*, vol. 9 (1991): 113–121.

³⁵ Detlef Brandes, “A Success Story: The German Colonists in New Russia and Bessarabia: 1787–1914,” *Acta Slavica Iaponica Tomus IX* (1991), accessed February 12, 2014, http://library.ndsu.edu/grhc/history_culture/history/brandes.html. On the reasons for the Mennonites’ migration to the Russian Empire, see Nataliia Venger, *Mennonitskoe predprinimatel’stvo v usloviakh modernizatsii Iuga Rossii: mezhdou kongregatsiei, klanom i rossiiskim obshchestvom (1889–1920)* (Dnepropetrovsk: Izdatel’stvo DNU, 2009), 92–105.

goals of empire-building and did not construe their migration as an imperialist or “civilizing” endeavour. They migrated to the Russian borderlands because they were pressed by economic, social, religious circumstances in their home states and/or they were drawn by the expectations of a better life in a new place. Roger Bartlett argues against the widely-held perception that the Russian government specifically wanted German settlers:

Although Russian diplomats occasionally showed prejudice against particular nationalities, the predominance of Germans among the early colonists was overwhelmingly the result of conditions and circumstances in Europe, rather than of the predilections or policies of Catherine and her ministers.³⁶

I treat the “German colonists” as an emic and historical concept, widely used in the imperial documents, legislation and discourses. Even though these people were officially categorized as one group, they were in many ways a rather heterogeneous population. They came from Swabia, Baden, Bavaria, West Prussia, Württemberg, Alsace, the Palatinate, Hesse, and Danzig. In terms of religion affiliation, most of them were Lutherans, but some were Roman Catholics, Calvinists or members of smaller Protestant independent religious groups and denominations. Many were poor peasants, some were skilled rural craftsmen, and others, from urban areas, were artisans and traders. Entering the Russian empire, they were, however, expected to become farmers, regardless of their previous occupation. They spoke different languages (German, Polish) and dialects, belonged to different religious denominations and inheritance models (partible/impartible),³⁷ and lacked a common identity. Still, I would argue that the would-be “German colonists”³⁸ that I consider here possessed some cultural commonalities compared to other groups of colonists and populations in the region.

³⁶ Roger P. Bartlett, *Human Capital: The Settlement of Foreigners in Russia, 1762–1804* (New York: Cambridge University Press, 2008), 59.

³⁷ On inheritance strategies, see Richard L. Rudolph, ed., *The European Peasant Family and Society: Historical Studies* (Liverpool: Liverpool University Press, 1995), 12–13.

³⁸ Now the readership is aware of the connotations and meaning of the term, therefore from now on the term will be used without quotation marks.



Map 1. The migrations from German lands to the Russian empire during the eighteenth and nineteenth centuries.³⁹

The very heart of the new moral regime of the Reformation in Europe was the reform of marriage. Authorities were stimulated to pay closer attention to sexual offences, to reconsider the legislation dealing with such matters, and to punish them more severely. The Reformation also created new institutions to maintain good morals. These new regulatory institutions developed from two sources in the Protestant doctrine. One was the duty of individuals and individual communities of believers (congregations) to police themselves. Truly moral behaviour was certainly achieved by external constraint, but also by exercising free will, facilitated by the incorporation of moral precepts and, in cases of error, by persuasion. Morality was in this sense the church's purview. The secular authorities had the duty to ensure the practice of a Christian life. The Reformation created the first major codification of the rules of public order, ordinances reflecting the conviction that civic and moral well-being were interchangeable, as Isabel Hull argues. Marking the gradual shift from ecclesiastical to secular control of marriage, membership

³⁹ Karte "Deutsche Auswanderung nach Russland im 18. und 19. Jh.," *Die Russlanddeutschen: Aus der Geschichte der deutschen Übersiedler*, accessed October 27, 2016, http://www.bund-der-vertriebenen-hessen.de/page_versch2013_14.html.

of the marriage court was normally divided between secular representatives (town and city councillors or county commissars) and clergy.⁴⁰ There was a “thicket of traditional social institutions,” Hull claims, which guided actual sexual and matrimonial behaviour more closely and with greater effect, “because they suffused people’s lives more completely than the best efforts of either church or state.”⁴¹ Family, village or community (*gemeinde*), and guild formed the contexts within which people of the early modern German lands acted sexually. Those “traditional networks” interpreted the material constraints on reproduction and articulated the principles of popular morality. The state’s formal efforts to control its subjects’ sexual activities always occurred in relation to these “traditional networks.” They embodied the “limits to the absolutist state’s attempt at moral hegemony.”⁴² Certainly, the personal realms and perceptions of the Roman Catholic and Lutheran immigrants had to undergo transformations in the new milieu of the Northern Black Sea steppe.

Until the late nineteenth century, the German colonists enjoyed privileges and legal status that differentiated them from other peasant groups of the empire. Legally the colonists belonged to the estate (*soslovie*) of state peasantry, but had special attributes and obligations. The colonist rank provided its bearers with specific rights, for example exemption from compulsory military service. German colonists, along with other groups such as Bulgarians, Jews, Moldavians, Serbs, and Mennonites, had a distinct governmental administration called the Guardianship Office/Trustees Committee. For foreign immigrants, being granted colonist status presupposed denaturalization from their native citizenship⁴³ and their naturalization as Russian subjects. However, according to Eric Lohr, both laws and naturalization records, at least up to the Great Reforms of 1860s,

⁴⁰ Most marriage courts functioned like regular civil courts, handling down legally binding decisions on the validity of marriages, divorces, claims for child support and etc., see Isabel V. Hull, *Sexuality, State, and Civil Society in Germany, 1700–1815* (New York: Cornell University Press, 1996), 24–29.

⁴¹ Hull, *Sexuality, State, and Civil Society*, 29.

⁴² Hull, *Sexuality, State, and Civil Society*, 30.

⁴³ By citizenship I mean subjecthood (*poddanstvo*). At this point I follow the extensive tradition of using this concept interchangeably in the Russian imperial studies by Jane Burbank, William Wagner, Eric Lohr, Alexander Morrisson and others. Lohr defines the “citizenship” as many others do, in a narrow sense, as status denoting membership in a country, usually documented with a passport or comparable document. “Subjecthood” is used in the same way, to refer simply to the membership status of the subjects of the tsar. See Eric Lohr, *Russian Citizenship: from Empire to Soviet Union* (Cambridge, MA: Harvard University Press, 2012), 3.

show that the most important action for a foreigner entering the Russian empire was not taking the oath to the tsar, but rather the ascription to an estate institution.⁴⁴

The category “colonist” was used in the Russian empire to designate and signify those family heads-of-household who were formally accepted into a colony by the village assembly, with the approval of the colonial administration for foreign settlers of the Russian government. One of the advantages of being a colonist was that the family, who became taxpaying members of the colony, were eligible for certain benefits, such as land rights, loans and welfare assistance, if needed. Only taxpaying accepted members of a colony appear in the revision lists, which are tax lists, not census lists. The official paperwork abounds with a variety of designations in respect of this group of population – “colonist status” (*kolonistskoe zvanie*), “colonist rank” (*rang kolonistov*) and even “the class of the colonists” (*klass kolonistov*) – indicating the legal (and imagined), social and ethnic particularity and segmentation of the colonists within the peasant estate.

Apart from legal sense, the term “colonist” had yet another semantic load. Those who did not legally belong to a colony were called “foreigners” (*inostranets, (po)storonnii chelovek*).⁴⁵ These non-members were often given permission to live in a colony, but they were not “colonists.” As a rule, these people were itinerant craftsmen who may have been given the right to establish their trade or other economic activity in the colony, but were not assigned land or any of the other colonist rights and benefits. They may have been given permission to establish a household in the colony or rent a house. The legal status of the “foreigners” and their relationship with the authorities were different from those of the colonists. There was one implicit benefit in remaining a “foreigner” – they were subject to a different taxation regime. At the same time, they did not have access to a number of benefits connected to the colonist rank. Often these people retained their foreign passports, but were still required to obtain governmental permission to stay in the empire, within a colony or to move elsewhere.⁴⁶

⁴⁴ Lohr, *Russian Citizenship*, 21, 53.

⁴⁵ About changing meanings of the category of “aliens” or “those of a different birth,” see Slocum, “Who, and When, Were the Inorodtsy,” 173–190; Alexander Morrison, “Metropole, Colony, and Imperial Citizenship in the Russian Empire,” *Kritika: Explorations in Russian and Eurasian History* 13, 2 (2012): 338–339.

⁴⁶ Thomas A. Stangl, “Explanation of the term ‘Colonist’,” *Germans from Russian Heritage Collection*, NDSU libraries, accessed April 9, 2015, http://library.ndsu.edu/grhc/history_culture/history/colonist.html.

The word “foreign” had yet another connotation in the imperial legal order. The Chancellery of Guardianship of Foreigners (*Kantseliariia opekunstva inostrannykh*), founded in 1763, oversaw not only foreigners, but more specifically those who when entering the Russian empire took the oath of allegiance. The Guardianship Office for New Russian Foreign Settlers established in 1800 basically dealt with Russian subjects with colonist status. The villages in the Volga and Black Sea regions founded by immigrants from Central and Western Europe were named “foreign” colonies, although those villages were actually settled by Russian subjects. The term “foreign” signified the cultural and ethnic distinctiveness of those subjects from others, despite their legal connection to the polity.⁴⁷

1.5. Theory and Method

The analytical framework of this research stems from different threads, which have in different but intersecting ways inspired and shaped the present study. I employ situational and intersectional approaches, and microhistorical epistemology. This study is largely inspired by the theoretical and methodological insights provided by an array of scholars focusing on the history of the Russian empire, particularly on the imperial geographies of power and Russia’s imperial statehood.⁴⁸ My analysis is sensitive to the concepts of gender and patriarchy. I seek to combine the social historian’s quest to understand the historical situation, as a construction of the past, with the postmodernist’s close, but not absolute, attention to language.

⁴⁷ Tat’iana Plakhotniuk, “Nemtsy-inostrantsy rossiiskogo frontira (istoriko-pravovoi aspekt),” in *Rossiiskoe gosudarstvo, obshchestvo i etnicheskie nemtsy: Osnovnye etapy i kharakter vzaimootnoshenii (XVIII–XXI)* (Materialy XI mezhdunarodnoi nauchnoi konferentsii, Moskva, 1–3 noiabria 2006) (Moskva: “MSNK-press,” 2007), 207.

⁴⁸ From the vast literature that has shaped my thinking and methodology, see Jane Burbank et al., eds, *Russian Empire: Space, People, Power, 1700–1930* (Bloomington and Indianapolis: Indiana University Press, 2007); Nicholas B. Breyfogle et al., eds, *Peopling the Russian Periphery: Borderland Colonization in Eurasian History* (London and New York: Routledge, 2007); Kristin Collins-Breyfogle, *Negotiating Imperial Spaces: Gender, Sexuality and Violence in the Nineteenth-century Caucasus* ((Ph.D.diss., The Ohio State University, 2011); Stefan B. Kirmse, “Law and Society in Imperial Russia,” *Inter-Disciplines: Journal of History and Sociology*, vol. 3, no. 2 (2012): 103–134; Sunderland, *Taming the Wild Field*.

1.5.1. Microhistory

Microhistory, in the words of Giovanni Levi, is a historiographical practice whereas its theoretical references are varied and eclectic.⁴⁹ The reduction of the scale of observation, a microscopic analysis and an intense study of the documentary material, are decisive in microhistory.⁵⁰ It is a reversal of a perspective and scale that accentuates the minute and localized actions to demonstrate the gaps and spaces which complex inconsistencies of all systems leave open. The microhistorical approach addresses the problem of how we gain access to knowledge of the past by means of various clues and signs. The contradictions and non-coherences of the systems appear when the scale of reference is altered, and that is when the change in historical interpretation occurred, Levi argues.⁵¹

Many of microhistory's characteristics demonstrate close ties with anthropology, particularly with Clifford Geertz's "thick description." While "thick description" intends to bind together disparate elements and actions, "a repertoire of interpreted events" into a coherent whole, a microhistorian concentrates on the contradictions within normative systems and therefore on the fragmentation, distortions and plurality of viewpoints which make all systems fluid and open.⁵² In this regard, particular analytical importance is attributed to gaps, slips and misunderstandings found in the historical record. The holdings of the regional archives, in contrast to the central ones, prove their exclusive relevance for microhistorical studies like my own. Compared to generalized, smoothed over, and filtered information of the central archives when it comes to the colonization of the Northern Black Sea region, regional archives are full of echoing voices, contradictions, and multiplicities.

⁴⁹ Giovanni Levi, "On Microhistory," in *New Perspectives on Historical Writing*, ed. Peter Burke (Cambridge: Polity Press, 1991), 93. From a huge amount of literature, see Sigurður Gylfi Magnússon and István M. Sziójártó, *What is Microhistory?: Theory and Practice* (London and New York: Routledge, 2013). The first part of this book presents and discusses different schools and developments of microhistory on a geographical basis.

⁵⁰ Levi, "On Microhistory," 95; Carlo Ginzburg, "Microhistory: Two or Three Things That I Know about It," *Critical Inquiry*, vol. 20, no. 1 (1993): 22. On the relationship of space, size and distance to affect the historical interpretation, see John Brewer, "Microhistory and the Histories of Everyday Life," *Cultural and Social History: The Journal of the Social History Society*, vol. 7, issue 1 (2010): 87–109; Mark Salber Phillips, "Distance and Historical Representation," *History Workshop Journal* 57 (2004): 126.

⁵¹ Levi, "On Microhistory," 106–107.

⁵² Levi, "On Microhistory," 103–105, 107.

Contextualization is crucial for microhistorians, as well as the rejection of relativism. One way of contextualizing in microhistory consists of comparatively placing an event, a form of behaviour or a concept in a series of others which are similar though they may be separated in time and space, with a classification based on indirect similarities via analogy. The similarity is between systems of relations involving different elements.⁵³

The premise of microhistory as method is that the study of a small unit requires a minute analysis of signs and clues in the sources by reading into the text and deconstructing the position of the people concerned. Therefore, the microhistorian can make little use of statistical data. The microhistorian focuses not only on telling the story of the historical events, but also on an analysis of individual aspects of them, and an exposition of the form and origins of the extant sources. This provides the opportunity to *slow down* the research process, to examine each fragment of knowledge, and to place it in the context of other knowledge. For the microhistorian, the source acquires value when it has been examined, and when some conclusions have been drawn about its genesis.⁵⁴

Therefore, narration is attributed a special role in microhistory, and the research process is built into the historian's text. Carlo Ginzburg maintains in his "The Cheese and the Worms," that "the hypotheses, the doubts, the uncertainties became part of the narration."⁵⁵ The research process itself, the limitations of the documentary evidence, techniques of persuasion, the lines of thought and interpretative constructions are incorporated into the main body of the narrative. The reader is involved in a dialogue and participates in the process of constructing the historical argument. In a microhistorical narrative, a relationship is shown between normative systems, and freedom of action is created for individuals by the internal inconsistencies which are part of any system of norms and normative systems.⁵⁶

Another feature of microhistory, particularly of its Italian school, is the stress on agency. People who lived in the past are regarded as active individuals, conscious actors. It is the great historical question that legitimizes the micro-analysis and it is on the micro-level that the agency of the ordinary people can be observed. Microhistorians try to show the historical

⁵³ Levi, "On Microhistory," 108.

⁵⁴ Magnússon and Szijártó, *What is Microhistory*, 19–20, 147–153.

⁵⁵ Ginzburg, "Microhistory," 24. Also see Carlo Ginzburg, *The Cheese and the Worms: The Cosmos of a Sixteenth-Century Miller*, trans. John and Anne Tedeschi (London and Henley: Routledge & Kegan Paul, 1980).

⁵⁶ Levi, "On Microhistory," 105–106.

actors' experiences, strategies for action, how they saw themselves and their lives and what meanings they attributed to things that happened to them. At the same time, microhistorians also try to indicate deep historical structures and factors that were absent from the actors' own horizons of interpretation. As Charles Joyner notes, microhistorians "search for answers to large questions in small places."⁵⁷ Accentuating individual lives and events, actions and reactions, and demonstrating their significance in a historical debate, microhistory tries not to sacrifice the knowledge of individual elements to wider generalization, yet admits some forms of abstraction.⁵⁸ In other words, microhistory is an actor- and complexity-oriented analytical model highlighting one's capacity for targeted action within certain structural frames and systems. How the norms are used, experienced, and negotiated can best be studied on a small scale.

In Chapter 6 of this book, I (re)construct the divorce and separation narratives of the colonists. While reading into the different stories told by spouses, witnesses, clerks and clerics, I consider how each party constructed arguments in order to prevail. The material does not make any claim to be representative. By their very nature, cases were unique and personal. Legal suits and court records must be treated with caution. Plaintiffs, and clerks and clerics wrote depositions and offered testimony, not always for the sake of "pure truth" but to win the case or promote their own interests. As Natalie Z. Davis has shown, it is often the "fictional" elements of such documents that can be most revealing – that is, the extent to which the authors shaped the events into a story. And by fictional she means the forming, shaping and moulding elements – the crafting of a narrative.⁵⁹ At the same time, I intend not to completely reduce experience in favour of the postmodernist turn solely to language. I would rather stick to the research model of "singularization of history," in the words of Sigurður Gylfi Magnússon and István M. Szigjártó⁶⁰ or, as I call it, "situationalization of history."

1.5.2. Regional, (Trans)National and Situational

In the 1970s, Marc Raeff acknowledged the possibility of the existence of diverse approaches to the incorporation of different areas and political

⁵⁷ Cited in: Magnússon and Szigjártó, *What is Microhistory*, 5.

⁵⁸ Levi, "Microhistory," 109. Cited in: Magnússon and Szigjártó, *What is Microhistory*, 148.

⁵⁹ Natalie Zemon Davis, *Fiction in the Archives. Pardon Tales and Their Tellers in Sixteenth-century France* (Stanford, California: Stanford University Press, 1987), 2–3.

⁶⁰ Magnússon and Szigjártó, *What is Microhistory*, 64–66, 158.

entities into the Russian empire, arguing that the methods of incorporation could have been “more flexible, gradualist, and took into consideration local traditions,” but their aim remained the same – “administrative and social homogeneity through the empire.”⁶¹

In the early 1990s, those ideas began to acquire an empirical foundation. Andreas Kappeler sought to overturn the historiography of the Russian empire which had been dominated by imperial and Soviet historians who had overemphasized the homogeneity and unified character of the Russian empire, and had misunderstood the history of Russia as the national history of the Russians. Instead, he depicted the Russian empire as a complex conglomeration of people comprising several religions, dozens of language groups, and over a hundred distinct ethnic identities. Contrary to the claims of imperial and Soviet historians, Kappeler showed that the acquisition of territories by the empire did not occur in a smooth and mutually agreeable fashion. He provided a more comprehensive picture than that found in the former historiography.⁶² Evaluating his own book several years later, Kappeler emphasized that a regional approach to imperial history is the most innovative one so far. Overcoming the ethnocentrism of the nation-state tradition, regional approach encourages investigating the polyethnic character of the empire.⁶³ Anatolyi Remnev, however, argues that the history of regions should not be replaced by the history of the people living there.⁶⁴ Using a regional approach and focusing on the Amur and Ussuri River basins, Mark Bassin untangles the web of events and ideas, individuals and institutions that brought about a sea change in Russia’s Far Eastern policy.⁶⁵

Recent research on imperial histories has shown that no common policy of Russian imperial governance existed. The methodological tools for

⁶¹ Marc Raeff, “Patterns of Russian Imperial Policy towards the Nationalities,” in *Soviet Nationality Problems*, ed. Edward Allworth et al. (New York: Columbia University Press, 1971), 37.

⁶² Andreas Kappeler, *The Russian Empire: A Multi-Ethnic History* (London and New York: Routledge, 2001).

⁶³ Andreas Kappeler, “Rossiia – mnogonatsional’naia imperiia’: Vosem’ let spustia posle publikatsii knigi,” *Ab Imperio*, no. 1 (2000): 21.

⁶⁴ Anatolyi Remnev, “Regional’nye parametry imperskoi “geografii vlasti” (Sibir’ i Dal’nii Vostok),” *Ab Imperio* 3–4 (2000): 343–358.

⁶⁵ The Russian annexation of the Amur and Ussuri river basins on Siberia’s south-eastern frontier during the 1850s and 1860s, Mark Bassin shows, was governed by a romantic nationalism, an emerging sense of national identity carrying with it the conviction that Russia had a messianic role in the unfolding of world affairs, and the trauma that it suffered during and after the Crimean War (1853–1856). See Mark Bassin, *Imperial Visions. Nationalist Imagination and Geographical Expansion in the Russian Far East, 1840–1865* (Cambridge: Cambridge University Press, 2004).

analysing the heterogeneity of imperial rule continue to be under revision and re-evaluation. The new turn in examining imperial history in the 2000s is marked by certain analytical doubts regarding ethno-centric or regional approaches, particularly expressed by Aleksei Miller. He criticizes the regional approach for being methodologically undefined, tendentious, and frequently essentialist.⁶⁶

Serhii Plokhly enters the methodological discussion by introducing the analytical possibilities of re-approaching and decentralizing the East European historical narratives, focusing on the history of Ukraine. He suggests that writing traditional national history today means contributing to the isolationism and provincialism of East European historiography imposed by decades of existence behind the Iron Curtain.⁶⁷ When applying a transnational approach, the history of Ukraine is not only seen as the history of the borderland of different state formations, but as that of a civilizational and cultural borderland between Eastern and Central Europe, between Eastern Europe and the Balkans, the Mediterranean world and the Eurasian steppe lands. It is the history of Ukraine's floating and "moving frontier," the scene of interaction between governments, political entities, settlers and nomads.⁶⁸ In a similar manner, Kappeler advocates a post-national or transnational turn in Ukrainian historiography, which would "emancipate itself fully from the Soviet, Polish and Russian national and imperial grand narratives that were dominant for centuries."⁶⁹

The same logic is behind New Imperial History, a new transnational field of imperial studies that has been emerging since the early 2000s. The scholarship of Anatolyi Remnev, Jane Burbank, Leonid Gorizontov, Mark Bassin, Paul Werth, Willard Sunderland and many others has provided an empirical basis for these new theoretical and epistemological considerations. Their contributions tend to focus on the periphery rather than the imperial centre, and through an increased sensitivity to the constructed nature of space have moved beyond the case study approach while at the same time capturing the complexity and interconnectedness of centre-periphery relations, focusing on the reciprocal interrelations between imperial authorities and local societies. The mutual influences of "centre" and

⁶⁶ Miller, "Between Local and Inter-Imperial," 8.

⁶⁷ Serhii Plokhly, "Between History and Nation: Paul Robert Magocsi and the Writing of Ukrainian History," *Nationalities Papers: The Journal of Nationalism and Ethnicity*, vol. 39, no. 1 (2011): 117–124.

⁶⁸ Plokhly, "Between History and Nation," 121.

⁶⁹ Andreas Kappeler, "From an Ethnonational to a Multiethnic to a Transnational Ukrainian History," in *A Laboratory of Transnational History*, 71.

“periphery” are at the very core of this scholarly field. The “empire” is turned into a political and cultural concept of analysis. It is viewed as a “research context,” rather than a “structure,” a “problem,” rather than a “diagnosis,” and “a situation of undermined boundaries and mutually open channels of influence that emanate not only from the centre, but also from the periphery.”⁷⁰

New Imperial History aims at counterbalancing the perspective of national history which prohibits research on displaced and non-titular groups of population, proto-national identities formed on the basis of regional, confessional, and estate markers in Eastern and Central Europe. According to the proponents of this epistemology, the analytical apparatus of modernity is entirely “national,” and thus empire cannot be described within any single model or metanarrative. One can perceive empire only by combining different research frameworks, applying multidimensional and polyconic optics.⁷¹

Compared to the regional, the situational approach has much more epistemological potential.⁷² When viewing the empire as a polyethnic structure, Miller suggests a methodological shift from region to object, and thus to a particular system of relations. The situational approach gives a possibility to identify a variety of actors participating in the interaction, to understand the logic of their behaviour, and to reconstruct the context of interaction as fully as possible. In this case, the definition of geographic boundaries remains secondary and conditional. The situational approach allows the focus to be shifted from the actors as such to the process of their interaction and to unveiling the logic of their behaviour and their reactions to the contexts and activities of other actors. The logic of the situational analysis leads to the understanding that the local population was not simply the object of coercion and assimilation by the authorities but an independent actor. The attention to local actors and the departure from the imperio-centric and ethno/nation-centred perspective are in fact more reliably guaranteed by the situational approach. Thus, the situational approach

⁷⁰ Ilya Gerasimov et al., “In Search of a New Imperial History,” *Ab Imperio*, no. 1 (2005): 44, 49–51, 53.

⁷¹ Gerasimov et al., “In Search,” 50–51, 53–54.

⁷² Feminist scholar Donna Haraway is among the major proponents of this method in knowledge production. She postulates that feminist objectivity is about limited location and situated (embodied) knowledge, about critical positioning and not splitting subject and object. For more, see Donna Haraway, “Situated Knowledge: The Science Question in Feminism and the Privilege of Partial Perspective,” *Feminist Studies*, vol. 14, no. 3 (1988): 575–599.

avoids the biases of the regional approach, such as the reliance on questionable geographic borders and the marginalization of actors outside the region.⁷³ Susan Smith-Peter, however, brings provinces back into focus and argues for the potential and analytical value of the regional approach when combined with comparisons with other provinces, regions, when writing syntheses, and when adopting theories and methods from other disciplines.⁷⁴

My argument is not about how “Russians” ruled “non-Russians,” or the borderlands and peripheries, but rather about trajectories of interactions between different vertical and horizontal actors, within the region and outside it, an issue that is still underestimated in imperial studies. The situational approach allows a variety of actors to be brought into play, united around colonist marriage and also allows a focus on their interactions and relationships. In such a region as the Northern Black Sea, there were always more than two actors; hence, the geometry of interaction was much more multifaceted. When using a situational approach, neither the empire’s changeable administrative divisions nor contemporary state borders play any decisive role in my analysis. The situational approach presupposes a vagueness and fluidity of the Black Sea provinces as both borderland and part of the imperial core, depending on the changing nature of interaction.

My point of departure is to put the so-called “centre” and its borderlands in the same analytical frame by focusing on contacts and cross-influences, while addressing the empire’s territory as a whole space rather than proceeding from the “centre” outward.⁷⁵ Such an approach challenges and problematizes centre–periphery relations and expands the agency of many actors in a variety of situations, but within the context of formal subordination. I also follow a differentiated approach to imperial institutions, imaginations and projects, taking into consideration imperial geographies of power and the heterogeneity of imperial space. In my analysis, I go beyond “two-story architecture,” as Susan Smith-Peter puts it,⁷⁶ and problematize and complicate the metropole–periphery interaction. I closely consider the polic(y)ies of the Russian government in respect to the colonists’ personal realm, its logic and aspirations, extents and limitations. Through in-depth study of concrete situations, I even reveal the way historical actors

⁷³ Miller, “Between Local and Inter-Imperial,” 15–18.

⁷⁴ Susan Smith-Peter, “Bringing the Provinces into Focus: Subnational Spaces in the Recent Historiography of Russia,” *Kritika: Explorations in Russian and Eurasian History*, vol. 12, no. 4 (2011): 837.

⁷⁵ The issues of what is interior Russia, Russian core, “imperial” and “peripheral” are among the topics of ongoing intellectual debates in the field of imperial studies.

⁷⁶ Smith-Peter, “Bringing the Provinces into Focus,” 835.

(re)produced, reconfigured, negotiated, compromised those policies in the sphere of marriage formation and disintegration and conditioned the exercise of power in a region.

The concept of *imperial situation* is of crucial importance here. Situation is a process of interactions localized in time and space, called for by certain happenings. So what makes situation imperial? According to Ilya Gerasimov, Sergey Glebov, and Marina Mogilner, the concept of the imperial situation refers to the vision of the society as an open system structured by coexisting and partially overlapping categories of difference, each capturing only one type of diversity. All the structural relationships remain in place in the imperial situation: those of hegemony and exploitation, emancipation and rebellion except that they are disentangled from any clear-cut (whether ethnic, social or religious) collectivities and individuals.⁷⁷ I define a *situation* as *imperial* when the life situation related to the marriage of the colonists activated the marriage regime and became its target, whatever the outcomes of this activation: validation, negotiation, or obstruction of the marriage regime. On many occasions, it was the colonists themselves who made a situation imperial by addressing officially the authorities with requests to marry or divorce, or to find spouses that had run away. The life situation (personal/interpersonal) became an imperial one as soon as it was included in the imperial logic/axes of the relations. The colonial archive contains traces of imperial situation(s).

The significant changes in the historical studies of the contiguous empires in the last few decades make it possible to reconsider the empires' polity and also the limitations of the imperial and national narratives. These changes include a shift of the focus of research from the study of the great empires and their peripheries/colonies, to an analysis of the logic and context of the interaction between them. The present study follows up this methodological shift. The history of Ukraine and the Northern Black Sea region offers unique opportunities for research on empires, relationships between centres and peripheries, interrelations of imperial peripheries, interactions between different historical actors, as well as proto-national and supra-national identities. This book creates a gallery of the historical actors of non-autochthonous, diverse cultural and ethnic backgrounds, who lived, acted and interacted in the modern territory of Ukraine.

⁷⁷ Ilya Gerasimov et al., "Hybridity: Marrism and the Problems of Language of the Imperial Situation," *Ab Imperio*, no. 1 (2016): 27–28.

1.5.3. The Paradigm of Russia's Imperial Statehood

Recent studies of the Russian empire have revealed a tension between uniformity and pluralism in imperial administrative practices over time and space.⁷⁸ Anatolyi Remnev explains the functional logic of the Russian empire by introducing the concept “geography of power,” which is a spatial distribution, an institutional structure, and an administrative hierarchy within the dichotomy “centre – periphery,” and in territorial dynamics of power. The Russian imperial statehood is distinguished by “polyvalent power structures,” the diversity of the judicial, state, and institutional formations. It is also characterized by asymmetric connections between various ethnic groups and territories, and the existence of different types of inequality among the peripheral regions with respect to the centre.⁷⁹ Focusing on the transformations of Siberia and the Far East, Remnev acknowledges that their administrative configuration changed over time. The administrative lacunae were gradually filled and the initial state vacuum and the weakness of state power in these territories disappeared. The transition from a polyvalent administrative structure to an internally complicated monovalent model inevitably led to increasing centralization and bureaucratization of administration.⁸⁰

Nineteenth-century imperial politics are conceptualized by Sviatoslav Kaspe as shown a tension between two conflicting state vectors – the empire and the nation–state. Russia's defeat in the Crimean War was a turning point in this regard, and assimilation and Russification politics replaced the older imperial model based on collaboration and inclusion of local elites. The greatest tension between these contradictory vectors was reached during the reign of Nicholas I, an era characterized by a strengthening of nation–state tendencies, expressed in the first attempt to create an official ideology and to

⁷⁸ Adeeb Khalid, *The Politics of Muslim Cultural Reform: Jadidism in Central Asia* (Berkeley: University of California Press, 1999); Bassin, *Imperial Visions*; Benjamin Nathans, *Beyond the Pale: the Jewish Encounter with Late Imperial Russia* (Berkeley: University of California Press, 2004); Breyfogle et al., *Peopling the Russian Periphery*; Burbank et al., *Russian Empire*; Michael Khodarkovsky, *Russia's Steppe Frontier: The Making of a Colonial Empire, 1500–1800* (Bloomington and Indianapolis: Indiana University Press, 2002); Paul Werth, *At the Margins of Orthodoxy: Mission, Governance, and Confessional Politics in Russia's Volga-Kama Region, 1827–1905* (New York: Cornell University Press, 2002); Robert P. Geraci, *Window on the East: National and Imperial Identities in Late Tsarist Russia* (New York: Cornell University Press, 2001); Virginia Martin, *Law and Custom in the Steppe: The Kazakhs of the Middle Horde and Russian Colonialism in the Nineteenth Century* (Richmond: Routledge, 2001) etc.

⁷⁹ Remnev, “Siberia and the Russian Far East,” 425–427.

⁸⁰ Remnev, “Siberia and the Russian Far East,” 429, 431.

begin Russification in a number of regions.⁸¹ Kaspe and Werth believe that Russian nationalism took shape precisely in the early 1860s under the direct influence of the Polish insurrection of 1863. There was a strong connection between the Great Reforms and the growth of nationalist tendencies, which led to substantial changes in the content of Russian political culture and to a transition towards institutional and cultural unification, perceived as an essential element of modernization. The mere existence of multiculturalism after the 1860–70s began to be perceived as an anomaly that ought to be eliminated.⁸² This profound shift in the official attitude towards foreign colonists all over the empire was embedded in the political processes of the 1860–70s.

In Werth's opinion, starting from the Great Reforms, the Russian empire became a hybrid of a traditional, dynastic, and composite state, an emerging yet incomplete national state and a modern colonial empire. Russia's defeat in the Crimean War made clear to both rulers and society the necessity of the country's modernization. And the nation–state was seen as the most effective model for the organization and mobilization of societal resources. The new shift represented a potential threat to non-Russians, who were in danger of being reduced to the status of ethnic and religious minorities. The political swing was reflected in a change in the category used to describe the non-Orthodox population, who were transformed from “those of other belief” (*inovertsy*) to those “of other origin” (*inorodtsy*).⁸³ As Richard Wortman has shown, the monarchy began to identify with the Russian people explicitly only in the reign of Alexander III (1881–1894).⁸⁴

Following Remnev's line, yet applying the concept of imperial citizenship, Alexander Morrison points to the relative inequalities that existed between different categories of subjects and territories. He argues that starting from the 1860s onwards, and in some respects before, Russia saw the creation of

⁸¹ Sviatoslav Kaspe, “Imperial Political Culture and Modernization in the Second Half of the Nineteenth Century,” in *Russian Empire: Space, People, Power, 1700–1930*, ed. Jane Burbank et al. (Bloomington: Indiana University Press, 2007), 459. Modern Russian national mythology, in the words of Serhii Plokhy, began to take shape in the first decades of the nineteenth century with the growth of national awareness and the formulation by Count Uvarov of the “theory of official nationality,” the triad of autocracy, Orthodoxy, and nationality, see: Serhii Plokhy, *Ukraine and Russia: Representations of the Past* (Toronto: University of Toronto Press, 2008), 276.

⁸² Kaspe, “Imperial Political Culture,” 460, 465–467, 470, 476, 483–484.

⁸³ Paul Werth, “Changing Conceptions of Difference, Assimilation, and Faith in the Volga-Kama Region, 1740–1870,” in *Russian Empire: Space, People, Power, 1700–1930*, ed. Jane Burbank et al. (Bloomington: Indiana University Press, 2007), 169–195.

⁸⁴ Cited in: Paul Werth, “Changing Conceptions,” 188.

legal and administrative differences that offer some parallels to the division between metropole and colony in the British and French empires. Morrison's arguments echo Kaspe's argument about nation-state tendencies in the late imperial era and Remnev's claim regarding the transition from a polyvalent administrative structure to a monovalent model, as well as Werth's thesis about the minoritization of non-Russian population in the late imperial era. Morrison reveals one more overlooked aspect of the Great Reforms that helped define what could be described as a "core," "metropolitan area" within the Russian empire, a growing if inconsistent distinction between the ways in which Russians and non-Russians were governed.⁸⁵ Morrison thinks that the division between military (Siberia, Caucasus, Turkestan, until 1917) and civilian government and between *zemstvo* and non-*zemstvo* provinces (Right Bank Ukraine, Orenburg, Ufa, Astrakhan, Poland, the Baltic provinces, Siberia, the Caucasus, and Central Asia) might imply at least some degree of disparity of rights between "metropole" and "colony" within the Russian empire.⁸⁶

Russian imperial imaginary was based on the idea of accommodating and structuring diversity within an expanding empire. By focusing on the legal relationships of different actors and agencies, intersecting with each other because of the issue of colonist marriage, the present study has clear links with the scholarship on the Russian imperial statehood in the borderlands.

1.5.4. Imperial Legal Regimes and Intersectionality, Gender and Patriarchy

As Gregory Freeze has argued, the use of the concept *soslovie* (the four estates of nobility, clergy, townspeople, and peasantry) which was developed in Russia from the late eighteenth century, persisting with some modifications until 1917, is insufficient for understanding the legal regime of rights, duties, and immunities in the Russian empire, not to mention the actual divisions of Russian society.⁸⁷ In the Russian empire, legal and political rights were distributed according to social rank, religion, ethnicity, and gender. Meanwhile, in the post-1860s period, *soslovie* acquired a whole host of meanings beyond those officially ascribed to it. Up to 1917, in the words of Madhavan Palat, the state continued to treat society as divided, not into legal

⁸⁵ Morrison, "Metropole, Colony," 341.

⁸⁶ Morrison, "Metropole, Colony," 348–351.

⁸⁷ Gregory L. Freeze, "The Soslovie (Estate) Paradigm in Russian Social History," *American Historical Review* 91, 1 (1986): 21–24.

individuals with rights, but into groups with ascribed identities, duties, and privileges.⁸⁸

A number of scholars such as Andreas Kappeler, Anatolyi Remnev, Eric Lohr, Paul Werth, Alison Smith and others have generated systematic knowledge about the practices of the Russian imperial governance and the nature of imperial subjecthood(s)/citizenship(s). Eric Lohr refers to “separate deals” with different immigrant groups, social orders, and national and religious minorities, as the key aspect of old regime subjecthood. These separate deals gave different combinations of rights and obligations before the law, engendering diverse practices of subjecthood.⁸⁹ Jane Burbank contributes to this field with her “imperial rights regime” model and the concept of “rightful obligation,” coined to capture the reciprocity between duties and rights of imperial subjects.⁹⁰ Elaborating on the “imperial rights regime,” she addresses the characteristics of the Russian imperial governance and contributes to the understanding of the Russian empire’s “unevenness” and “uncertainty.” The Russian empire, as Burbank notes, was a moving target with constantly changing fundamental parameters of statehood and never-ending adaptation of governance to local conditions.

Everyone in the empire, from nobles to serfs, belonged to “marked” categories that not only set limits but also offered possibilities for social groups and individuals.⁹¹ According to Burbank and Lohr, estates, in themselves cross-cut by other classifications and affiliations, were only one of the several categorizations through which the polity was governed. Religion, ethnicity, territory, status, sex, age, occupation, and cultural characteristics were cross-cutting categories for imperial lawmakers when differentiating between collectives and assigning particular sets of rights.⁹² The existence of a number of ways to categorize the population meant that there was no fixed strategy of “divide and rule,” and no definite “we”/ “they” divide. The polity was based on the principle of subjects’ rightful obligation

⁸⁸ Madhavan K. Palat, “Casting Workers as an Estate in Late Imperial Russia,” *Kritika: Explorations in Russian and Eurasian History* 8, 2 (2007): 313–316, 342–347.

⁸⁹ Lohr, *Russian Citizenship*, 2.

⁹⁰ Burbank, “An Imperial Rights Regime”; Jane Burbank, “Thinking Like an Empire: Estate, Law, and Rights in the Early Twentieth Century,” in *Russian Empire: Space, People, Power, 1700–1930*, ed. Jane Burbank et al. (Bloomington: Indiana University Press, 2007), 196–217.

⁹¹ Jane Burbank and Mark von Hagen, “Coming into Territory: Uncertainty and Empire,” in *Russian Empire: Space, People, Power, 1700–1930*, ed. Jane Burbank et al. (Bloomington: Indiana University Press, 2007), 23.

⁹² Burbank and von Hagen, “Coming into Territory,” 16–19; Burbank, “Thinking Like an Empire,” 197; Lohr, *Russian Citizenship*, 21.

to the state, with both rights and obligations assigned to people, not directly as individuals, but as members of social groups. By belonging to a collective, an individual gained the possibility of engaging legally in many aspects of social life.⁹³

In other words, the nineteenth-century Russian empire was a polity based on differentiated governance and differentiated populations. It was ruled through allocated and differentiated rights, with a long-term practice of group-defined access to group-defined rights and duties. Thus over time, the empire produced a series of regulations and decrees that asserted the particular rights and obligations of groups of people, defined by territory, confession, ethnicity, or occupation. The principle of “attract and hold” was at the core of Russian population policy and naturalization in the annexed territories.⁹⁴ Both laws and naturalization records show that the most important moment for the foreigner entering the empire was not taking the oath of subjecthood, but rather one’s ascription to an estate institution. Pressures to eliminate “separate deals” increased substantially when the 1860s Great Reforms introduced the modern ideological and legal concepts of citizenship, with their stress on equal rights and obligations for all, into the practices of subjecthood.⁹⁵

Alexander Morrison points out limitations of Burbank’s “imperial rights regime” model. According to Morrison, she postulates that the nineteenth-century regimes that claimed to support equal rights were a distinct feature of the Russian empire. Morrison refers to the example of British India, where a version of variable rights regimes also existed and was incorporated in the Indian Penal Code. However, in principle at least, British Indian subjects had more personal rights and greater equality and protection before the law than Russian subjects had. Still, this certainly did not prevent the government of India from being an unrepresentative and despotic regime that privileged Englishmen, Morrison argues.⁹⁶

The manipulation of rights was a foundation of Russian administrative practice. The empire’s high officials could shape imperial policy towards groups of subjects. Individuals could also manipulate their group identifications to affirm various rights, avoid duties, or undertake a number

⁹³ Burbank, “Thinking Like an Empire,” 198–199; Burbank, “An Imperial Rights Regime,” 415–416.

⁹⁴ Burbank, “An Imperial Rights Regime,” 400; Lohr, *Russian Citizenship*, 28, 42.

⁹⁵ Lohr, *Russian Citizenship*, 21, 29, 53.

⁹⁶ Morrison, “Metropole, Colony,” 361.

of other actions.⁹⁷ This was at the core of autocratic legality, at least up to the middle of the nineteenth century, as William Wagner has proved, when state administrative and judiciary functions were indivisible.⁹⁸ One of the ways of enhancing order and productivity in each region of the empire was to incorporate distinctive customs and laws into official governance, basically validating earlier legal regimes by bringing them into the imperial fold. Burbank affirms that the multiplicity of legal regimes legitimated within the empire both asserted the superior authority of Russian rule while allowing populations to exercise a great deal of self-governance.⁹⁹

This theoretical framework has great relevance for my study. What was the official strategy with respect to the German colonists? Was it to validate the imperatives concerning marriage brought from their homelands but under the umbrella of imperial legal order, or was it a construction of an entirely new legal frame? Inspired by the rich scholarship on the practices of Russian imperial governance, I attempt to understand how social categorization and legal segmentation as the basis of imperial governance functioned in respect to the German colonists of the Northern Black Sea provinces. In what ways did the colonist status, and deployed legal regime predetermine their marriage and divorce eligibility? What was the interrelation between the politics of colonization and the marriage regime among the colonists? How were the boundaries of the colonist status and marriage regime articulated in the legal norms, and how did they function in practice and in respect to colonist social mobility?

Sharing Jeanne Boydston's understanding, I view gender as historically situated discourses and localized performances, social roles and identities defining sexual differences and frequently deployed for the purposes of achieving political and social order. It is a historically grounded understanding of the meaning of relationships between males and females. Different models of gender, and particular processes of gendering, require careful attention to historical process and to the specificity of social and

⁹⁷ Burbank, "An Imperial Rights Regime," 417. On such individuals' manipulation, see Willard Sunderland, "An Empire of Peasants: Empire-Building, Interethnic Interaction, and Ethnic Stereotyping in the Russian Worlds of the Russian Empire, 1800–1850s," in *Imperial Russia: New Histories for the Empire*, ed. Jane Burbank and David Ransel (Bloomington: Indiana University Press, 1998), 174–198.

⁹⁸ William G. Wagner, *Marriage, Property, and Law in Late Imperial Russia* (Oxford: Clarendon Press, 1994), 1–137.

⁹⁹ Burbank, "An Imperial Rights Regime," 402.

cultural formations, in concrete place and time.¹⁰⁰ Research conducted in the last years clearly shows that gender constructs politics. Yet, as Joan Scott argues, there are fewer questions posed about the ways in which politics construct gender, about the changing meanings of “women” and “men,” and about the ways they are articulated by and through different concepts such as war, citizenship, and spirituality.¹⁰¹

Scott speaks about making women a focus of inquiry, as agents of the narrative, rather than constructing women as a historical subject. This can be done by comparing women’s situation implicitly or explicitly to men’s through focusing on law, institutional structures, political representations and linguistic practices.¹⁰² In the present study, I intend to develop insights into the reciprocal nature of gender and society, and into contextually specific ways in which the politics of colonization construct gender and gender constructs politics. What are the meanings of “women” and “men” that can be teased out of the imperial legislation and colonial archive? How did the representations of women and men relate to the political and economic demands of colonization? How were females and males gendered and shaped by their colonist status, the politics of colonization, but also – how did they shape themselves? What were the gender manifestations in the legal order and marriage regime targeting the colonists? How was gender constructed/meant/situated/discoursed in concrete situations and performances related to colonist marriage, and how were these situations and performances gendered?

Introducing the analytical concept of “patriarchal equilibrium,” Judith M. Bennett calls for historicizing patriarchy in its manifestations and varieties, its mechanisms and its changes, its forms and endurance.¹⁰³ Women not only suffered from patriarchy, but also colluded in, undermined, and survived it. Bennett suggests that social institutions may have been shaped by a dynamic of “patriarchal equilibrium,” by patriarchal institutions that adapted to the contradictions and confusions they produce.¹⁰⁴ According to Androniki

¹⁰⁰ Jeanne Boydston, “Gender as a Question of Historical Analysis,” in *Gender and History*, vol. 20, no. 3 (2008): 577, 574, 576.

¹⁰¹ Joan W. Scott, “Unanswered Questions,” *American Historical Review*, vol. 113, no. 5 (2008): 1424. Sara Edenheim, “Att komma till Scott – teorins roll inom svensk genushistoria,” *Scandia* 78: 2 (2012): 22–32.

¹⁰² Joan W. Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1999), 17, 23, 46, 49.

¹⁰³ Judith M. Bennett, *History Matters. Patriarchy and the Challenge of Feminism* (Manchester: Manchester University Press, 2006), 20–21.

¹⁰⁴ Bennett, *History Matters*, 80.

Dialetti, current scholarship suggests that early modern patriarchy, apart from being oppressive to women, legitimized power relations among men by favouring particular types of men who conformed better to patriarchal norms and ideals, while excluding others from patriarchal benefits.¹⁰⁵ Class, marital status, occupation, regional, or even age-related factors intersected with gender and formed a more complex image of power relations than that depicted by the radical feminist notion of patriarchy, Dialetti argues. Patriarchy is not conceived as a fixed system of male domination and female subordination, but as a complex phenomenon that calls for a more nuanced investigation into the dialectics of power.¹⁰⁶ The concept of patriarchy, in its revitalized meaning introduced by Dialetti, has inspired my interpretation of colonist narratives on family disintegration and marriage breakdowns. Elements such as sex, marital status, and colonist status (or the lack of it), intersected and were rhetorically instrumentalized by actors when ensuring their positions and promoting their interests.

Intersectionality is therefore vital for my analysis. This concept is usually attributed to Kimberlé Williams Crenshaw, who, by illustrating the ways women of colour experience discrimination on the basis of gender and race, explored the various ways in which race and gender intersect in shaping structural, political and representational aspects of violence against women of colour.¹⁰⁷ Intersectionality is the “interaction between gender, race, and other categories of difference in individual lives, social practices, institutional arrangements, and cultural ideologies and the outcomes of these interactions

¹⁰⁵ However, in recent years, as Dialetti claims, the concept of patriarchy has regained attention, thanks to the growing interest in the construction of masculinity. Antony Fletcher, Elizabeth Foyster, Mark Breitenberg, Kathleen Brown, and Scott Hendrix, among others, have shown that patriarchal culture might have been threatening not only for women but also for men since it constantly tested their manliness. Cited in: Androniki Dialetti, “From Women’s Oppression to Male Anxiety: The Concept of “Patriarchy” in the Historiography of Early Modern Europe,” in *Gender in Late Medieval and Early Modern Europe*, ed. Marianna G. Murayeva and Raisa Maria Toivo (New York and London: Routledge, 2013), 28–29.

¹⁰⁶ Dialetti, “From Women’s Oppression to Male Anxiety,” 31–32.

¹⁰⁷ Kimberlé Crenshaw, “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color,” *Stanford Law Review*, vol. 43, no. 6 (1991): 1241–1299.

in terms of power.”¹⁰⁸ In the feminist tradition, the term “situated” emphasizes the politics of knowing.¹⁰⁹ Intersectionality directs its critical attention to categories, structures, and systems that produce and support multiple dimensions of difference. It has the possibility of producing counter-hegemonic knowledge about marginalized and subjugated social groups and/or about the operations of power and privilege.¹¹⁰ Rather than taking the differences between sexes for granted, my ambition in the present study is to untangle and problematize the way these work in concrete situations, and to follow the trajectories and logic of gendering.

1.6. Related Research

The present study is positioned on the crossroads of several research areas which create an epistemological foundation for my synthesis and analysis: the historical anthropology of the Protestant and Roman Catholic rural population in pre-industrial Europe, with a particular emphasis on marriage and the family;¹¹¹ geographies of imperial power and the heterogeneity of imperial

¹⁰⁸ Kathy Davis, “Intersectionality as Buzzword. A Sociology of Science Perspective on What Makes a Feminist Theory Successful,” *Feminist Theory*, vol. 9, no. 1 (2008): 68. My intersectional thinking was shaped, above all, by Nina Lykke, “Nya perspektiv på intersektionalitet. Problem och möjligheter,” *Kvinnovetenskaplig tidskrift* 2, 3 (2005): 7–17; Sara Salem, “Intersectionality and its Discontents: Intersectionality as Traveling Theory,” *European Journal of Women’s Studies* 22 (2016): 1–16.

¹⁰⁹ Donna Haraway, “Situated Knowledge: The Science Question in Feminism and the Privilege of Partial Perspective,” *Feminist Studies*, vol. 14, no. 3 (1988): 575–599.

¹¹⁰ Patrick R. Grzanka, ed., *Intersectionality: A Foundation and Frontiers Reader* (Colorado: Westview Press, 2014), XIX.

¹¹¹ See Antoinette Fauve-Chamoux, “Widows and Their Living Arrangements in Preindustrial France,” *The History of the Family* 7 (2002): 101–116; Beatrice Moring, “Widowhood Options and Strategies in Preindustrial Northern Europe,” *The History of the Family* 7 (2002): 79–99; Christer Lundh, “Remarriage, Gender and Social Class: A Longitudinal Study of Remarriage in Southern Sweden, 1766–1894,” *Continuity and Change* 22, 3 (2007): 373–406; Christer Lundh, “Remarriages in Sweden in the 18th and 19th centuries,” *History of the Family* 7 (2002): 423–449; Elisabeth Mantl, “Legal Restrictions on Marriage,” *The History of the Family*, vol. 4, no. 2 (1999): 185–207; Grażyna Liczbinska, “Fertility and Family Structure in the Lutheran Population of Parish of Trzebosz in the second half of the 19th century and the beginning of the 20th century,” *The History of the Family*, vol. 17, no. 2 (2012), 142–156; Levente Pakot and Péter Őri, “Marriage Systems and Remarriage in 19th century Hungary: A Comparative Study,” *The History of the Family*, vol. 17, no. 2 (2012): 105–124; Martin Dribe and Christer Lundh, “Finding the Right Partner: Rural Homogamy in Nineteenth-century Sweden,” *International Review of Social History* 50 (2005): 149–177; Richard L. Rudolph, ed., *The European Peasant Family and Society: Historical Studies* (Liverpool: Liverpool University Press, 1995).

space;¹¹² migration, colonial and settler's experiences,¹¹³ family and social history of the Russian empire and Europe¹¹⁴ and last, but not least, the history of the Black Sea steppe. When I speak about the research area of family history in imperial Russia, this mainly implies the research on Russian Orthodox peasants in Central Russia. The contributions and findings of Barbara Alpern Engel, Laura Engelstein, Gregory L. Freeze and others serve as important referential points in my own enquiry, analytically enriching my narrative. These scholars, however, focus on Russian peasants in Central Russia, whereas I focus on the borderland provinces of the empire and a migrant non-autochthonous population.

Despite the research boom in Ukraine and Russia at the end of the twentieth century on the imperial absorption and colonization of the Black Sea steppe and the role of different ethnic groups, several areas of research were overlooked by the scholars of the region, and they still remain on the margins of academic interest. The practices of governance in the Black Sea steppe have not been properly problematized and deliberated. Nor have the micro-dimension of empire-building and colonization of this area been discussed with much analytical depth. The existing research on the colonization of the Northern Black Sea region rarely problematizes the

¹¹² See Breyfogle et al., *Peopling the Russian Periphery*; Burbank et al., *Russian Empire*; Eugene M. Avrutin, "Jewish Neighbourly Relations and Imperial Russian Legal Culture," *Journal of Modern Jewish Studies* 9:1 (2010): 1–16; Zhuk, *Russia's Lost Reformation*; Sunderland, *Taming the Wild Field*; Theodore R. Weeks, "'Our Muslims' – The Lithuanian Tatars and the Russian Imperial Government," *Journal of Baltic Studies* 30: 1 (1999): 5–17.

¹¹³ Linda Schelbitzki Pickle, *Contested Among Strangers: Rural German-Speaking Women and Their Families in the Nineteenth-century Midwest* (Urbana: University of Illinois Press, 1996); Martin Dribe, "Migration of Rural Families in Nineteenth-century Southern Sweden. A Longitudinal Analysis of Local Migration Patterns," *The History of the Family* 8 (2003): 247–265; Bartlett, *Human Capital*.

¹¹⁴ A. Avdeev, Alain Blum and I. Troitskaia, "Peasant Marriage in Nineteenth-century Russia," *Population* 6 (2004): 721–764; Barbara Alpern Engel, "Peasant Morality and Pre-Marital Relations in Late 19th Century Russia," *Journal of Social History*, vol. 23, no. 4 (1990): 695–714; Gregory L. Freeze, "Bringing Order to the Russian Family: Marriage and Divorce in Imperial Russia, 1760–1860," *The Journal of Modern History*, vol. 62, no. 4 (1990): 709–746; Laura Engelstein, "Gender and the Juridical Subject: Prostitution and Rape in Nineteenth-century Russian Criminal Codes," *The Journal of Modern History*, vol. 60, no. 3 (1988): 458–495; Laura Engelstein, *The Keys to Happiness: Sex and the Search for Modernity in Fin-de-Siècle Russia* (New York: Cornell University Press: Ithaca and London, 1992); Michelle Lamarche Marrese, "Gender and the Legal Order in Imperial Russia," in *The Cambridge History of Russia. Vol. 2 Imperial Russia, 1689–1917*, ed. Dominic Lieven (New York: Cambridge University Press, 2006), 326–343; Stephen P. Frank, "Narratives within Numbers: Women, Crime and Judicial Statistics in Imperial Russia, 1834–1913," *Russian Review*, vol. 55, no. 4 (1996): 541–566; Wagner, *Marriage, Property and Law*.

nature and etymology of the colonial administration in the region, its role in the personal and familial realms, the implementation and functioning of the legal regime for the colonists on an everyday level, or the mutual interaction and agency of different actors in a variety of situations during colonization, and in relation to the colonists' familial realm.¹¹⁵

The extensive scholarship on the history of the German-speaking population of the Russian empire and Ukraine has increased, particularly in the last few decades, but it still lacks interdisciplinary and comparative perspectives, a microhistorical dimension, theoretical considerations, and thorough problematization. In this regard one cannot speak about the historiography of this study in a traditional meaning, but rather as related research, contributions of particular scholars that empirically, contextually or methodologically intersect with the present inquiry. Since my research is about the non-Russian non-Orthodox population group in the borderland of the Russian empire, power relations and the politics of colonization, and marriage practices, in this overview I focus primarily on the contributions that combine at least some of the mentioned perspectives.

In her research on the history of the Evangelical Lutheran Church in Russia and the relationships of the Roman Catholic and Evangelical Lutheran Churches with the Russian state and society, Olga Litsenberger sporadically traces the marriage and family laws of the Lutheran and Roman Catholic populations of the empire.¹¹⁶ She focuses on the normative legal order in the form of imperial decrees and statutes, but omits their implementation and functioning in concrete situations. Litsenberger also views the legal order as a static phenomenon, disregarding evolutions in the legal framework and shifts in politics towards the "foreign" confessions, matters that are skilfully untangled and discussed by Paul Werth.¹¹⁷

Marriage was perceived as a core institution for the imperial social and political order. Operating concurrently on the levels of legal norms and their implementation in marriage and family realms, both Paul Werth and Kristin

¹¹⁵ See the research that to some extent problematizes the interactions of the German-speaking colonists with other population groups of the region, Kateryna Lyakh, *Nimets'komovni kolonisty pivdnia Ukrainy v mul'tynatsional'nomu otochenni: problema vzaemodii kul'tur (19 – pochatok 20 st.)* (Dys. kand. ist. nauk, Zaporiz'kyi Derzhavnyi Universytet, 2005).

¹¹⁶ Olga Litsenberger, *Katoliki i liuterane v Rossii: vzaimootnosheniia s gosudarstvom i obschestvom (XVI–XX vv.)* (Saarbrücken: Lambert Academic Publishing, 2011), 287–303.

¹¹⁷ Paul W. Werth, "The Institutionalization of Confessional Difference. 'Foreign Confessions' in Imperial Russia, 1810–1857," in *Defining Self: Essays on Emergent Identities in Russia, Seventeenth to Nineteenth Centuries*, ed. Michal Branch (Helsinki: Finish Literature Society, 2009), 152–172.

Collins-Breyfogle indicate the multiple transformations and challenges to imperial law and rule in the imperial borderlands of the Baltic and Western provinces, as well as the Caucasus. In the Baltic and Western provinces, imperial rulers attempted to promote mixed marriages in order to integrate these contested borderlands in the imperial realm, while in the Caucasus, however, a reluctance to interfere in local familial issues prevailed. Different strategies were applied in different regions to achieve the same goal: the integration and normalization of the contested imperial borderlands. By encouraging mixed marriages and Orthodox pre-eminence in the Baltic and Western provinces according to the law of 1832, the imperial government intended to bind these territories more tightly to Russia's central regions. However, Werth argues that the government's belief that mixed marriages would facilitate the integration of contested border regions with the empire's central provinces was hardly realized. In the Western provinces, the law was obstructed by the Roman Catholic clergy, who blocked the conclusion of mixed marriages. Eventually, in the Baltic region the law was suspended in 1865, mainly due to the fear of antagonizing the Baltic German elite and disrupting the fragile political consensus.¹¹⁸

Examining the history of the Caucasus using themes of sexuality, sexual violence, and familial structures, Kristin Collins-Breyfogle reveals an empire that was basically “hands off.” Officially, the Russian empire promoted its legal system to change and reform the “uncivilized” Caucasus. Yet, in practice, it imposed its policies in an inconsistent manner. The administrative system limited the ability of its officials to implement change, which led to cultural misunderstandings and clashes between imperial and Caucasus customary law.¹¹⁹ In the end, tsarist administrative policies in the Caucasus interfered very little with Caucasian family life because imperial officials feared that pressing for cultural change would only result in conflicts and backlash, especially in view of the continued warfare in the Northern Caucasus.¹²⁰

Untangling the imperial strategies in respect to the colonist marriage and household formation in the Northern Black Sea steppe, I intend to extend the geography of marriage instrumentalization and subordination within the Russian empire, and introduce a new pattern in respect to the colonists of the region.

¹¹⁸ Paul W. Werth, “Empire, Religious Freedom, and the Legal Regulation of “Mixed” Marriages in Russia,” *The Journal of Modern History* 80 (2008): 296–331.

¹¹⁹ Collins-Breyfogle, *Negotiating Imperial Spaces*, 75, 76, 87, 90, 152.

¹²⁰ Collins-Breyfogle, *Negotiating Imperial Spaces*, 166.

Another perspective on the interrelationship of personal and imperial matters, norm and practice, is provided by Dalia Leinarte. Her research concerns illegitimacy and the reasons behind out of wedlock cohabitation among Roman Catholics in Kovno *gubernia*, the largest administrative district in the imperial Russian province of Lithuania, in the nineteenth and early twentieth century.¹²¹ Her enquiry is solidly based on archival materials, particularly records of trials and diocesan documents. Analysing the legal grounds for Catholic marriage, Leinarte points out that the Canon Law itself and its application in Lithuania provided very limited opportunity for official separation and divorce. Hence, in practice, it created a space for illegitimate intercourse. Her study proves that since the only form of marriage that existed by that time was religious, with practically no chance for an official recognition of divorce, estranged couples necessarily had to create new illegal partnerships and live in cohabitation. Considering normativity and practice, Leinarte's study shows that illegitimacy among Roman Catholics in Kovno *gubernia* was unavoidable.

Tracy Dennison's microhistorical study on the household formation, institutional matrix and economic development at Sheremetyev's and Gagarin's estates is relevant to my study due to the combination of power structures and marriage in her analysis. Her detailed micro-level evidence undermines the cultural explanation for different family forms (the so-called "Slavic pattern") and proves that the family system in a given location was embedded in a set of institutions shaping the demographic, economic, and social behaviour of the local inhabitants. Using evidence from two estates in Central Russia she casts doubt on the notion that a monolithic household formation system existed in imperial Russia, and instead provides proof of significant variation. She provides evidence that marriage and household patterns appear to have responded to differing institutional environments much more than to geographical differences or any other specific variable. There was no single "Russian" marriage or household pattern, since there was no single "Russian" institutional environment. Variations in both marriage patterns and local economy resulted from differences in institutional structure, determined within certain limits by the landlord.¹²² Dennison's

¹²¹ Dalia Leinarte, "Cohabitation in Imperial Russia: the Case of Lithuania," *The History of the Family*, vol. 17, no.1 (2012): 16–30.

¹²² Tracy Dennison, "Household Formation, Institutions, and Economic Development: Evidence from Imperial Russia," *History of the Family* 16 (2011): 456–465. Also, see Tracy Dennison, *The Institutional Framework of Russian Serfdom* (New York: Cambridge University Press, 2014)

study illustrates the heterogeneity of institutional environments even in respect to one social group of imperial subjects, its local deviations and variability.

Reciprocities, mediations, interactions and agency in the variety of imperial situations related to colonist marriage are the bottom line of the present inquiry.

1.7. Sources of the Study

The knowledge produced in this study is generated primarily from written sources of official origin, both published sources and archival records.

1.7.1. The Colonial Archive

The records about the colonization of the Black Sea steppe are placed in numerous central and regional archives located in several countries: Ukraine, the Russian Federation, and Moldova – that once were parts of the Russian empire. Considering the spatial limitations and methodological stances of this study, I rely on the holdings of the Ukrainian archives.

The primary sources for this examination are the archives of the colonial administration of the Russian government, which I call the colonial archive, divided between the two Ukrainian regional archives of Odesa and Dnipro cities. The designation “colonial archive” is coined to embrace mainly the archives of the central colonial administration (the Guardianship Office for New Russian Foreign Settlers and the Trustees Committee for Foreign Settlers in the Southern Region of Russia), the regional colonial administrations (the Ekaterinoslav and Odessa Offices for Foreign Settlers),¹²³ and partly, the archives of local self-government (colonist village and district boards).¹²⁴ Besides the colonial archive, I have also used the archival collection

¹²³ At the State Archives of Dnipropetrovs’k Region (further DADO) – Collection 134 of the Guardianship Office for New Russian Foreign Settlers and Ekaterinoslav Office for Foreign Settlers (1781–1857). At the State Archives of Odesa Region (further DAOO) – Collection 6 of the Trustees Committee for Foreign Settlers in the Southern Region of Russia (1800–1877) and Collection 252 of the Odesa Office for Foreign Settlers of the Southern Russia (1806–1833). For more about the history of these archives, see Olga Konovalova, ed., *Popechitel’nyi Komitet ob inostrannykh poselentsakh Iuzhnogo kraia Rossii. 1799–1876: Annotirovannaia opis’ del 1799–1818*, vol. 1 (Odesa: “Astroprint,” 1998), 17–18; Olga Konovalova, ed., *Odessaikaia Kontora inostrannykh poselentsev. 1805–1806, 1814–1833: Annotirovannaia opis’ fonda* (Odesa: “Astroprint,” 2003), 13–15.

¹²⁴ The State Archives of Odesa Region contains the following collections with files of village boards (*sel’skie prikazy*) concerning the colonist era: Collection 61 of the Alexanderhilf village board (1841–1919); Collection 64 of the Josephstal village board

of the Evangelical Lutheran Parish of Saint Paul's Church in the city of Odessa (1811–1929).

Construction of the Archival Source Base

The Russian autocratic system produced enormous duplication and redundancy. As a result, one usually finds the same sorts of records and, in many instances, the same very cases, reproduced in both central and regional repositories. Yet research in the regional archives is necessary, not least because provides a different perspective. Operating from the vantage point of provinces rather than the imperial centre of St. Petersburg, one perceives the empire and its politics differently. It is possible to follow the lines of high imperial policy emanating from the capital, but one also sees more clearly the disjunctures and the multitude of actors, diversities and complexities of regional life, and the frequent gaps between regional realities and metropolitan expectations. At its extremes, this relationship was sarcastically described by Nikolai Gogol in "The Auditor" and was expressed by a widely circulated saying "God is in His Heaven, and the Tsar is Far Away," indicating the experience of loose control and relative freedom of the local authorities.

For all their similarity to those of the centre, the holdings of the regional archives are also distinct in important respects. While the borderlands' general-governors and their subordinates relayed a great deal to their superiors in the north, not everything was passed on, and what remained in the regional archives is revealing. Governors and clerks writing to St. Petersburg usually summarized reports submitted to them by local officials rather than reproducing them in full. They created a generalized picture, aiming for clarity and with contradictions smoothed over. The excised passages and margin notes in their drafts reveal what they thought best to leave out or to rephrase when communicating with the centre.¹²⁵ Thus, the documents one finds in the regional archives offer a much more complex picture of the everyday life of colonists, clerks and clergy, and their interactions, while at the same time disclosing the confusions and disjunctures that frequently characterized governmental service. Following Susan Smith-Peter, in this regard one can

(1852–1889, 1918–1919); Collection 65 of the Marienthal village board (1808–1893); Collection 70 of the Elsass village board (1843–1915); Collection 74 of the Hoffnungstal village board (1818–1912).

¹²⁵ Sunderland emphasizes the unquestionable advantages of using sources from regional archives when studying the regional and local dimensions of colonization. See Sunderland, *Taming the Wild Field*, 231–232.

speak about the field of semiotic “provincial studies” which takes as its subject “the provinces both as an object of ideological reflection and a distinctive semiosphere producing its own discourses and texts.”¹²⁶

As noted by Ann Laura Stoler, colonial archives are legal repositories of knowledge and official repositories of policy.¹²⁷ They are also a repository of what was important, what was heard and seen, what was prioritized. The colonial archive appears as a deposit of selective constructed “realities” and experiences of colonization. Files of the colonial archive deal with those events and experiences that came to the attention and struck authorities for different reasons; therefore, they appeared in the record-keeping. Those records framed and represented the top of the iceberg of colonization.

What most if not all imperial archives contain, argues Antoinette Burton, “is the memory of imperial power in all its complexity and instability.” Imperial archives stage – both organizationally and aesthetically – a variety of imperial stories which shape how historians of the empire confront the “archival” evidence they find there.¹²⁸ According to Burton, the more deliberately one acknowledges the impact of archival experiences on one’s research, the better one is able to historicize the empire, “its strategies of containment, its disciplinary mechanisms, and its visible and invisible forms of rule.”¹²⁹ I therefore use the colonial archive both as a source of the “memory” of the past (documentation and fixation of certain events and happenings of life, information about certain individuals) and of texts (construction of the meanings of social practices).

The main part of the colonial archive discloses socioeconomic, financial and managerial aspects of colonization and colonist life. To name a few: settlement and land allotment, village board elections, the procedure of obtaining and being freed from colonist status, investigations and litigations, farm transfers and inheritance, homecomings and colonists’ escapes, the assessments of the colonies’ well-being with multiple statistical and economical overviews, colonists’ passports, drawings, and building plans, records about vagrancy and crime etc. Records regarding colonists’ marriages, family life, interpersonal relations and sexuality comprise a relatively insignificant portion of the archive and are situated in the margins of the

¹²⁶ Otto Boele, quoted in Smith-Peter, “Bringing the Provinces into Focus,” 838.

¹²⁷ Ann Laura Stoler, “Colonial Archives and the Arts of Governance,” *Archival Science* 2 (2002): 101.

¹²⁸ Antoinette Burton, “Archive Stories: Gender in Making of Imperial and Colonial Histories,” in *Gender and Empire*, ed. Philippa Levine (New York: Oxford University Press, 2009), 282.

¹²⁹ Burton, “Archive Stories,” 292.

colonial archive. They are also dispersed in various parts of the colonial archive and are hard to identify.

Initially the staff of the Guardianship Office consisted of the Chief Judge, his assistant, accountant and two pen pushers. With the influx of migrants and the growth in the number of colonies, the staff and the structure of the colonial administration was extended. Consequently, the Chief Judge was provided with two or three assistants. The staff of clerks, including secretary, desk heads, translators, and pen pushers basically created, collected and sorted the paperwork of the colonial administration. The Chancellery of the Guardianship Office/Trustees Committee consisted of the “accounting,” “controlling,” “Jewish,” and “economic” desks (*stol*). Records regarding colonists’ interpersonal relations, marriage, divorces, and sexuality were distributed to the economic desk of the Chancellery.

Currently, the collections 6 and 252 of the State Archives of Odesa Region exist in their original shape as the Chancellery of the Trustees Committee and the Odessa Office. The physical condition of these collections is, however, not satisfactory. The relocations of the Chancellery of the Trustees Committee between the cities of Kherson, Ekaterinoslav, Kishinev (*Chişinău*), and Odessa during the first half of the nineteenth century affected the physical condition of the colonial paperwork. In the 1990s, the staff of the Odesa archive initiated the restoration and microfilming of the colonial archive.¹³⁰

The files of the colonial archive are systematized according to chronology.¹³¹ The thematic divisions of the files of archival collections are missing. Basically, files on marriages and interpersonal relations of the colonists are diffused among the files on the social and economic development of the colonies, the main part of the colonial archive. Files on German colonists are intermixed with files regarding other groups of colonists and the population of the region, such as Jews, Bulgarians, and Mennonites. In order to identify and select the files for my inquiry, I went through the entire collection of the colonial archive.

¹³⁰ Konovalova, *Popechitel’nyi Komitet*, vol. 1, 19.

¹³¹ By *record*, document, I mean a piece of evidence about the past, an account of an act or occurrence kept in writing. *Case*, to me, is an officially collected record that provides information about a certain incident or event that took place at some point. By *file* I simply mean the unit of archival storage, composed by imperial clerks. Files can be individual and collective, which group the cases of (dis)similar character under a common name. A *file* might embrace similar *cases*, but a *case* contains records regarding one certain individual or event of the past.

Among more than 19,000 files in the collections of state archives of Odesa and Dnipro (Ukraine), around two hundred files have been manually selected and thematically grouped in accordance with the aims of the present study. The lengths of the selected files vary considerably depending on the subject. Some of the cases are as short as two or three pages, whereas others contain several hundred pages. The majority of selected archival records have for the first time been the object of scholarly study.

The archival source base for the present study consists of three main blocks. The first block encompasses marriage permissions and conclusions, the second one marriage disruptions and dissolutions (extramarital sexual intercourse, desertions, divorces, and annulments). The third block covers the files dealing with power relations, both secular and ecclesiastical, which penetrated the matrimonial realm of the colonists. Also, one case or record may belong to two blocks at the same time. I have also selected a number of archival files that are not directly connected to the marriages of the colonists, but that enrich my understanding of the context. These files concern colonists' property transfers, criminality, illegitimacy, and disobedience to the colonial authorities and clerics etc. Epistemologically, it is problematic to draw a line in my research between the subject and the context. Power relations appear as both.

The files on marriage conclusions are the most numerous and typical in the colonial archive compared to the other blocks. Aiming to cover all decades during the first 60 years of the nineteenth century, I selected the most comprehensive and detailed files on marriage conclusions, which shed some light on proceedings, and are not limited to basically one-paragraph resumé of the events. During 1856–1863, only a few files on marriages were found in the colonial archive, whereas files on land, property and financial questions prevailed. The reason for this may be the devastating effects of the Crimean War of 1853–1856.

The files on colonist marriage consist of official correspondence in the form of a report exchange between overseers, clergy and colonial clerks regarding the marriage permissions of the colonists. Only a few files on marriage conclusions suggest some dynamics in the form of a report exchange between the actors involved, and lift the veil on the decision-making process and the way certain events and happenings were discoursed. The files on colonist marriages are official reports usually produced by secular and ecclesiastical authorities, either as a result of colonists' initiatives to marry and their requests for permission, or in the wake of violation of the marriage regime. Apart from the files solely devoted to colonist and non-colonist petitions to local authorities (overseers and village boards) on

marriage permissions, fragmentary information about marriages and inter-marriages can also be found in the files on colonist “enlistment” (*prichislenie*) in and “reenlistment” (*perechislenie*) from one colony to another because of marriage.¹³² Typologically, the archival sources on colonist marriages may be classified as the Ministry of the Interior and the Guardianship Office’s circulars and instructions on the marriage conclusion procedure; a two-way correspondence between the Guardianship Office/Trustees Committee, and regional offices and clergy on matrimonial instructions, their clarifications and duplications; reports of the overseers and village/district boards on colonist petitions to marry etcetera. Usually the decisions on marriage permissions, issued by regional colonial administrations were accompanied by extensive paperwork regarding the investigation of the bride and groom’s personality and economic conditions, and other circumstances directly and indirectly related to proposed marriage.

As to the second block of archival sources, records on colonists’ marriage dissolutions and particularly divorces are underrepresented in the archives of the central and regional colonial administrations, regional rural governance and other archival repositories. The few files on family dissolutions and divorces that were identified in this study are mostly partial and incomplete cases, frequently elaborating on the subject matter but either missing its completion or vice versa. The records on marriage dissolutions and disintegrations, and extramarital sexual relations contained in the colonial archive, are merely fragments and summaries of the chain of events, occasionally lacking indications on authorship and date of composition. There are a considerable number of copies and reports (direct, indirect, free indirect, and narrative reports of speech) on certain events and trials that took place. However, the original office work of some cases is missing. The most widespread types of documents regarding family disintegration are the “reports” and the subsequent “decisions” (*opredelenie*), “resolutions” and the following “conclusions” (*zakliuchenie*).

The lack of structure of the records on familial/marriage relationships, the incompleteness of files and the absence of a verdict in most cases, are also common features of many archives of Orthodox spiritual boards. According

¹³² DAOO, f. 6, op. 1, spr. 2691 (O prichislenii kolonistov i perechislenii iz odnoi kolonii v druguiu po Bessarabskomu vodvoreniiu [1832–1833]); DAOO, f. 6, op. 1, spr. 3764 (O brakosochetanii, peredache khoziaistv i perechislenii kolonistov kolonii Sarata [1835–1836]); DAOO, f. 6, op.1, spr. 5299 (O perechislenii kolonistov, peredache khoziaistv i brakosochetanii po Ekaterinoslavskomu vodvoreniiu [1839–1842]); DAOO, f. 252, op. 1, spr. 46 (O zhenit’bakh i peredache khoziaistv po Libental’skomu okrugu [1816–1818]).

to Iryna Petrenko, the same features were intrinsic to the archive of the Pyriatyn Spiritual Board (1766–1800), which she used in her study of familial and marriage relationships of the Ukrainian Orthodox rural population of the Hetmanate in the eighteenth century.¹³³

Marriage disruptions and divorces were connected to the issues of property and colonist debts, as well as the moral domain, and therefore could not remain outside the jurisdiction of the colonial administration. The significant scarcity of data in the colonial archive could be explained by the low number of official divorces during that time, but also by the omission of documenting and fixating of such colonists' experiences as illegal cohabitation, and escapes of spouses. A few files on marriage dissolution, around a hundred pages each, hint at the decision-making process and reveal different voices regarding the same occurrences. Each of these few long files comprises different genres of documents, such as clerks' and clerics' reports, colonists' petitions, and court and consistory decisions.

The third block of my archival source base is made up of files concerning the professional activity of the clerics and clerks, dispersed in the colonial archive and concentrated in the archival collection of the Evangelical Lutheran Parish of Saint Paul's Church in the City of Odessa.¹³⁴ These files mainly include official correspondence and reports to imperial authorities.

Quality of the Archival Sources

Michael Khodarkovsky emphasizes that translations of original documents often deliberately misrepresented or underrepresented the issues:

[...] Translators and their censors took great pains in trying to avoid precise translations whenever the original phrasing could possibly harm the dignity of the Russian monarch; they rendered them instead into acceptable political and diplomatic terminology. Available copies of translations often show

¹³³ Iryna Petrenko, "Rol' dukhovnykh pravlin' u shliubno-simeinykh vidnosynakh ukrainsiv druhoi polovyny 18 st.," in *Naukovi pratsi istorychnoho fakul'tetu Zaporiz'koho Natsional'noho universytetu*, vyp. 28, ed. Fedir Turchenko (Zaporizhzhia: Zaporiz'kyi Natsional'nyi Universytet, 2010), 24.

¹³⁴ The Collection 630 of the State Archives of Odesa Region contains records on illegitimate children, priests' displacements and appointments, and metrics on the married and confirmed. The Evangelical Lutheran parish of Saint Paul's Church in the city of Odessa was the nearest and valid parish for all Lutherans in the region regardless of social status, estate affiliation, or ethnic background. This collection contains the files on divorces among the local Lutheran population, but not the Lutheran colonists.

numerous signs of editing. [...] Often the arrogant tone of a letter was changed, making it more humble and subdued.¹³⁵

The archives of the former colonial administration of the Russian government contain records in both Russian and German. The translations of the original German documents into Russian were made by the staff translator and were usually added to the original in the same file. Some files contain records only in Russian. Much of the translations were made by Karl Bares, the staff translator of the Guardianship Office between 1819 and 1834. Due to my limited proficiency in the German language and the variety of Germanic dialects, my inquiry rests on the Russian language records. This may have caused some situational bias in my analysis, though I am sure that it does not materially affect the results of my study.

Derived from happenings and personal experiences taking place at a certain time, the cases were semantically constructed and documented. The staff of the Guardianship Office/Trustees Committee, district and village clerks, clergy and representatives of higher ecclesiastical authorities were the architects of the records making up the colonial archive. Some paperwork on the colonial administration was written by pen pushers and then ratified by higher officials. Colonist petitions, requests and complaints to the authorities, interviews and interrogations were also documented by pen pushers, colonial overseers (*smotritel'*), clerks or clergy and then signed by the colonists in question. Transcribed into official administrative language, the records of colonial administration rarely offer a glimpse into the mental universe of the colonists. These sources tell us precious little about people's feelings and attitudes regarding the world around them. We know almost nothing about their perceptions and preconceptions. Only hints, assumptions and indications are available.

Group files in the colonial archive might encompass from a few to a dozen cases on similar or diverse topics, but united under a common label. The files on marriage disintegrations usually contain information and cross-cutting narratives on bigamy, illegally begotten children, and extramarital sexual relations of the spouses. One may also find records not at all related to the subject. Usually, cases were recorded and documented incompletely and partially. Some of the cases lack conclusions, whereas in others the subject matter is not complete. Heuristically, it is hardly feasible to trace and reveal the outcome of some cases in other related files and archival storages, or in

¹³⁵ Khodarkovsky, *Russia's Steppe Frontier*, 72.

other national or foreign archives. Having obtained data from the colonial archive about a colonist's name and a certain event, it has, therefore, often been impossible to discover any additional information in other seemingly related repositories or regional archives. Making quantitative estimations is therefore very problematic. The incompleteness of relevant archival sources is also due to the repeated moves of the colonial administration, and the impact of the Napoleonic and Crimean Wars, and even more so World War II, on the condition and preservation of archival records.¹³⁶

Analysing the texts in the surviving files is problematic in several ways. The paperwork of the colonial administration, both in Russian and German, is not infrequently characterized by negligence. At times, the names of individuals are mixed up, and several, slightly different, variations of the same name appear in the same file. In the original translations and records composed in Russian, the German surnames of the colonists are usually Russified beyond recognition. Polish names are usually Germanized, for instance Rogosheffska. The surname Wilhauk, for example, was transformed into Vil'gauken, the name Joseph Schneider appeared as Osip, Elisabeth Bleich was turned into Elizaveta Bleikhova, while Margaretha Ulrich became Elizaveta Ul'rikhova. In some instances, it was hardly possible to detect the original version. Thus, I developed a special methodology when dealing with the names of the colonists.¹³⁷ The colonial paperwork also contains chronological mistakes, particularly in references to legislation.¹³⁸ Another problem has been the style of writing. Vague and diffuse ways of expression and one-page sentences are characteristic of colonial paperwork language. The translated extracts of the archival records, cited in this study,

¹³⁶ In 1922, the Odessa provincial archival office received the documents of the Trustees Committee's and Odessa Office's chancelleries for storage. During the 1930s, the documents were re-inventoried and fund-formed, since the pre-revolutionary original inventories of chancelleries were not retained. During 1942–1946, the location of Collections 6 and 252 was unknown. According to one version, during June 1942–October 1943, part of the documents of the Odessa archive including collections 6 and 252 were taken to the Berlin historical archive. During 1941–1946, around 8,777 files were lost from Collection 6. After WWII, the systematization of the surviving files was renewed. During Soviet times almost no attempts were made to re-describe or systematize the archives of the colonial administration, due to the rather insignificant value of these collections for Soviet scholarship, and for other ideological reasons. See Konovalova, *Popechitel'nyi Komitet*, vol. 1, 17–18.

¹³⁷ If the file contains records in the German language, I follow the version of the name presented there. If not, I transliterate the name from the Russian version and/or find the most adequate equivalent following the common tendency in the paperwork.

¹³⁸ DADO, f. 134, op. 1, spr. 687 (Delo o rastorzhenii brakov kolonistov Gotfrida, Reringera i dr. [1821–1826]), ark. 51.

have therefore been slightly edited. The text in these extracts has been cut into proper sentences.

Considering the objectives and methodology of this study, quantitative analysis of church records and parish registers play only a rather complementary role. However, depending on the research questions of future research, the source base on the history of Lutheran and Roman Catholic population (including colonists) of the Black Sea provinces of the Russian empire may well be extended to include the archival collections in the Russian Federation, Moldova, Belarus and Poland.¹³⁹ The collections in the Russian archives, particularly the Central State Historical Archive of St. Petersburg, are of great importance to the scholarship on non-Orthodox churches and parishes within the Russian empire.¹⁴⁰

1.7.2. Published Sources

The published sources utilized for this study can be divided into three groups. The first group consists of imperial legislation on colonization and colonists, peasants, Lutheran and Roman Catholic subjects of the empire. The second

¹³⁹ V. M. Shishkin, "The Historical Sources on Foreign Churches in the Central State Historical Archive of St. Petersburg," in *Foreign Churches in St. Petersburg and Their Archives, 1703–1917*, ed. Pieter N. Holtrop and C. Hendrik Slechte (Leiden–Boston: Brill, 2007), 149–159. N. S. Krylov, "Collections of the Roman Catholic and Uniate Spiritual Institutions in the Russian State Historical Archive," in *Foreign Churches in St. Petersburg and Their Archives, 1703–1917*, ed. Pieter N. Holtrop and C. Hendrik Slechte (Leiden–Boston: Brill, 2007), 195–219.

¹⁴⁰ About the potential of the historical archives of the Russian Federation on the research on non-Orthodox population of the Russian empire, see Galina Solov'eva, "Materialy Rossiiskogo gosudarstvennogo istoricheskogo archiva o liuteranskikh prikhodakh severo-zapada 18 – nachalo 20 vv. kak istoricheskii istochnik" (Dis. kand. ist. nauk, Sankt-Peterburgskii gosudarstvennyi universitet, 2008); Elena Kniazeva, "Metrichekie knigi Sankt-Peterburgskogo konsistorial'nogo okruga kak istochnik po istorii liuteranskogo naseleniia Rossiiskoi imperii 18 – nachala 20 vv." (Dis. kand. ist. nauk, Sankt-Peterburgskii gosudarstvennyi universitet, 2004); Shishkin, "The Historical Sources," 149–159; Krylov, "Collections of the Roman Catholic and Uniate Spiritual Institutions," 195–219; T. I. Tatsenko and E. E. Knyazeva, "Sources on the History of Lutheran Churches in Russia in the Collections of the Russian State Historical Archive in St. Petersburg," in *Foreign Churches in St. Petersburg and Their Archives, 1703–1917*, ed. Pieter N. Holtrop and C. Hendrik Slechte (Leiden–Boston: Brill, 2007), 173–182. The Collection 1166 of the Mogilev Roman Catholic Ecclesiastical Consistory (1801–1853), the Collection 1167 of the Kherson Roman Catholic Ecclesiastical Consistory (1850–1853), and the Collection 365 of the Tiraspol Roman Catholic Ecclesiastical Consistory (1853–1918) contain the extracts of copies of the metric books of births, marriages and deaths in the Catholic colonies of the southern Russian empire, materials and the reports of the revisions of churches, church schools of Kherson province and etc., see Annotirovannaia opis' del fonda №1166 "Khersonskaia rimsko-katolicheskaia dukhovnaia konsistoriia," accessed April 14, 2015, http://saratov.rusarchives.ru/bd/herson/o_1801.html.

group encompasses the regulations of the Committee of the Ministers and State Council, Senate and Emperor's decrees, and the Ministry of the Interior's orders to be followed and implemented by the colonial administration of the Northern Black Sea provinces and the ecclesiastical authorities. These legal acts were included in the Digest of Laws and the Complete Collection of Laws of the Russian Empire. However, not all legal acts crucial for colonization and regulating colonist marriage were compiled in the Digest. I elaborate more on this issue when discussing the Russian autocratic legality.

The collection of Emmanuel Richelieu's letters to Samuel Kontenius dated 1803–1814 constitutes a third group of published sources. These sources of personal origin deserve special attention.¹⁴¹ In his lifetime in the Russian empire, Armand-Emmanuel du Plessis Duc de Richelieu, originating from an old French aristocratic family, was one of the key figures in the Black Sea steppe colonization until his departure to France in 1814. De Richelieu was appointed by his friend Emperor Alexander I as Military Governor of Kherson province. The exact date and place of Samuel Kontenius's birth is unknown. Some sources suggest that he was born in the 1740s in Silesia, others in Westphalia, in the family of a pastor. He studied philology at a German university and at the age of 25 came to Russia to educate children of the nobility. In 1785 he became a postmaster in the city of Simferopol in Crimea. During 1789–1795, and during the Russo–Turkish War, Kontenius performed military service. In 1797 he became an Advisor of the Geographical Department. During 1800–1818, Samuel Kontenius was appointed the Chief Judge of the Guardianship Office for New Russian Foreign Settlers, and during 1819–1830 an Extraordinary Member of the Trustees Committee.¹⁴² It is difficult to overestimate his contribution to Russia's colonization of the Black Sea steppe, and to the development and welfare of these colonies.

As the correspondence illustrates, Richelieu and Kontenius were not only colleagues and men dedicated to their offices, but also friends. These letters deliberated extensively on the details of colonization, as well as other issues related to the professional activity of them both. They are a rich source, where

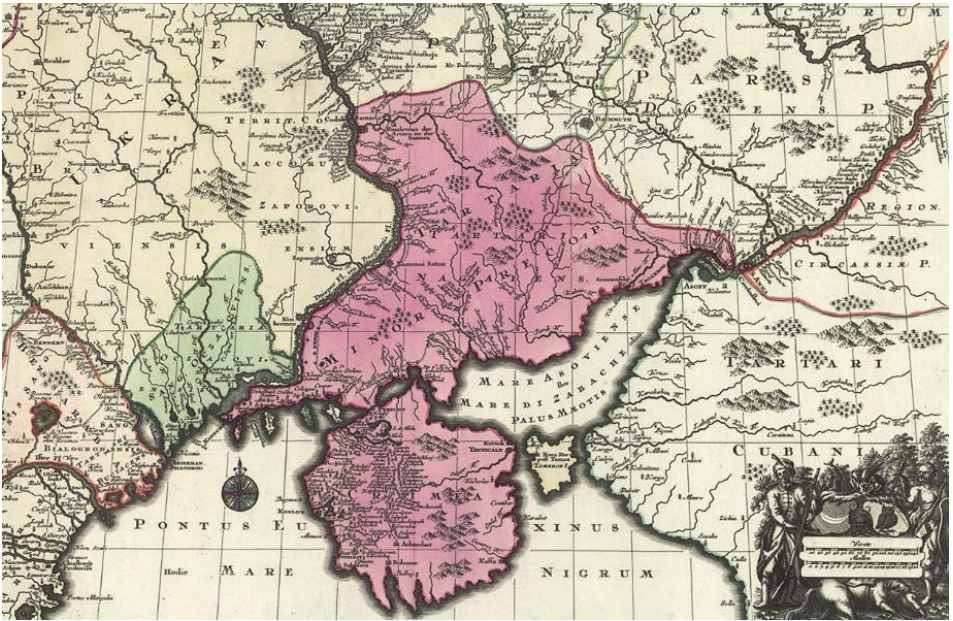
¹⁴¹ Richelieu's letters to Kontenius were sporadically discovered in the Odesa archive in 1980s among other unrelated files. The letters have been published in a translation from French to Russian (81 letters) and complemented with some archival materials (30 documents). See Olga Konovalova, comp. and ed., *Pis'ma gertsoga Armana Emmanuila de Rishel'e Samuila Khristianovichu Konteniusu. 1803–1814* (Odessa: "Astroprint," 1999), 5, 16–17.

¹⁴² Konovalova, *Pis'ma gertsoga*, 9–11.

colonization as politics is intertwined with colonization as life situation. Richelieu's letters reveal the lines of high imperial policy emanating from the capital and refracting in the region, and the diversities and complexities of regional life. At the same time, through these letters, one can follow how regional realities influenced and legitimized high imperial policy. These letters describe the colonization project subjectively and from the inside, informing about colonists' wintering in barracks, problems related to their house-building and accommodation, the huge influx of colonists and the authorities' confusion particularly in 1809, the mortality and desperation of the colonists, and they express a concern and sympathy for them. Richelieu expresses both enthusiasm and despair about the colonization, describes personnel policy, fights and intrigues within governmental circles, the constant search for available land and the planning of new colonies, lack of funds to pursue migrants' settlement starting from 1809–1810 etcetera. In his letters, Richelieu does not skimp on opinions, judgements, and emotions while discussing professional issues. He openly expresses his frustration regarding the disconnection between St. Petersburg expectations and visions and regional realities, as well as the backstairs of Russian bureaucracy.

If the sources are limited to archival fragments, to records with blank spaces, to small snapshots and silences, then, as noted by feminist historian Kathleen Canning, the disjunctures in these sources are part of the story that should be told.¹⁴³ Despite the typological uniformity of the sources, my study reveals confusing disjunctures and gaps, and fascinating hints of personal experiences and interactions. The dynamics of colonization are shown at a micro-level, in all their complexity, and with the multiplicity of actors.

¹⁴³ Kathleen Canning, *Gender History in Practice: Historical Perspectives on Bodies, Class & Citizenship* (New York: Cornell University Press, 2006), 61.



Map 2. Seutter, Matthäus. *Theatrum belli Rußorum victorii illustratum sive nova et accurata Turcicarum et Tartaricum provinciarum intra fluvios Týras s. Niester et Tanim s. Don, ad Oram Ponti Euxini et in Pelopon[n]eso Taurica sitarum Designatio*, 1735.¹

¹ Biblioteka Narodowa, ZZZK 4 295, retrieved October 3, 2016, <https://polona.pl/item/25181628/0/>.

CHAPTER 2

Empire's Embrace: The Northern Black Sea Steppe and its Inhabitants

The Black Sea littoral has been at the crossroads of European and Asian sedentary and nomadic civilizations for a long time, and became a battlefield and a sphere of interest of different political entities. In the modern era, those entities were the Ottoman empire and the Tsardom of Muscovy/Russia, though the Polish-Lithuanian Commonwealth, the Habsburg empire and Sweden also took part in this power game. Apart from these struggles for domination, the region has also been an arena for historiographic battles.

This chapter highlights the nexus of interconnected processes that took place in the Northern Black Sea steppe before and after Russia's appropriation of the region. It describes the increasing presence and growing domination of Muscovy/Russia in the region, identifying their various forms and strategies. The chapter serves as a historical preamble presenting the most crucial aspects of the history of the Northern Black Sea steppe mainly during the eighteenth and early nineteenth centuries. In my narrative, I aim to go beyond the well-known cliché in a historiographic tradition about the emptiness and backwardness of the steppe before it was fully annexed to Russia, a conception brilliantly explored by Mark Bassin.²

The narratives presented here are among the cornerstones of the Ukrainian-Russian historiographic entanglements, in the words of Serhii Plokhyy, ranging from the mid-eighteenth century to the present day. One of these entanglements is the Cossack history versus the Russian state's role in

² Mark Bassin argues that both Frederick Turner with his frontier hypothesis and Sergei Solov'ev with "empty/open spaces" represented components of national mythology in which they filled the special function of accounting for the historical genesis and unique character of their respective nations. Their epistemologies were mainly grounded in nationalism, Darwinian teachings on organic evolution, geographical determinism, Bassin claims. On the "frontier hypothesis" and nationalist signification of open spaces see Mark Bassin, "Turner, Solov'ev and the 'Frontier Hypothesis': The Nationalist Signification of Open Spaces," *The Journal of Modern History*, vol. 65, no. 3 (1993), 473–511. Also Alfred J. Rieber, "Changing Concepts and Constructions of Frontiers: A Comparative Historical Approach," *Ab Imperio* 1 (2003), 23–46.

the development of the region. In the debates of the late 1980s and early 1990s, when laying claim to southern and eastern Ukraine, Russian public figures stressed the colonization of these regions during the reign of Catherine II, while their Ukrainian counterparts emphasized the regions' rich Cossack history. In historiographic debates, "Cossack mythology," as Plokhy puts it, was used to protect the territorial integrity of Ukraine, stressing the role of Ukrainian Cossacks in colonizing steppe territories long before their imperial absorption. The "new Cossack myth" portrayed the Crimean Tatars as neighbours and allies of the Ukrainian Cossacks, thereby legitimizing the Ukrainian-Crimean Tatar political alliance of the 1990s, which was directed against Russian claims to the Crimean Peninsula.³

2.1. Under the Russian Crown: The Northern Black Sea Steppe, and its Old and New Inhabitants

The Northern Black Sea steppe and the Crimean Peninsula had distinctive socio-cultural and political settings for centuries before Russian rule was fully established there.

In the fifteenth century, a new martial society, the Cossacks, began to evolve on the steppe frontier. Their numbers had been continually increased by peasants fleeing serfdom, and by adventurers from other social strata, including the nobility. By the middle of the sixteenth century, in the Lower Dnipro River lands the Cossacks had developed a social and military organization of a peculiarly democratic kind, with a General Assembly (*Rada*) as the supreme authority and elected officers (*starshyna*), including the commander in chief, or Hetman. Their centre was the Sich, an armed camp in the lands of the Lower Dnipro River, Zaporozhia.⁴

³ Plokhy, *Ukraine and Russia*, 10–12, 181, 234–239.

⁴ The word "Cossack" comes from the Turkic "kazak," meaning "adventurer" or "free man." The term was applied initially to some men who entered the underpopulated territories of Podolia, Bratslav and Kyiv, the outskirts of the Polish-Lithuanian Commonwealth, seasonally for hunting, fishing, and the gathering of honey. Dmytro Iavornyt's'kyi (1855–1940), the author of a three-volume chronicle on the Zaporozhian Cossacks, underlines the economic reasons for the Zaporozhian Cossackdom phenomenon. See Dmitrii Iavornitskii, *Istoriia Zaporozhskikh kazakov*, vol. 1 (Kyiv: Naukova dumka, 1990), 188.

The Crimean Peninsula was inhabited by several ethnic groups: Tatars, Nogais, Karaites,⁵ Jews, Krymchaks,⁶ Greeks, and Armenians. Muslim culture and the Tatar community predominated. The territories to the south of the autonomous Zaporozhian Sich and north of the Crimean Peninsula, around the rivers Dnipro, Pivdennyi Buh and Dnister, Danube and the Azov and Black Sea coasts, were controlled by the Nogais. Starting from the middle of the seventeenth century, nomad communities were nominal subjects to the Kalmyk Khanate, and later to the Crimean Khanate. Up to the eighteenth century, these communities nomadized between the seashores of the Black, Azov and Caspian seas. According to Vladyslav Hrybovs'kyi, by 1740s the territory of their nomadization stabilized, and the period 1739–1770 was the time of the densest Nogai concentration in the Northern Black Sea region.⁷

Before the 1730s and the construction of the “Ukrainian line,” a military engineering system of fortifications protecting the Russian border against Tatars, there was no clear border, in modern terms, between the different entities in the Northern Black Sea region.⁸ As Hrybovs'kyi claims, before the end of the eighteenth century, the Northern Black Sea region remained a rather contested frontier between agricultural and nomadic economies. The swing of the “Great Border” during the seventeenth and eighteenth centuries was the result of military confrontations between the Polish-Lithuanian Commonwealth, the Tsardom of Moscovy, the Crimean Khanate, and the

⁵ The Crimean Karaites or Krymkaraylar, also known as Karaims, are an ethnic group derived from Turkic-speaking adherents of Karaism, historically residing in the Crimean Peninsula. Some consider them as descendants of Karaite Jews who settled in Crimea; others view them as descendants of Khazars, Kypchak converts to Karaite Judaism.

⁶ The Krymchaks are an ethno-religious community of Crimea derived from Turkic-speaking adherents of Rabbinic Judaism. They have historically lived near the Crimean Karaites.

⁷ On the Nogai (Yedisian, Jamboyluk, Budjack, and Yedickul) Hordes in the Northern Black Sea in the eighteenth century and early nineteenth centuries, their migrations, political organization and social structure, see Vladyslav Hrybovs'kyi, “Nohais'ki Ordy Pivnichnogo Prychornomor'ia u 18 – na pochatku 19 stolittia” (Dys. kand. ist. nauk, Zaporiz'kyi Natsional'nyi Universytet, 2006). On the political administration of Crimean Khanate and the military system of Nogai Hordes, see Vladyslav Hrybovs'kyi, “Viis'kova systema Nohais'koi ordy ta ii restytuty u prychnomors'kykh nohaisiv,” *Istoriia i kultura Prydniprov'ia: nevidomi ta malovidomi storinky* 9 (2012): 127–146; Vladyslav Hrybovs'kyi, “Nohais'ki Ordy u politychnii systemi Kryms'koho hanstva,” *Ukraina v Tsentral'no-Skhidnii Evropi*, no. 8 (2008): 139–171.

⁸ In his book on Russia's steppe frontier and the encounter between indigenous peoples, Nogais, Kalmyks, Kazakhs, and the Russians in 1500–1800, Michael Khodarkovsky makes a distinction between frontier and border. He claims that a border is “a clearly demarcated boundary between sovereign states,” between “at least two state-organized political entities”. For more details, see Khodarkovsky, *Russia's Steppe Frontier*, 47.

Ottoman empire. For the Crimean Khanate, the nomadic population in the Black Sea steppe served as an actual barrier that restrained the military advance of its northern neighbours.

According to Hrybovs'kyi, despite raids, enslavements, raiding, tribute-taking and other forms of destruction, encounters between the nomadic population and Cossacks in the Black Sea steppe also had a constructive aspect. The cross-cultural interactions between the two sides had an impact on Cossack material culture and toponymy. The Turkic-speaking population and the Cossacks had a long history of economic cooperation.⁹

From the 1654 Pereiaslav Treaty, the Cossack Hetmanate was nominally a vassal of Muscovy.¹⁰ After the Eternal Peace of 1686, the Zaporozhian Sich became a Muscovite protectorate. Zaporozhian Cossacks provided military assistance to Muscovy in exchange for recognizing their autonomy and self-government in their lands. Russian monarchs viewed Cossacks as a restraining force against Tatar and Ottoman offensives in the region, as a security guard of the Muscovite edges.

The period of the late 1650s–1680s is a turbulent period in the history of the Ukrainian lands, and in Ukrainian historiography and history-writing it is termed the “Ruin.” It was a time of internecine confrontations between different Cossack groups, between Cossack officers and ordinary Cossacks, and saw the aggravation of foreign policy relations. During these times, in 1688 and 1689, two fortresses were built on the autonomous territories of the Zaporozhian Cossacks, manned by Russian garrisons. Moscow rulers saw a need for a direct military presence in the region to secure their interests. The erection of the fortresses was justified by the urgency of strengthening the rear of the Muscovite-Cossack troops in their confrontation with the Crimean Khanate, but certainly secured the Muscovite presence. Zaporozhians viewed these measures as a direct interference with their autonomy, which fostered increasing dissatisfaction with Muscovite politics. Some of the Zaporozhian Cossacks had seriously considered a political union with the Crimean Khanate, as Volodymyr Mil'chev points out, though this was not realized until the 1710s, when Peter I acknowledged an Ottoman protectorate over the Zaporozhian Sich that lasted between 1710 and the 1730s. In

⁹ For example, the Belgrade agreement of 1739 that concluded the Austrian-Russo-Turkish War of 1735–1739 confirmed that the steppe was in the economic use of three parties – Nogais, Zaporozhians and Crimean Tatar shepherds, see Hrybovs'kyi, “Nohaiski Ordy Pivnichnogo Prychornomor'ia,” 106.

¹⁰ Vassalage (or suzerainty) means forfeiting foreign-policy independence in exchange for full internal autonomy, military assistance and, possibly, a formal tribute.

exchange for participation in the military campaigns of the Crimean Khans, the Zaporozhians were promised non-interference in their internal affairs and permission to engage in their traditional economic activities in the territory of the entire Crimean Khanate.¹¹

The more confident Russian positions in the Northern Black Sea region became, as Mil'chev notes, the more sceptical Muscovite rulers were towards the existence of the Cossack Hetmanate and the Zaporozhian Sich.¹² The foundation of administrative territorial units, military-agrarian settlements called Novo-Serbia (1751–1764) and Slavianserbia (1753–1764) in the territory of the Zaporozhian Sich, on the initiative of the Russian government, was a foreboding of changes for the Cossacks. Novo-Serbia, with its centre in Novomyrhorod, was placed in the territories of Kodak and Buh-hard palankas, administrative territorial units in the northern western part of Zaporozhian Sich. It was settled by people from Serbia, Montenegro, Wallachia, Macedonia, and other Balkan regions. Slavianserbia, with its centre in Bakhmut, covered an area south of the Siversky Donets River and was predominantly settled by Serbs and Moldavians. Both settlements were directly subordinated to the Imperial Senate and the Military Collegium. The underlying intention when creating these two military settlements was to settle this territory with a loyal population opposed to the unpredictable and potentially disloyal Cossacks. The introduction of these two settlements shook the unity of the Zaporozhian Sich. The relations between Cossacks and military settlers were tense, above all because of the land question.¹³ However, as long as the Tatar “danger” existed, Russian rulers were reconciled to at least a nominal Cossack autonomy.

In 1764 the Russian government abolished the institutions and autonomy of the Cossack Hetmanate that had gradually diminished for several decades. The office of Hetman was abolished and his functions were taken over by the Little Russian Collegium (*Malorossiiskaia Kollegiia*). Russian political and

¹¹ Volodymyr Mil'chev, *Narysy z istorii zaporiz'koho kozatsvta 18 stolittia (sproba istorychnoi rekonstruktsii na osnovi pysemnykh dzherel)* (Zaporizhzhia: “Tandem-U,” 2009), 6–26.

¹² For more about Zaporozhian Cossacks and their relation with Russian government in the eighteenth century, the attempts to “reform” Zaporozhian Sich and its final abolition, see Mil'chev, *Narysy z istorii*, 41–49.

¹³ For more details about the relations between Cossacks and Serbian settlers, see Olha Posun'ko, “Istoriia Novoi Serbii ta Slovianoserbii (1751–1764)” (*Dys. kan. ist. nauk, Dnipropetrovs'kyi Derzhavnyi Universytet*, 1997); Olha Posun'ko, ““Takova Rossiia dlia brodiag...” (vzaemovidnosyny zaporiz'koho kozatsvta z serbs'kymy kolonistamy u seredyni XVIII st. u konteksti uriadovoi polityky),” *Sicheslavs'kyi al'manakh* (2005): 154–166.

administrative bodies and practices replaced the Hetmanate institutions. In the late 1780s a provincial administrative reform was introduced in that area.¹⁴

According to Zenon Kohut, the Hetmanate was imperial Russia's first experience of a Western type of regionalism and self-government. From the mid-seventeenth century, therefore, the Russian authorities were guided by pragmatic politics, but it was not until the reign of Catherine II that the tension between the Russian government looking for administrative and social uniformity and local people striving to retain their autonomy became acute.¹⁵ In a debate with Zenon Kohut, John Le Donne however argues that the degradation and impoverishment of the Cossacks cannot be viewed as "a direct result of Russian centralism and cameralism." According to Le Donne, "it was not the Russians who abolished one of the most important "rights and privileges" of Cossacks: the right to elect their leaders."¹⁶ Instead, this happened because of the increased social stratification within the Cossack group itself. Le Donne concludes that the "Ukrainian gentry [*shliakhta*] were ready to sell their 'rights and privileges' in return for Russian recognition of the enserfment of the peasantry and most of the Cossacks," aiming for a "confirmation of their holdings and the freezing of the social order."¹⁷

¹⁴ The last remnants were abolished in 1843 when the last elements of the Lithuanian Statute were replaced by Russian law. From the vast literature, see Viktor Horobets, *Vlada ta sotsium Het'manatu. Doslidzhennia z politychnoi ta sotsial'noi istorii rann'omodernoi Ukrainy* (Kyiv: Instytut istorii Ukrainy, 2009). On the integration of the Cossack Hetmanate into the imperial system, and the "antagonism between Russian centralism and Cossack autonomy," see Zenon E. Kohut, *Russian Centralism and Ukrainian Autonomy: Imperial Absorption of the Hetmanate, 1760s–1830s* (Cambridge: Harvard University Press, 1988).

¹⁵ Paul Dukes, Review of the *Russian Centralism and Ukrainian Autonomy: Imperial Absorption of the Hetmanate, 1760s–1830s*, by Zenon E. Kohut, *The Slavonic and East European Review* vol. 68, no. 3 (1990): 567–568.

¹⁶ John P. Le Donne, Review of the *Russian Centralism and Ukrainian Autonomy: Imperial Absorption of the Hetmanate, 1760s–1830s*, by Zenon E. Kohut, *The American Historical Review*, vol. 95, no. 5 (1990): 1585.

¹⁷ Le Donne, Review of the *Russian Centralism*, 1585.



Map 3. The (first) New Russia province, 1764.¹⁸

New Russia province (*Novorossiiskaia gubernia*), a new administrative territorial region, was now carved out of the disembodied entities Novo-Serbia and Slovanoserbia together with 39 companies of the abolished Hetman office’s Poltava, Myrhorod, Lubny, and Pereiaslav regiments. The New Russia provincial administration had a semi-military character. It was governed by “supreme commanders,” and from 1774 by general-governors. The province contained both a military and a civilian population. According to Stephen Velychenko, in order “to prevent newly incorporated non-Russian lands from serving as foci for sub-imperial traditional loyalties, St. Petersburg redrew its borders and turned historical regions into zones of authority.”¹⁹

The territorial reform launched in Catherine II’s reign aimed to clarify the state’s administrative space by creating a new territorial division based on a

¹⁸ Map of the New Russia gubernia, *Internet Encyclopedia of Ukraine*, accessed May 25, 2015, <http://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5CN%5CE%5CNewRussiagubernia.htm>.

¹⁹ Velychenko, “Identities, Loyalties,” 189.

new structure of provinces and districts that were smaller and contained populations of roughly equal size (*gubernia* and *uezd*). This new structure was extended into the borderline areas of the Dnipro River and the Black Sea steppe that had previously been subdivided and administered according to local practice. The territorial re-division was also linked to another key concern of Catherine's government: the increase and "improvement" of the population. Inspired by their European counterparts, Russia's ruling elite were convinced that population and territory constituted fundamental state resources, and that their optimization was a necessity in order to increase utility and welfare.²⁰ New territorial acquisitions and an obsession with the increase of population in the annexed territories were the leitmotifs of the Russian monarchs at that time.

In March 1764, the Plan Concerning the Distribution of State Lands in the New Russian Province for Settlement²¹ was launched. Nataliia Polonska-Vasylenko (1884–1973), one of the foremost Soviet-Ukrainian historians of the twentieth century, notes the complete disregard for existing social patterns in the Plan as well as the assumption that "New Russia" constituted a virgin territory; a tabula rasa for official planning:

Nor should it be forgotten that this "Plan" was not only a colonization project, but also a set of laws, which remained in effect in the New Russia province up to the eighties of the eighteenth century. It is striking that the authors of the "Plan" envisaged the region as a wilderness with neither population, laws nor customs; a virgin territory to be settled and, therefore, offering to the lawmaker an opportunity to outline new laws and plan a new life.²²

The new province still retained a border role, and military requirements largely determined the priorities of settlement. In his detailed analysis of this Plan, Roger Bartlett emphasizes several interesting features of it. The offer of land to all newcomers abrogated the usual restrictions on ownership. The peculiar circumstances of New Russia, as a borderland province, dictated the priority of foreign over Russian, and military over civilian settlement, as well

²⁰ Willard Sunderland, "Imperial Space: Territorial Thought and Practice in the Eighteenth Century," in *Russian Empire: Space, People, Power, 1700–1930*, ed. Jane Burbank et al. (Bloomington and Indianapolis: Indiana University Press, 2007), 48–49.

²¹ "Vysochaishe konfirmovannyi plan, o razdache v Novorossiiskoi gubernii kazennykh zemel' k ikh zaseleniiu [22 March 1764]," in *PSZRI*, vol. 16 (1762–1764) (St. Petersburg, 1830), 663–667.

²² Nataliia Polons'ka-Vasylenko, *The Settlement of the Southern Ukraine (1750–1775)* (New York: Ukrainian Academy of Arts and Sciences in the U.S., 1955), 202–203.

as the recruitment of the population from abroad.²³ Settlements in the new province were established rapidly after 1764. Most of the basic principles of the Plan remained in force, in some form, and strongly influenced settlement patterns until the end of the eighteenth century.²⁴

Soviet historian Vladimir Kabuzan, in his statistical research on the “populating” of New Russia in 1719–1858, investigated in detail the dynamics of this process: the ethnic and social composition of the people involved, and the interplay between spontaneous and state-inspired colonization. He concluded that during this period the Northern Black Sea region was mainly spontaneously populated by Ukrainians. According to Kabuzan, in 1745 the proportion of Ukrainians in the population in the Northern Black Sea region was the highest ever, constituting around 97 per cent. While the Plan set a particular pattern for population growth and undoubtedly stimulated immigration from abroad, the majority of newcomers to New Russia were actually Ukrainians, followed by Moldovans, Russians and other ethnic groups.²⁵

The next Russo-Turkish War, 1768–1774, ended with the Treaty of Küçük Kaynarca, signed between the Russian empire and the defeated Ottomans. It brought new territories under the Russian Crown. The Crimean Khanate formally retained its independence but *de facto* it became a protectorate of the Russian empire. The Ottoman empire also ceded the Azov and Kerch seaports to Russia, allowing the Russian Navy direct access to the Black Sea. Russia also gained the territory between the rivers of Dnipro and Pivdennyi Buh, which were added to the New Russia province. The rapid advancement of the Russian army deep into the Crimean Khanate during the campaigns of 1769–1770 pushed the Nogais to accept a Russian protectorate.²⁶ Eventually they were forced to sedentarism and agricultural settlement, which put a significant strain on their society.

As mentioned earlier, starting in the 1750s and 1760s the Russian government increasingly limited the Zaporozhians’ freedoms and self-

²³ Bartlett, *Human Capital*, 113.

²⁴ Elena Druzhinina, *Severnoe Prichernomor’e v 1775–1800 gg.* (Moskva: Akademiia nauk SSSR, 1959), 63–67; Polons’ka-Vasylenko, *The Settlement*, 212–216.

²⁵ By “New Russia” Vladimir Kabuzan designates the territories of two provinces of Ekaterinoslav and Kherson within their 1806 boundaries. It is worth emphasizing the cacophony of different geographical names in his book. Apart from New Russia, he uses the names of provinces and gubernias, but also the name Ukraine, not Little Russia. Vladimir Kabuzan, *Zaselenie Novorossii (Ekaterinoslavskoi i Khersonskoi gubernii) v 18 – pervoi polovine 19 veka (1719–1858 gg.)* (Moskva: “Nauka,” 1976), 255–256, 266–268.

²⁶ Hrybovs’kyi, “Nohaiski Ordyy Pivnichnogo Prychornomor’ia,” 167–168.

government. In June 1775, on Catherine's orders, the Russian army razed the New Sich and established its control over the territory. The Zaporozhian Cossack administration was abolished. For the spread of the imperial tax system to the former lands of the Zaporozhian Sich and its fiscal incorporation, a population census of all Zaporozhian settlements (winterers and *slobodas*) was hastily completed by the end of the summer 1775.²⁷ The lands of Zaporozhian Sich were divided between the New Russia province and the newly created Azov province. These lands, along with the other annexed territories, made up a land repository for the purpose of state-inspired and state-sponsored colonization, starting in the second half of the eighteenth century. The principles of the Plan were applied to the acquisitions of Küçük Kaynarca and all the new southern territories annexed by Russia during the last decades of the century.

After Russia's takeover of the Black Sea littoral in the 1770s, the Zaporozhian Sich, a political and military organization of previous significance to the Russian monarchs, was now seen as rather problematic and an obstacle to the Russian plans for the region. After the abolition of the Sich, one of the main challenges for the Russian authorities was to deal with the so-called "Zaporozhian heritage." Eventually, administrative control over Cossack mobility was introduced and the Cossack settlements were dissolved.²⁸ Subsequently, the Zaporozhian Cossacks' rights concerning land tenure were abolished, and the socioeconomic milieu in the Dnipro River and the Northern Black Sea regions was virtually destroyed. Many of the Zaporozhians were forced into military settlements, later to become state peasants. Some fled to the Ottoman empire and founded the Danubian Host there. After the Russo-Turkish War of 1806–1812, when Bessarabia became

²⁷ On the details about Zaporozhian Sich's abolition, see Mil'chev, *Narysy*, 41–49.

²⁸ Winterers (*zymivnyks*) emerged in the first half of the sixteenth century, and were settlements of Cossacks in palankas (administrative-territorial districts, which divided the territory of Zaporozhian Sich), and the main unit of farming in Zaporozhzhia. Cossacks used to reside there in winter, hence its designation. It was also the main form of land tenure in Zaporozhzhia. The Cossacks founded winterers on Zaporozhian Sich's land with the permission of the Zaporozhian executive leader (*Kish ataman*). Winterers were run only by their own and hired labour. In the period of the New Sich (1734–1775), winterers turned into large multi-sector economies of commodity character, developing cattle breeding, farming, fishing, bee-keeping, hunting, and pottery and other crafts. After the abolition of Zaporozhian Sich, the Russian government aimed to limit the mobility of Cossacks by attracting them to military service and integrating them into the category of state peasants. Cossack winterers were eventually razed. By the end of the 1770s, all the Zaporozhian lands had been distributed in the form of state peasant settlements (*slobodas*) or landlord villages. For more about winterers in the late eighteenth century see Anatolii Boiko, *Zaporoz'kyi zymivnyk ostann'oi chverti 18 st.* (Zaporozhzhia: "Tandem-U," 1995).

part of Russia, the Danubian Cossacks lost their allocated land. Cossacks who remained under Russian rule formed the Buh Cossack Army and later the Black Sea Cossacks.²⁹ Some Cossack gentry (*kozats'ka shliakhta*) were politically incorporated into the Russian nobility, while others lost their political rights and titles.

In 1783 Catherine II introduced the serf system in the territory of the former Hetmanate, followed by the eradication of the previous economic and agricultural structure. As Kabuzan emphasizes, only on the lands of former Zaporozhian Sich (Ekaterinoslav, Kherson, Novomoskovsk, Alexandrovsk, Rostov and Pavlograd counties) around 487 new villages were founded between 1776 and 1781, 409 landlord villages and 78 state peasant villages.³⁰ According to Kabuzan, in the 1780s and 90s, New Russia continued to be populated by people from the Left Bank Ukraine, mainly from Poltava and Chernihiv provinces, and the Central Russian provinces, particularly Voronezh, Belgorod, Tambov and Kursk regions. Kherson province was mainly populated by people from the Right Bank Ukraine.³¹

Russia's centuries-long persistent struggle for domination in the Black Sea littoral ended in spring 1783 with the annexation of the Crimean Khanate. In addition to the Crimean Peninsula itself, the territory of the former Crimean Khanate comprised the vast steppes north of the Black Sea, extending from Bessarabia to the Northern Caucasus. Starting from the seventeenth century the main expansionist ambition of Muscovy/ Russia in this region was the obliteration of the Crimean Khanate and the acquisition of its territories. It became the core of the Catherinian "Greek Project:" establishing Russian dominance over the whole Black Sea and founding a Russian-led Greek empire centred in Constantinople. It also aimed at the removal of Ottoman Turks from Europe under the banner of liberating Orthodox peoples from the rule of Muslims.³²

The annexation of the Crimean Khanate by the Russian empire brought dramatic changes to the population of the peninsula. It was also the

²⁹ Roman Shyian, *Kozatstvo Pivdennoi Ukrainy v ostannii chverti XVIII st.* (Zaporizhzhia: "Tandem-U," 1998), 74.

³⁰ Landlord villages comprised serfs who belonged to noble landowners and paid them rent. State (treasury) peasants lived on and farmed lands owned by the state, in exchange for which they were obliged to pay quitrents, poll taxes, and road taxes to the State Treasury. They were also required to build and maintain roads and to perform other duties on demand. Read more in Kabuzan, *Zaselenie Novorossii*, 258–259.

³¹ Kabuzan, *Zaselenie Novorossii*, 260.

³² Hugh Ragsdale, "Evaluating the Traditions of Russian Aggression: Catherine II and the Greek Project," *The Slavonic and East European Review*, vol. 66, no. 1 (1988): 91–117; Druzhinina, *Severnoe Prichernomor'e*, 92; Shyian, *Kozatstvo Pivdennoi Ukrainy*, 9.

beginning of a long and continuous process of their emigration to the Ottoman empire, in response to the imperial policies and practices on the peninsula. Georgians, Greeks and Armenians left as well. The establishment of a new order in Crimea went hand in hand with repression of the local population, and the destruction of Tatar culture. Thousands of *desiatinas*³³ of the most fertile Crimean land were expropriated from Tatars and given to the Russian nobility and military on the condition that they encouraged its colonization by peasants from Central Russia and abroad.³⁴ The Russian government encouraged the settlement of demobilized Russian soldiers and immigrants, for example Mennonites and Bulgarians, in Crimea. According to Hakan Kırımli, the large Crimean Tatar migrations that occurred in the nineteenth century were considered a blessing by the Russian authorities, since they would cleanse the newly conquered land of its “undesirable population.”³⁵ Crimea was instead to be settled by reliable and loyal people of Slavic origin, and by foreign colonists.

The imperial government strove to eliminate even the slightest possibility of remaining Ottoman sentiments among the local population that potentially could undermine Russian rule.³⁶ The territories of the former Crimean Khanate along with the adjacent coastal lands formed Tavria province proclaimed in 1784.³⁷ Catherine II and her government were in a hurry with the political incorporation of the former Ottoman territories.

³³ Known from the end of the fifteenth century, *desiatina* is a unit of land, which is equal to 1.0925 hectares. In the Russian empire it was used until 1918.

³⁴ Valerii Smolii, ed., *Krym: shliakh kriz' viky. Istoriia u zapytanniakh i vidpovidiakh* (Kyiv: Instytut istorii Ukrainy NAN Ukrainy, 2014), 199.

³⁵ Hakan Kırımli, “Emigrations from the Crimea to the Ottoman Empire during the Crimean War,” *Middle Eastern Studies*, vol. 44, no. 5 (2008): 751–752.

³⁶ The Crimean Tatar emigration during and immediately after the Crimean War (1853–1856) constitutes one of the major waves of migration to the Ottoman Empire since the Russian annexation of the Crimea in 1783. As a direct consequence of the Crimean War, the Crimean Tatar and Nogai emigration between the years 1855 and 1863 constitute the greatest demographic and social disaster for the Crimean Tatar people in modern times. For more about emigrations from the Crimean Peninsula in the mid-nineteenth century, see Kırımli, “Emigrations,” 751–773. On the changes in the ethnic composition of the Crimea over fifty years from the abolition of the Crimean Khanate, see Smolii, *Krym*, 199–201.

³⁷ From an extensive amount of literature and sources, see Druzhinina, *Severnoe Prichernomor'e*, 57; Kabuzan, *Zaselenie Novorossii*, 93; Nikifor Murzakevich, comp., “Raspriazhennia svetleishego kniazia Grigoriia Aleksandrovicha Potemkina-Tavrisheskogo kasatel'no ustroeniia Tavrisheskoi oblasti s 1781 po 1786,” in *Zapiski Imperatorskogo Odesskogo obshchestva istorii i drevnostei*, vol. 12 (Odessa: Frankorusskaia tipografiia L. Danikana, 1881), 249–329; Petr Semenov-Tian-Shanskii, ed., *Rossiiia. Polnoe geograficheskoe opisanie nashego otechestva. Vol. 14. Nororossiiia i Krym* (St. Petersburg: Izdatel'stvo A.F.Devriena, 1910), 161–162.

Between spring 1783 and summer 1784, all the population of the former Crimean Khanate, including imams and Tatar nobility, were forced to swear an oath of allegiance on the Koran to the Russian Empress. With the same haste, Crimean Tatar toponyms were replaced with Greek ones: Crimea was renamed Tavrida, Aqmescit was changed into Simferopol, Kefe into Feodosiia, and Kezlev into Evpatoriia.³⁸ In the view of Bohdan Korolenko, Russian interests in the Black Sea region could be sustained only with the help of the constant and impressive military presence of the Russian garrisons on the Crimean Peninsula and the strong support of bribed pro-Russian Tatar elites there.³⁹

In 1784, the New Russia province and the Azov province were replaced by a territorial mega-unit named the Ekaterinoslav general-governorship (1784–1796). Grigorii Potemkin, the favourite of Catherine II, became general-governor with absolute authority.⁴⁰

³⁸ Bohdan Korolenko deconstructs the idea about the destructive and offensive character of the Crimean Khanate, a “historical threat” for centuries that had developed and prevailed within Muscovite elite circles starting from the middle of the seventeenth century. It was eventually used as ideological grounds and justification for the annexation of the Crimean Khanate at the end of the eighteenth century. On the consequences of this for the Crimean population, see Bohdan Korolenko, “‘Istorychna kryvda’ iak ideia ta lehitymatsiinyi faktor aneksii Kryms’koho hanstva Rosiiskoiu imperieiu: vytoky, ideolohichne zabezpechennia ta realizatsiia ‘novoï’ polityky pam’iati,” in *Derzhavotvorchi ta tsyvilizatsiinyi zdobutky ukrains’koho narodu. Natsional’na ta istorychna pam’iat’*, ed. Volodymyr Soldatenko (Kyiv: Stylos, 2011), 283–303.

³⁹ The “independent” Crimean Khanate, proclaimed in 1774, was a puppet regime. The rule of the last Crimean khan, Şahin Giray, was marked by increasing Russian influence and outbursts of violence from the Khan administration against the internal opposition, Tatar clan leaders and their armies. This political tension caused a series of revolts all over the Khanate, particularly during the period 1777–1782. Rebel leaders elected Şahin’s brother Bahadır Giray as Khan, and sent a message to the Ottoman government seeking recognition. However, the Russian Empress Catherine dispatched Prince Grigory Potemkin to restore Şahin to power in October 1782. No significant opposition was fielded against the invading Russian troops, and many rebels fled back across the Kerch Strait. The uncertainty about the sustainability of the restoration of Şahin Giray, however, led to increasing Russian support for formally annexing Crimea, spearheaded by Prince Potemkin. See Smolii, *Krym*, 167–188; also Alan W. Fisher, “Şahin Girey, the Reformer Khan, and the Russian Annexation of the Crimea,” *Jahrbücher für Geschichte Osteuropas*, Bd. 15, H. 3 (1967): 341–364. On the swift “stabilization measures” of the Russian government during 1783 and the first half of 1784, i.e. the repression of Tatar resistance, the Crimean Tatar nobility’s and the imams’ oath of allegiance to the Russian Empress, the eradication of Crimean toponyms, and the bribery of some Tatar nobles to cooperate with the Russian authorities, see Bohdan Korolenko, “Vkhodzhennia Krymu do Rosiiskoi imperii: stabilizatsiinyi zakhody rosiis’koi administratsii (1783–seredyna 1784),” in *Kultura narodov Prichernomor’ia*, no. 51 (2004): 104–110.

⁴⁰ For more about the administrative-territorial composition of the Southern Ukraine during 1775–1822, and Potemkin’s way of governing the region, see Iryna Savchenko,

In the next Russo-Turkish War of 1787–1792, the Ottoman empire attempted to win back lands lost in previous wars with Russia. However, the result was more territorial gains for Russia. In the Treaty of Jassy, the Ottoman empire recognized Russia's annexation of the Crimean Khanate. Yedisán (Odessa and Ochakov) was also ceded to Russia, while the territories between the rivers Buh and Dnister were attached to the Ekaterinoslav general-governorship. In the 1790s, due to the substantial migration and increase of population, new administrative territorial changes took place in the region, though they were short-lived. The south-western lands of the Ekaterinoslav general-governorship were turned over to the Voznesensk general-governorship (1795–1796). Paul I (1796–1801), a son of Catherine II, aiming to return to the original administrative territorial division, united two governorships with Tavria province into a new mega-unit, the (second) New Russia province, with its capital in the city of Novorossiisk (earlier name Ekaterinoslav). This province stretched from Dnister to Kuban, and included the Crimean Peninsula and the Northern Caucasus. In the reign of Paul, a unification of the management over the region took place. Starting from 1790s, the imperial taxation system was implemented in the new acquisitions.

In the view of the rulers, the rapid population growth of the region because of state-sponsored colonization and migration necessitated further rearrangement of the territorial structure. At this point, the fragmentation policy of administrative territorial organization made Paul's enlargement somewhat irrelevant. In 1802, in the reign of Alexander I (1801–1825), the (second) New Russia province was divided into the Nikolaev (from 1803 Kherson), Ekaterinoslav, and Tavria provinces. This administrative territorial composition, with some minor changes, existed until the mid-nineteenth century.⁴¹ According to the 1802 reform, the controls of the Kherson and Ekaterinoslav provinces were similar to the all-imperial provincial administrative structure.

In the eighteenth century, the tension and hegemonic ambitions in the Black Sea region, which had accumulated particularly between the Tsardom of Muscovy (later the Russian empire) and the Ottoman empire over the previous centuries, reached a culmination. This caused a new round of

“Administrativno-terytorial'nyi ustrii Pivdennoi Ukrainy (1775–1822)” (Avtoreferat dys. kand. ist. nauk, Zaporiz'kyi Derzhavnyi Universytet, 2004).

⁴¹ From a vast body of literature, see, for example, Maryna Pan'forova, “Administrativno-terytorial'nyi ustrii pivdenno-skhidnoi Ukrainy naprykintsi XVIII–v pershii polovyni XIX st.,” in *Naukovi pratsi istorichnoho fakul'tetu Zaporiz'koho derzhavnogo universytetu*, issue 7 (Zaporizhzhia: Tandem-“U,” 1999), 121–125.

military confrontations that finally sealed the fate of the Northern Black Sea region. The main prize in the military confrontation between the two empires was the Crimean Khanate, the political entity on the Crimean Peninsula and adjacent lands that from the fifteenth century was a vassal dependency of the Ottoman empire.⁴²

It corresponded to the gradual eradication of Zaporozhian Cossack autonomy, the abolition of the Cossack Hetmanate, the subordination of the Nogai Hordes to Russian rule, and the disintegration of the Crimean Khanate. Instead colonization, a specific policy of the Russian rulers, was eventually launched. Huge territories brought under the Russian Crown were politically incorporated and administratively unified. The Russian empire tried to swiftly digest these alien territories, above all by supporting migration and settlement and the rapid implementation of the imperial fiscal system in the new territories. In the continuous expansion of the Russian empire, the constant administrative territorial redrawings and experiments mirrored a lack of any consistent plan among the ruling elite in respect to this region. It meant finding pragmatic solutions for organizing and governing the region that would abandon earlier historical, socioeconomic and cultural connections. Having engendered massive migration and displacements, establishing Russian imperial rule in the region brought radical changes for its population and societies, and destruction of existing socioeconomic and cultural settings. For the population of the steppe and Crimea – Cossacks, Nogais, Tatars and others – it resulted in a loss of lands, relocations and migrations, and an end to their way of life.

2.2. In Need of Good Subjects: Immigrants in the Steppe

We allow and give Leave for all Foreigners to come into Our Empire and settle themselves wheresoever they shall desire in all Our Governments.⁴³

Catherine II's reign was in fact the first in Russia clearly obsessed with population growth and improvement as a basis for increasing the wealth of the state. The thesis about the "underpopulation" or "scarce population" of the imperial borderlands as one of the main reasons that forced Catherine to

⁴² For more about geopolitics in the Black Sea basin see John P. LeDonne, "Geopolitics, Logics, and Grain: Russia's Ambitions in the Black Sea Basin, 1737–1834," *The International History Review* 28: 1 (2006): 1–41.

⁴³ From the official English-language version of the Catherine II's Manifesto of 1763, see Bartlett, *Human Capital*, 237.

turn to immigration is articulated in the historiography. However, some groups of population there, as the previous subchapter suggests, were simply perceived by Russian officials as both ineligible and unreliable. Another factor was serfdom, which immobilized large numbers of peasants on landlords' estates in the lands of the Russian centre. The general governmental attitude on peasant mobility inhibited the free movement of population, yet illegal migration was unavoidable. In the eighteenth century, measures to secure the return of fugitive peasants were closely interwoven with the general policy on settlement. Bartlett argues that the relative importance of this should not be overestimated since "serfdom may have slowed, but it did not prevent, the rapid growth of population in newly-opened areas."⁴⁴

The migration of dozens of ethnic groups to the region in the course of Russia's steppe colonization, in the view of Ihor Lyman, produced a strong historiographical tradition perceiving this region as a conglomerate of different ethnicities and confessions. However, the documented evidence, Lyman argues, shows that a clear majority of the newcomers and settlers of the Northern Black Sea steppe were Ukrainians coming from the Right Bank and Left Bank Ukraine.⁴⁵ This argument is supported by the thorough examinations of statistics and censuses conducted by Vladimir Kabuzan, Vladimir Naulko, Iaroslav Boiko and Natalia Danylova.⁴⁶ The present subchapter and the next one are concerned with the immigrant population,

⁴⁴ Bartlett, *Human Capital*, 26.

⁴⁵ Ihor Lyman, *Rosiis'ka pravoslavna tserkva na Pivdni Ukrainy ostann'oi chverti 18 – seredyny 19 stolittia* (Zaporizhzhia: "Tandem-U," 2004), 62.

⁴⁶ During 1763–1782, the population of New Russia increased from nearly 64,000 to 193,000 males, according to Vladimir Kabuzan's estimations. In 1775, the ethnic composition of the region was the following: Ukrainians constituted around 65 per cent, Moldavians around 18 per cent, Russians 13 per cent, Serbs 0, 7 per cent, Poles 1 per cent and others 1,5 per cent. In the 1780–1790s the Northern Black Sea region continued being populated spontaneously by peasants from neighbouring areas, though the role of state-sponsored resettlement gained momentum. In the late 1790s and the first decade of the nineteenth century, the Kherson and Ekaterinoslav provinces had been mainly settled by state peasants, followed by landowners' peasants, foreign colonists and city dwellers. During 1796–1811, the Kherson province was inhabited by state peasants mainly from the Poltava, Chernihiv, Ekaterinoslav, Kyiv and Kursk provinces. Only at the beginning of the nineteenth century did the German and Jewish migrants temporarily overtake other migrant flows in the Northern Black Sea region. During 1796–1811 they made up around 20 per cent of all new settlers in the Kherson province. See Kabuzan, *Zaselenie Novorossii*, 257, 259–261; and also Vladimir Naulko, *Razvitie mezhetnicheskikh sviazei na Ukraine. Istoriko-etnograficheskii ocherk* (Kiev: Naukova dumka, 1975); Ia. V. Boiko, N.O. Danylova, "Formuvannia etnichnogo skladu naselennia Pivdennoi Ukrainy (kinet XVIII–XIX st.)," *Ukrains'kyi istorychnyi zhurnal*, no. 2 (1992): 54–65.

foreigners, who came to the Northern Black Sea steppe in the course of its state-encouraged colonization. Indeed, such designations as migrant or non-autochthonous are generally quite problematic when applied to the Northern Black Sea steppe.

Immigration and attracting foreigners to the colonization project were viewed primarily as means to increase the empire's population and thus to enhance the country's economy, to incorporate newly absorbed lands and to maintain control over outlying parts of the empire. Foreigners, would-be colonists, were also perceived as cultural agents, bearers of advanced farming methods, who could positively impact on other groups of neighbouring populations.

Among the state-sponsored colonists, particularly foreigners received the most generous terms. Catherine's Manifestos of 1762 and 1763 were intended to encourage foreigners to settle in Russia. According to the 1763 Manifesto, foreign subjects were invited to settle wherever they pleased, in all provinces of the empire, and on very generous conditions. They were offered government transit funds (*putevye den'gi*), interest-free construction loans, duty-free import of all personal effects and sales goods up to three hundred roubles, six months' free lodging on arrival, a thirty-year exemption from all taxes and obligations when settling on available lands, permanent exemption from military or civil service, and, for entrepreneurs, a ten-year exemption from import duties. Foreign colonists were also free to own serfs, to live in accordance with the doctrines and rites of their faith, and even to proselytize, though only among Muslims.⁴⁷

Not all foreigners were treated according to such terms. Some, like the Prussian Mennonites, received an even better deal. They were considered particularly useful and, having a reputation as good agriculturalists, were promised "special privileges and gratuities" in 1787 and received their own Charter of Privileges in 1800.⁴⁸ Catherine's regime was more generous to foreign colonists than to its own peasants, promising immigrants and their descendants a wide range of rights and privileges, including grants of land

⁴⁷ "Manifest. O dozvolenii vsem inostrantsam, v Rossiuu vvezhaiushchim, poseliatsia v kotorykh guberniakh oni pozhelaiut i o darovannykh im pravakh [22 July 1763]," in *PSZRI*, vol. 16 (1762–1764) (St. Petersburg, 1830), 313–316; Sunderland, *Taming the Wild Field*, 86–87.

⁴⁸ "Vysochaishaia gramota memonistam. O podtverzhenii obeshchannoi im svobody v otpravlenii veroispovedaniia po tserkovnym ikh ustanovleniiam i obychaiiam [6 September 1800]," in *Nemtsy v istorii Rossii. Dokumenty vysshykh organov vlasti i voennogo komandovaniia. 1652–1917*, comp. Viktor Dizendorf (Moskva: MFD, Materik, 2006), 100–102.

and money, tax exemptions, freedom of religion, and exemption from military service. To assist and guide these immigrants, a Chancellery of Guardianship of Foreigners was established. The 1763 Manifesto was circulated abroad and attracted considerable interest, but many European states banned its publication and prohibited emigration.

At a time when concern about population was a dominant feature of political theory, no European state wished to lose its subjects. Austria, for example, assumed a hostile attitude to Russian competition regarding its Hungarian settlement project. It not only prohibited the publication of Catherine's 1763 Manifesto, but in 1762 and 1763 renewed an existing ban on emigration from Hungary. Prussia and Spain took similar steps. The publication of Catherine's Manifesto was also banned in France. Sweden rejected the Manifesto and took measures to hinder and discourage emigration. Thus, the arena for Russia's actual recruitment in Europe was limited primarily to the free cities and states in the southern and western German lands. Social and economic conditions there, particularly in the aftermath of the Seven Years' War (1756–1763), predisposed many people to emigrate. But the main reason for the Russian representatives and government agents' general success with recruitment in the area was the fact that the authorities of some German lands, as opposed to Austria and Prussia, lacked the legal tools to prevent it. Consequently, most immigrants to Russia at that time were German-speaking people. The predominance of people from German lands among the early colonists was mainly the result of circumstances in Europe, rather than due to the preferences of the Russian government, argues Bartlett.⁴⁹

In the 1760s a substantial German-speaking population entered the Russian empire and settled in the Saratov area on the Volga River. At that time Volga region had become an arena for state colonization. The Volga colonies were disappointingly unproductive.⁵⁰ The Russian government, faced with rising costs, problems in administration and coordination, and obstruction from European governments, therefore abandoned its colonization policy in the region in 1766.

Starting from the 1770s and 80s, the Northern Black Sea steppe emerged as the Russian government's prime venue for socioeconomic and socio-cultural engineering and colonization. According to Sunderland, between

⁴⁹ Bartlett, *Human Capital*, 57–59, 65–66.

⁵⁰ About Volga Germans, see Iakov Ditts, *Istoriia povolzhsikh nemtsev-kolonistov*, ed. Igor' Pleve (Moskva: "Gotika," 2000); James W. Long, *From Privileged to Dispossessed: The Volga Germans, 1860–1917* (Nebraska: University of Nebraska Press, 1988).

1782 and 1795, more than 56 per cent of all settlers within the empire settled in New Russia.⁵¹ As Russia's position in the Black Sea littoral became more assured, the emphasis on military settlement declined towards the end of the nineteenth century. The Northern Black Sea region was strategically important, situated relatively close to the Russian core, and highly suitable for farming and stock-raising.

Sunderland points out a number of weaknesses in the immigration policy during Catherine's era. The confusion between quality and quantity, and between specialized (agricultural) and unspecific recruitment, remained unresolved. The scope of the process was also misjudged. There was no relation between the numbers of those who arrived and the numbers expected. There was a lack of mechanisms to regulate recruitment abroad, and the detailed advance planning in the area of settlement was short-sighted. There were also crucial misjudgements and inaccuracies regarding finances. The already long-standing disconnection between the official view of colonization and colonization on grassroots level became pronounced during Catherine's reign because the state's ambition to regulate the process increased while its ability to actually do so remained limited.⁵² The Catherinian era was characterized by enthusiastic support for the settlement of practically anyone, the general view was that resettlement should be voluntary rather than coerced, and at the same time there was no uniform colonization policy.

A shift in colonization policy took place during Paul's short reign. In contrast to the previous fragmentary and inconsistent sponsorship of settlement, the government now engaged in colonization in a more comprehensive manner. The decrees, as a result, became more numerous and increasingly detailed. There was not yet any central colonization agency. Matters of resettlement were handled through the court and the Senate, directing orders to the appropriate provincial governors and colleges. Under Paul, in 1797, the Office of State Economy, Guardianship of Foreigners, and Rural Husbandry (*Ekspeditsiia gosudarstvennogo khoziaistva, opekunstva*

⁵¹ Sunderland, *Taming the Wild Field*, 77.

⁵² Sunderland, *Taming the Wild Field*, 89–91. Making use of a variety of new sources, including private letters, diaries and chronicles, Joseph S. Height wrote in detail about the flow of foreign Lutheran population to the Odessa region, the hardships they faced during the journey itself, and the first years in new places, the construction of houses, prices for food and goods, and the role of the Russian authorities in migrants' accommodation, see: Joseph S. Height, *Homesteaders on the Steppe: Cultural History of the Evangelical-Lutherna Colonies in the Region of Odessa* (Bismarck, N.D.: North Dakota Historical Society of Germans from Russia, 1975), 40–48.

inostrannykh i sel'skogo domovodstva) was established within the Senate to promote agriculture and industry as well as to monitor both the foreign and the native peasantry. It handled many colonization-related issues, but the activities of the Office extended beyond colonization.⁵³

Another measure initiated during Paul's reign was an audit of all foreign colonies in the empire. Considerable financial resources were spent on the relocation and accommodation of the many hundreds of settlers, but the conditions of those who survived the hard-pioneer years remained pitiful. In the Northern Black Sea region, the audit in the Chortitza Mennonite settlement, and the German and Swedish colonies, was conducted by counsellor Samuel Kontenius, transferred from the Geography Office of the Board of State Economy. He eventually reported widespread confusion among the colonists, their distrust of the authorities, and the inadequacy of the Russian administration there.⁵⁴ As a result of the disappointing results of the audit, in 1800 the Guardianship Office for New Russian Foreign Settlers, with its main office in the city of Ekaterinoslav, was established with the aim of providing comprehensive assistance and welfare for the colonists. Samuel Kontenius became the first Chief Judge of the Guardianship Office. The first immigrants to benefit from the Guardianship Office were the Greeks and Bulgarians arriving in 1801.

A person who deserves particular attention here is the Duc de Richelieu. From the time of his appointment in 1803 as Town Commandant of Odessa, Richelieu had taken a close interest and concern about the colonies. His office was involved with the activity of the Guardianship Office. In 1804, Richelieu was appointed Military Governor of Kherson province, based in Odessa and with responsibility for other southern provinces of the empire. As Joseph S. Height points out, Richelieu's motto was "Don't regulate too much;" he practiced "gentle government and friendly rule."⁵⁵

Another major reform during Paul's reign concerned the reorganization of colony administration. The 1763 Manifesto had promised immigrants self-governance without external interference. Eventually the authorities decided that such matters could not be left entirely to the whims of each colony. In

⁵³ Sunderland, *Taming the Wild Field*, 86.

⁵⁴ "Vysochaishe utverzhdennyi doklad Senata. O predpolagaemykh sredstvakh k popravleniiu sostoianii Novorossiiskikh inostrannykh poselentsev, i ob uchrezhdenii pod vedomstvom Ekspeditsii Gosudarstvennogo Khoziaistva, Kontory Opekunstva Novorossiiskikh inostrannykh poselentsev [6 April 1800]," in *Nemtsy v istorii Rossii*, 81–93.

⁵⁵ Height, *Homesteaders*, 107. About the Duc de Richelieu's role in colonization, see Height, *Homesteaders*, 97–113.

the view of the Russian rulers, efficient central administration required efficient management within the colonies, preferably based on a uniform system. The structure of self-governance imposed by the Russian government on the colonies in 1801 was based on the agencies established for state peasants in 1797.

In contrast to the first colonists-pioneers of the region (Swedes, Germans, Mennonites, and Serbs) in the 1780s and 90s, the numerous immigrants who arrived in the Northern Black Sea steppe at the beginning of the nineteenth century were met with a specific framework of local governance. This structure of colonies' self-governance, established at the beginning of the nineteenth century, existed until the 1860s, when the Russian government placed the colonists under the councils of the new provincial assemblies (*zemstvo*).

During Catherinian times, colonization policy lacked any concrete plan. Due to its populistic, utopian and adventurous character, it cost many lives and resources. At the turn of the eighteenth and nineteenth centuries, colonization of the Eurasian steppe belt including the Northern Black Sea steppe became more bureaucratized and routinized, but it was still not well-planned. But the disconnection between colonization by decree, and colonization on the ground remained unresolved. Ihor Lyman supposes that in the minds of the population, most of whom were not indigenous, the steppe continued to be associated with a land of unlimited possibilities, with a sense of freedom for decades after the abolition of the Zaporozhian liberties.⁵⁶ The Northern Black Sea region became an arena for fascinating cultural meetings, cross-influences and experiments, a space for hybrid identity formations.⁵⁷

2.3. In Need of Better Subjects

...however bad the colonists are, they are always a good investment

⁵⁶ Lyman, *Rosiis'ka pravoslavna tserkva*, 62.

⁵⁷ For more about Ukrainian Stundists, the formation of non-Orthodox identities among Ukrainian population, the influence of German Baptists on Ukrainian peasants, and the "dangers" these posed for the imperial rule in the region, see Sergei Zhuk, "'A Separate Nation' or 'those Who Imitate Germans': Ukrainian Evangelical Peasants and Problems of Cultural Identification in the Ukrainian Provinces of Late Imperial Russia," *Ab Imperio*, 3 (2006): 1–22.

Armand-Emmanuel du Plessis Duc de Richelieu, Odessa, 4 October 1804.⁵⁸

The main intention of Catherine II was to increase the population of the empire in general. The opportunity to use foreign settlers for the development of agriculture and to encourage new manufacturing production was not overlooked. Initially, the urgency of securing the Northern Black Sea steppe against possible counter-attacks from the Ottomans required from Grigorii Potemkin and his successors radical measures in order to acquire new inhabitants. When at the turn of the nineteenth century the Ottoman “threat” became more distant, the shortcomings of unrestricted foreign settlement tended to loom larger. This, together with a shift in the general governmental policy regarding the native peasantry, contributed to the implementation of new rules for European emigration to the Russian empire in 1803–1804. In general, the foreign settlers of Catherine’s reign and the first years of Alexander I (1801–1825) took a long time to adapt to their new surroundings, and cost the Russian government far more both in terms of cash and administration than did the native peasants.

At the beginning of the nineteenth century, colonization became increasingly bureaucratic, paternalistic and routinized. It was characterized by the presumption that the micromanagement of settlements would not only “better populate the steppes,” but also enhance social welfare. Russia’s rulers and elite believed that most people had to be monitored and instructed if they were to be rendered useful. In the new age of growing ministerial bureaucracy, this presumption became institutionalized and was applied on a broad scale. Guidance and tutelage (*popechenie*, *popechitel’stvo*) became slogans of the new colonization age. Sceptical views were now expressed in the Ministry of the Interior regarding the profits of colonial settlements. Huge financial resources had already been spent with no desired results so far. It was a time for a new shift in state policy.⁵⁹

Alexander I’s decree of October 1803 not only endorsed the colonization of a particular region, the Odessa city suburbs and Kherson, Tavria and Ekaterinoslav provinces, but also targeted migrants from the German lands.⁶⁰ Due to the decrease of available lands for settlement in the Black Sea provinces of the empire and the overpopulation in the interior provinces, the

⁵⁸ Letter №13 [4 October 1804], in *Pis'ma gertsoga*, 63.

⁵⁹ Sunderland, *Taming the Wild Field*, 114–116.

⁶⁰ “Imennyi, dannyi Odesskomu gradonachal'niku Diuku de Rishel'e. O poselenii v okrestnostiakh Odessy i v drugikh mestakh gubernii: Khersonskoi, Ekaterinoslavskoi i Tavricheskoi kolonistov, iz Germanii pribyvshykh [17 October 1803],” in *PSZRI*, vol. 27 (1802–1803) (St. Petersburg, 1830), 932–934.

official rhetoric changed. On 20 February 1804, the Report of the Minister of the Interior on the Rules of the Foreign Colonists' Admission and Settlement, pointed out:

The call for colonists was and is continuously conducted based on the Manifesto, published in 1763. Initially it was not specified what people to accept; therefore, a lot of bad masters [*plokhie khoziaeva*] happened to arrive and mostly the poorest ones, who by now scarcely benefit the State. Saratov and some New Russian colonies have proved this true. [...] The foreigners' settlements must be narrowed down, apart from those newcomers who could serve as examples in farming or needlework. And therefore, if the admission of foreigners is pleased to be continued, it should be caused by the urgent need and solely for good and able masters [*dostatochnye khoziaeva*].⁶¹

Through the Russian diplomatic mission and governmental agents abroad, the potential immigrants of Central and Western Europe learned the conditions of resettlement.⁶² Neither contracts nor any written obligations, in modern terms, were signed between them and the Russian state. However, the invitation and admission process certainly had the connotations of an imperial social contract. Nominally the Russian monarch provided applicants, would-be colonists, with land and certain commodities in exchange for building up the agricultural infrastructure in a region, eventual tributes and taxes, after grace years, and expected loyalty.

Only the Mennonite immigration to the Northern Black Sea was preceded by extensive consultations, long preparations, and negotiations between Mennonite deputies and Grigorii Potemkin personally.⁶³ Of all the foreign culture-bearers, the Mennonites were the most favoured. Germanized descendants of Dutch Anabaptists centred in West Prussia and the Danzig district, the Mennonites immigrated on special conditions and were granted the Charter of Privileges, dated 6 September 1800, due to their "great diligence and good behaviour [*otlichnoe trudoliubie i blagonravie*]."⁶⁴ The first Mennonites to come to the region were directed to the island of Khortytsia in the Dnipro River in 1788–1789 and 1793–1796. The other

⁶¹ "Vysochaishe utverzhdennyi doklad Ministra vnutrennikh del. O pravilakh dlia priniatiia i vodvoreniia inostrannykh kolonistov [20 February 1804]," in *Nemtsy v istorii Rossii*, 144.

⁶² On the Russian representatives of immigrant recruitments abroad, the preparations, the roots and the details of immigrants' trips, see Height, *Homesteaders on the Steppe*, 1–59.

⁶³ Venger, *Mennonitskoe predprinimatel'stvo*, 92–105.

⁶⁴ "Vysochaishaia gramota memonistam. O podtverzhdenii obeshchanoi im svobody v otpravlenii veroispovedaniia po tserkovnym ikh ustanovleniiam i obychaiam [6 September 1800]," in *Nemtsy v istorii Rossii*, 100.

arriving groups, in 1804–1805, and 1806–1823, established themselves in around 30 villages north of the Azov Sea. The Mennonites fitted perfectly with the Russian rulers' ideal image of a foreign colonist. They had property and financial resources, laudable personal qualities (industriousness, cleanliness, and moderate drinking habits) and expertise as farmers and craftsmen.⁶⁵ Humility and loyalty were expected from all settlers-colonists, with no exceptions. On 9 May 1808, in a letter to Kontenius, Emmanuel Richelieu emphasized:

But even if they [the Mennonites] have not received any money from the Treasury, at least they were granted land from the government. And to my mind having provided colonists with such a gift, the government may demand some obedience and submissiveness from them, especially when what is required from the colonists is certainly necessary for their own good.⁶⁶

People from Central and Western Europe, mainly from the German lands, though there were also German immigrants from Hungary who met the financial and professional requirements, were granted certain rights and special privileges, as well as being subject to some obligations. They settled under the rules and conditions embodied in the Report of the Minister of the Interior and implemented in February 1804. (See Appendix 2)

In the last passage of the Report of 1804, there was notable emphasis on the expected obedience and moral quality of the “old and new subjects of the empire.” This document clearly points out that if the newcomers turned out to be disobedient towards the authorities or indulged in debauchery, they would immediately be expelled from the empire after repaying their debt to the State Treasury.⁶⁷ The legislation was supposed to save the local authorities from problems that could arise due to the colonists' stubbornness and other disorders. It is worth noting that a space of free interpretation was given for suitable obedience and desirable moral quality, perhaps in order to give some leeway to the local authorities in these matters.

From the official point of view, moral quality and thrift were not simply requirements to be met by the potential colonists but also intersecting features that usually predetermined one another. In August 1808, around 500 families from Baden were expected to arrive and settle in the neighbourhood

⁶⁵ Sunderland, *Taming the Wild Field*, 117. On the waves of Mennonites' influx into the region, see Giesinger, *From Catherine to Khrushchev*, 29–33.

⁶⁶ Letter №36 [9 May 1808], in *Pis'ma gertsoga*, 114.

⁶⁷ “Vysochaishe utverzhdennyi doklad [20 February 1804],” in *Nemtsy v istorii Rossii*, 144–147.

of Odessa. The Minister of the Interior was particularly concerned with the accommodation of these migrants, since “they differed from other residents from Germany by morality as well as order on the farm.” In this connection, he proposed not to mix them with other colonists, but rather to settle them compactly in separate villages in one county.⁶⁸ The Minister of the Interior viewed separation of those would-be colonists as a way to secure their morality and prevent any negative influences from other colonists, their forerunners, whom he considered poor, lazy and negligent. Following this logic, if the immigrants were characterized by high morality and thrift, their economic reliability and efficiency were almost guaranteed.

The Report of the Minister of the Interior of 1804 advocated continued generous benefits for qualified migrants. Still, this constituted the end of the large-scale foreigner-based part of the colonization project. The Russian government became more interested in attracting highly motivated and skilled farmers and craftsmen, particularly from the German lands, with private grants of not less than 300 gulden. Migrants were no longer provided with loans from the Russian state, except for travel expenses granted at the Russian border. Henceforth, there would be no active recruitment abroad, no funds given to anyone before they reached the Russian border, and only foreigners of sufficient means who could prove that they were good farmers or had experience in viticulture, stock-raising, and certain crafts were to be accepted. Henceforth, the goal was to settle the steppe with a limited number of foreigners whose primary role was to serve as models in farming and craftsmanship.

The reaction of the German authorities to the attractive conditions for immigration to the Russian empire was not a constructive one, especially in relation to the wealthy Mennonites. Aiming at reducing Mennonite immigration to the Russian empire, the authorities made the emigration procedure excessively bureaucratic. In order to move to Russia in 1803–1804, Mennonites from Prussia had to obtain permission from local authorities and so-called “severance passports” (*uvol'nitel'nye pasporta*). The Prussian government demanded certain conditions for issuing “severance passports” needed for departure. Mennonites had to donate one tenth of their moveable and immovable property, and half of the proceeds at the sale of their lands to the Prussian treasury. Prussian officials also used different bureaucratic manoeuvres which delayed the issuing of passports. Only in June 1804 did

⁶⁸ Letter №39 [25 August 1808], in *Pis'ma gertsoga*, 119.

the Prussian government resume issuing passports.⁶⁹ In summer 1804, the Russian consul in Danzig reported to Viktor Kochubei, Russian Minister of the Interior, that apart from the financial and bureaucratic obstacles, the Prussian government even resorted to spreading false rumours about the Black Sea provinces in order to scare Mennonites and stop them from immigrating. As Kochubei reported, there were talks about the bad climate of the region and the risk of suffering from Tatar attacks, since supposedly the Mennonite's place of settlement, close to the Azov Sea, belonged to the Tatar khans.⁷⁰ Despite disinformation and diplomatic confrontations between Prussia and Russia, the Mennonite migration to the Black Sea steppe did not stop, although it slowed down.

During the first nine years of the nineteenth century, 6,082 colonist families belonging to various ethnicities came to the Northern Black Sea region, 21,986 persons in all, at an average cost to the government per family of 480 paper and 17 ½ silver roubles. According to Bartlett's estimations, altogether it cost somewhat over 3,000,000 paper roubles.⁷¹

As the Report of 1804 suggests, family people (*liudi sem'ianistyie*) were the most desirable migrants, whereas singles were most often disregarded in the admission process.⁷² Exceptions could be made in cases when, for instance, single maids or workers migrated to the empire as part of another family.⁷³ Families consisting only of a wife and husband were not desirable either, due to their "rather doubtful economic efficiency and questionable ability to build up a proficient farm."⁷⁴ The government encouraged family migration because it was considered more economically viable in the long run. Many native peasants, Cossacks, and foreigners resettled as household units, not just because the state favoured the practice, but also because economies were structured around household production.

Due to the excessive costs, subsidies for foreign immigrants were cancelled in 1810. The admission of new foreign migrants was halted in 1819.⁷⁵ In

⁶⁹ Letter №5 [6 July 1804], in *Pis'ma gertsoga*, 33.

⁷⁰ "Predstavlenie I otdeleniia Ekspeditsii gosudarstvennogo khoziaistva V. P. Kochubeiu otноситel'no mennonitov, idushchikh iz Prussii na poselenie v Novorossiiskii kraj [June 1804]," in *Pis'ma gertsoga*, 219–221.

⁷¹ Bartlett, *Human Capital*, 212.

⁷² "Vysochaishe utverzhdennyi doklad [20 February 1804]," in *Nemtsy v istorii Rossii*, 146.

⁷³ See DAOO, f. 6, op. 1, spr. 3809 (O vstuplenii v brak fershampenuazskogo kolonista Georga Adama Ersmine s inostrankoiu Karolinoiu Brinde [1835]).

⁷⁴ "Vysochaishe utverzhdennyi doklad [20 February 1804]," in *Nemtsy v istorii Rossii*, 146.

⁷⁵ "Polozhenie Komiteta Ministrov. O presechenii dal'neishego pereseleniia v Rossiu inostrannykh vykhodtsev [5 August 1819]," in *PSZRI*, vol. 36 (1819) (St. Petersburg, 1830), 325.

practice, individual migration was not entirely stopped, even after the next policy shift in 1819. Individuals who migrated for different reasons were predominantly single males. Some of them managed to settle. Single females immigrated to the Russian empire as maids. The documented evidence points out a common tactic circulating among foreigners who came to the Russian empire. They entered the empire with temporary passports for concrete time-limited purposes, but later approached the colonial authorities with a request to be admitted to the colonist rank and gain permanent residence.⁷⁶ In 1826, the widow Elisabeth Kamerloh asked for admission to the colonists from Elsass, together with her six-year-old son.⁷⁷ She received a one-year passport in Strasbourg to travel to Odessa to visit her relatives there. The Elsass colonist society agreed to accept her and her son, but the Odessa Office for Foreign Settlers denied her request with the following clarification:

The requests of the people, who come to Russia to visit their family members on temporary permits [*vremennye bilety*] and want to be admitted to the colonist class must be denied, since they were supposed to go abroad [meaning Russia] for a while. The satisfaction of such requests might serve as an excuse for other foreign migrants to seek grounds for settlement in Russia.⁷⁸

Andrei Weismann, a colonial overseer, was instructed to make sure that the widow, just after the expiry of her passport, would leave the Elsass colony and go back to her “country of origin.” This case might indicate a certain selectivity of the Russian immigration policy that excluded single-parent families from the admission process because of their doubtful economic sufficiency.

The evidence suggests that in the 1820s and 30s, admission to the colonist rank was largely determined by the personal qualities of the applicant and the actual situation. The acceptance of an immigrant’s petition for admission to the ranks of the colonists depended on the applicant’s economic wealth, marital status, and his/her eventual “helpfulness” and contribution to the colonist community. Another decisive factor in this regard was the opinion and willingness of the village assembly of the respective colony to accept a

⁷⁶ DAOO, f. 6, op. 1, spr. 4477 (Po otnosheniiu inostrantsa Ditrikha Bekhdol’fa ob iskhodataistvovanii emu zagranichnogo uvol’nitel’nogo svidetel’sva dlia poselenia v Rossii i o razvode ego s prezhnei zhenoiu, ostavsheisia za granitse [1837]); DAOO, f. 252, op. 1, spr. 566 (O zhelanii vykhodki, vdovy Elizabety Kamerlokh prichislitsia v chislo kolonistov kolonii El’zas [1826]).

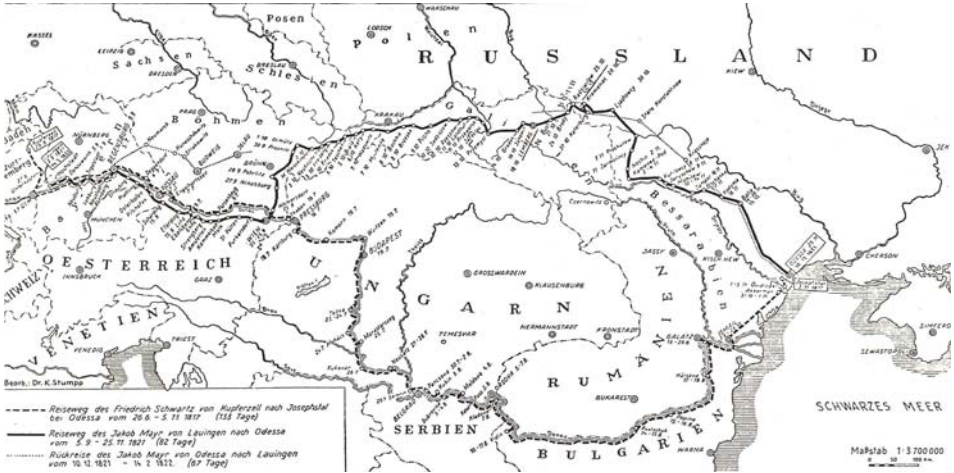
⁷⁷ The colony was in a valley on the Baraboi River, established in 1808.

⁷⁸ DAOO, f. 252, op. 1, spr. 566, ark. 4.

new member. Professional craftsmen as well as applicants with property, including financial assets and cattle, were particularly valued and usually admitted.⁷⁹

Another important issue is the way the German authorities approached the question of marriage and child custody of those intending to emigrate to the Russian empire. The law of Friedrich Eugen, the Duke of Württemberg, on 9 March 1804, aimed at regulating the situation when one spouse wanted to leave the other behind, or emigrate without the other's consent, and the conditions when permitting the immigration of single people. As this law presupposes, only a husband had the legal right to choose and change the place of residence. So basically, if a husband left his home country against his wife's will he could neither be called a deserter, nor be treated as one. Unless, besides emigrating, he harboured the idea of divorcing, or if he left anyway, even after having made a contract with his wife not to move their place of living without her consent, or if, because of a physical hindrance, for example illness, the wife was prevented from following her husband. Only in these three cases would the husband not be released until a legal divorce had taken place.

⁷⁹ DAOO, f. 6, op. 1, spr. 2691 (O prichislenii kolonistov i perechislenii iz odnoi kolonii v druguiu po Bessarabskomu vodvoreniiu [1832–1833]), arkk. 48–67.



Map 4. The itineraries of three journeys: (---) itinerary of Friedrich Schwartz from Kupferzell to Josephstal, near Odessa, 26.06–5.11.1817 (133 days); (—) itinerary of Jakob Mayr from Lauingen to Odessa, 5.09–25.11.1821 (82 days); (...) return journey of Jakob Mayr from Odessa to Lauingen, 10.12.1821–14.02.1822 (67 days).⁸⁰

Note: There were several routes of migration to the Russian empire. Some were entirely over land while others used the Danube waterway. In 1809, one of the overland routes of immigration was through Erfurt, Leipzig, and Dresden, then through Meissen, Görlitz, Bunzlau, Hainau, Liegnitz to Breslau, the capital of Silesia, and through the towns of Brieg, Oppeln, and Gleiwitz. When entering Polish lands, the route continued through Cracow, Babice, Myslenice (in the northern foothills of the Carpathian Mountains), Bochnia, Tarnov, Rzeszow, Przemysl to Lemberg, and via the Polish border to Radzivilov.⁸¹

The law stated that a wife could not be forced to follow her husband straight away. She might remain because of her temporary physical condition, but also due to other reasons such as the danger of the journey or unfavourable climate. In such a case, the separation was considered temporary and the marriage remained valid, even after the husband had left. If the husband had a definite place of settlement, but the conditions of this settlement were not secured, the wife did not have to follow until the latter had been arranged. The law basically presupposed situations when the family was split, albeit temporarily, as a result of emigration. Much can happen during such a

⁸⁰ Stumpp, *The Emigration from Germany*, Part I, 40. The letters and descriptions of journeys of a few German emigrants, including Friedrich Schwarz and his family, see Stumpp, *The Emigration from Germany*, Part I, 32–39.

⁸¹ The names of the towns are written in Joseph Height's version, see Height, *Homesteaders on the Steppe*, 22, 23.

separation, which might last for years. The partners might begin other relationships. A wife might change her mind, and/or may never reach the planned destination.⁸² According to the law, a wife could never emigrate against her husband's will. If she did so, she was considered and treated as a deserter. Even with her husband's permission, she could not emigrate on her own. The law admitted a temporary separation of the spouses, when a husband had the intention to follow his wife, but such instances had to be argued and be persuasive. Children who were no longer under parental guardianship (sons at the age of 16 and daughters at 15) had a right to decide on their own regarding emigration. Single people who wanted to emigrate on their own and still had parents, could do so without their permission. Orphans were permitted to emigrate if allowed to do so by their overseers before they reached adulthood. Overseers, however, could not emigrate without permission from the authorities.⁸³

All in all, immigration into the empire became extensive. As Kabuzan claims, at the beginning of the nineteenth century, the migrants from German states together with Jews temporarily overtook in terms of quantity the other immigrant population groups in the Kherson province.⁸⁴ Before 1815, the provinces of Ekaterinoslav, Kherson, and Tavria received the newest settlers. From 1783 to 1858, the population of Kherson and Ekaterinoslav provinces increased from 193,451 to 1,016,126 males. Due to resettlements (*pereselenie*) and immigration, the population of these provinces increased by almost 368 thousand males.⁸⁵

By the middle of the 1820s the state land reserves were almost exhausted in the Northern Black Sea region. The foreign immigration into the region in the course of its colonization also declined. Most foreign migration on the basis of the 1804 legislation ended in practice by the 1830s, though colonists

⁸² This happened to Vendelinus Becker, a Catholic from Molotschna colonies. His wife took another route on her way to Russia, and with another man. She never reached her husband at the place of settlement. By 1812, Vendelinus Becker had been cohabiting with colonist Rosina Schwambergerin for two years out of wedlock. Now he wanted to legalize his relationship with Rosina, but the case became a quagmire from the legal point of view. It remains unknown how this issue was resolved, if at all. See DAOO, f. 6, op. 1, spr. 614 (Po prosheniiu patera Maevskego o bludnozhitii molochanskogo kolonista Bekera s kolonistkoiu Rozinoiu Shvamberger [1812–1813]).

⁸³ "Law of 9 March 1804 concerning the rule of the marriage- and orphan questions of the emigrants," State Archives in Ludwigsburg, R. 48: Immigration 1803–1805, room J, enclosure 3, drawer 6, folder 29, rule 4, compiled by Karl Stumpp, translated by Elli Wise, *A German-Russian Genealogical Library*, accessed February 11, 2016, <http://odessa3.org/collections/articles/link/lawwuert.txt>.

⁸⁴ Kabuzan, *Zaselenie Novorossii*, 261.

⁸⁵ Kabuzan, *Zaselenie Novorossii*, 264.

already within the empire, experiencing “land hunger,” continued to expand their settlements and to establish satellite colonies.⁸⁶ The intensive period of the Northern Black Sea state-guided colonization came to an end. This baton was handed over to the Low Volga and the Southern Ural region and Northern Caucasus. Foreign colonists, mainly German and Polish speakers, Greeks, Bulgarians, and other Balkan people, were still present in the migrant pool, but their overall numbers either remained small or were diminishing. Due to the changes in the state policy and land shortage, the Russian government had to reconsider the “domestic” human capital in the colonization project.

2.4. Concluding Discussion

By the end of the eighteenth century, due to military confrontations, the Northern Black Sea littoral both *de jure* and *de facto* fell under the power of the Russian Crown. This brought enormous changes to the inhabitants of the steppe, altering the socio-ethnic, cultural and even ecological faces of the region. The Cossack Hetmanate, Nogai Hordes, Zaporozhian Sich, and the Crimean Khanate disappeared from the political arena. The Northern Black Sea steppe became an arena for imperial invention and reinvention. Colonization, orchestrated by the Russian ruling elite, was intended to swiftly digest these new territories, above all through dislocations, immigration and migration and the rapid implementation of the imperial fiscal system. The intention was also to integrate these territories with the rest of the empire. Constant administrative territorial redrawing and experiments were conducted in a spirit of momentary conjuncture. Some ethnic groups, like Ukrainians, Moldovans, Russians, and foreign immigrants, were encouraged to migrate to the Northern Black Sea region and the Crimean Peninsula, while other peoples such as Nogais and Tatars were compelled to leave or to accept subordination. Considering the focus of the present inquiry, my main interest is primarily the colonists and immigration policies starting from the reign of Alexander I.

Foreign immigrants were assigned a role in the region's integration and its imperial (re)invention. Once the foreign colonists had overcome the challenges

⁸⁶ For more about land “hunger” and the founding of the Volga satellite colonies in the steppes east of Volga River, Siberia and Volyn’, see Giesinger, *From Catherine to Khrushchev*, 57–80.

of the pioneer period of settlement during the first decade or so,⁸⁷ the standards of their agriculture subsequently rose higher than that of the peasants of either the appanage or the State Domains. As Bartlett suggests, a number of factors influenced this development: more advanced agricultural methods, colonist privileges, the size of the land held and the system of tenure. Viewing the colonists as agents of modernization became much more pronounced after 1804 and the application of the new rules. The new emphasis on quality rather than quantity regarding the colonists reflected directly the growing concern with the welfare of the native peasantry, which had found expression in the appanage and state peasant legislation. One of the reasons for the composition of new rules for colonists' admission and settlement in 1804 was the land shortage and the increase of the native population. It became necessary to put the available space to the best possible use.⁸⁸

However, the new rules could not prevent confusion and new clashes. The disconnection in expectations and visions between colonists and imperial administrators cost many lives and resulted in mistakes, sickness, and poverty, but also in colonist disobedience and a desire to return to their native countries. The large number of settlers of Großliebental colony, founded in 1804 near Odessa, were not farmers, but craftsmen from Württemberg, Baden, Rheinpfalz, Alsace, Prussia and Saxony. They were expected to cultivate the land but literally knew nothing about agriculture. The colonial authorities were particularly interested in establishing a cloth factory and engaged in sericulture. In 1807, the authorities proceeded with the construction of a large building which was to serve as a factory. But nothing became of the project. The colonists of the steppe began to realize that it was easier and more profitable to grow wheat and raise cattle. Almost every craftsman wanted to become a farmer. The government's plan to produce silk by raising silkworms was likewise unsuccessful.⁸⁹ Eventually, this colony was successful in extensive grain farming and production of livestock, but also in land lease. The first "golden years" for Großliebental colony dated back to 1815–1817. As the village chronicle suggests, the same happened to the dwellers of Neudorf colony, founded in 1809, who were also craftsmen rather than farmers. It was no wonder that only a few could adapt themselves to the new conditions.⁹⁰ Lustdorf colony, founded in 1805, was a special project of

⁸⁷ Julia Malitska, "Aklimatyzatsiia shveds'kykh mihrantiv na Pivdni Rosiis'koi imperii," *Hrani*, no. 1 (2010): 12–14.

⁸⁸ Bartlett, *Human Capital*, 214–215.

⁸⁹ Height, *Homesteaders on the Steppe*, 60–62, 149–151.

⁹⁰ Height, *Homesteaders on the Steppe*, 194.

the Duc de Richelieu, who intended to establish a village of artisans and craftsmen in the neighbourhood of Odessa. According to the chronicle of Lustdorf, this idea was not realized either, largely because the commerce of Odessa was still undeveloped at that time.⁹¹ After all, for many colonies near Odessa, the 1830–1850s were the times of so-called “increasing prosperity” so long expected by the government.

Socioeconomic engineering and the application of economic and political means by the imperial elite to bring about desired changes were frequently altered by the circumstances on the ground. The clashes between contrasting visions, perceptions and realities, not only within the economic sphere, were never resolved in the politics of colonization.

⁹¹ Height, *Homesteaders on the Steppe*, 161–162.

CHAPTER 3

Guardians of Good Morals and Economic Welfare: Clerks and Clerics in the Steppe

This chapter is devoted to agents (clerks and clerics) and their agencies in the Black Sea region which were supposed to administer, surveil, assist and control people of the region designated as colonists. Their offices, but also individual actions, played a great, if not fundamental role, in the colonization project and for the colonists. By “agent” I mean an independent entity with the ability to pursue a goal. Agency is also understood here as an organization, an office, but also as the capacity of individuals to act autonomously and to make their own free choices. A social actor, a person who undertakes social action, however, is not always equivalent to a social agent, who has the ability to pursue a goal.

First, I examine the colonial administration of the Russian government, an agency created exclusively to govern the ethnically and linguistically diverse groups of population of the region that, however, were united with the same legal status as colonists. The competence of this administration, designated in the official discourse and paperwork as colonial or colonist authority (*kolonial'naia/ kolonistskaia vlast'*, *kolonial'noe nachal'stvo*, *kolonial'noe vedomstvo*) is here given close consideration. Secondly, I investigate the recruitment policy of the religious servitors to the Catholic and Lutheran colonies of the region, and their professional activities.

Confessional politics and autocratic legality in the Russian empire are significant contexts that help to reveal the complexity of the power relations in the region, and also constitute a vital explanatory framework for the entire study.

3.1. Old Men, New Laws: Autocracy and Judiciary in the Russian Empire

Prior to judicial reform in the 1860s, legality was perceived as the exercise of personalized and paternalistic state authority through regularized rules,

enabling the essential elements of the tsarist legal order. Russian law was the tsar's will, and to act in accordance with the law was the same as fulfilling the tsar's will.¹ The personal factor has always been decisive in imperial Russia. Stephen Velychenko points out that the administration was too fragmented to adequately perform its intended role as an agent of uniformity. Since imperial Russia had a government of men, and not laws, policy depended greatly on individuals, and interests could find expression within the nominally unified administrative system. Velychenko claims that graft, corruption, bribery, venality, nepotism and red tape riddled the bureaucracy. Ignoring directives was so widespread that, in practice, self-rule was the actual rule.²

Until the middle of the nineteenth century, the judiciary in provincial and district courts consisted primarily of noblemen who lacked specialized legal training. Most judges, as well as imperial administrators, were former military officers who had returned to their estates but still needed an income from state service.³ William Wagner points out the biases of judicial process before the Great Reforms in the 1860s and 70s. Litigants often resorted to bribery and engaged retired or well-connected state officials. Constraints on judicial interpretation and the lack of judicial independence further complicated the process. Judicial personnel were treated as subordinates to superior administrative officials, while judicial decisions were not recognized as general laws, obligatory for all, or served as the basis for similar cases. Before the late 1850s judicial decisions were not circulated internally among courts and other state agencies, nor were they published or discussed publicly in the press. The personalized relationships between the emperor and each minister was another factor to bear in mind.⁴

The scarcity of published sources of law, specialized legal literature and the limited public discourse on juridical questions impeded the development of a common professional identity among jurists. Despite the periodic efforts to codify the law during the eighteenth and early nineteenth century, no comprehensive source of imperial law existed before the early 1830s. This complicated legal practices in the regions even further.⁵

¹ Wagner, *Marriage, Property, and Law*, 5.

² Velychenko, "Identities, Loyalties," 189, 190.

³ Wagner, *Marriage, Property, and Law*, 14.

⁴ Wagner, *Marriage, Property, and Law*, 37–38.

⁵ Wagner, *Marriage, Property, and Law*, 15.

Although its initial publication was a significant achievement, the Digest of Laws of the Russian Empire,⁶ a compendium of current laws first published in 1832, suffered from serious flaws. It lacked the completeness, unity, and systematic exposition of both general principles and specific norms provided by the contemporary European legal codes, even though it was arranged and expressed in this format. In theory, although not in fact, the Digest of Laws included all legislative and other normative acts promulgated since the Law Code (*Sobornoe Ulozhenie*) of 1649 which had not been abrogated or superseded by any subsequent act. Hence statutes, decrees, ministerial directives, decisions in particular judicial cases, and a variety of other sources, issued at different times and for different purposes, were chopped up, amalgamated, and rearranged to fit the system adopted for the Digest. This approach resulted in the absence of any uniform legal terminology and a casuistry that often left the meaning of the law vague and contradictory and its coverage incomplete and uneven.

The diversity of the Russian empire also increased the vagueness of the law. Despite substantial changes in the legislation since the eighteenth century, mid-nineteenth-century imperial civil law continued to reflect the needs of a predominantly agrarian society based on unequal ascriptive status and serfdom. Although the imperial civil law was applied generally to all subjects of the empire, numerous exceptions were made for ethnicity, religion, region, and social status. Cossacks, German settlers, the nomadic peoples of Siberia and Central Asia, and peasants were subjected to their own customs to a certain extent, as were Muslims and Jews. The ecclesiastical authorities of different religions defined and administered important aspects of family law. Hence merely determining the law applicable to a given case, let alone its meaning, could prove difficult.⁷

⁶ The Complete Collection of Laws of the Russian Empire (*Polnoe sobranie zakonov Rossiiskoi imperii*) should not be confused with the Digest of Laws of the Russian Empire (*Svod zakonov Rossiiskoi imperii*) – a sixteen-volume edition, in which many laws were arranged in a kind of code, that is, set out in a thematic, rather than in chronological order. For more about the Digest of Laws of the Russian Empire, as an embodiment of the operative legal system in late imperial Russia, see Tat’iana Borisova, “The Digest of Laws of the Russian Empire: The Phenomenon of Autocratic Legality,” *Law and History Review* 30, 3 (2012): 901–925, accessed December 7, 2016, <https://www.cambridge.org/core/services/aopcambridgecore/content/view/E64CC66F4C98E27E0C9BDACA73EA25E/S0738248012000193a.pdf/div-class-title-the-digest-of-laws-of-the-russian-empire-the-phenomenon-of-autocratic-legality-div.pdf>.

⁷ Wagner, *Marriage, Property, and Law*, 56–57; Kappeler, “Russia as a Multi-Ethnic Empire,” 61–68.

The systematic legal training of jurists, introduced in the 1830s, with a consequent professionalization, laid the basis for a transformation of the judiciary. By the 1850s the Senate Procuracy, the provincial courts, and central administrative bodies had come increasingly under the influence of trained jurists who believed in the force of law and the courts in resolving the social and administrative problems facing the empire. The judicial reform enhanced this process.⁸ The predominance of the nobility at the highest levels of the judiciary suggests that social background and political loyalty continued to influence attitudes as well as appointments. This put certain limits on the professional cohesion engendered among lawyers.

Russia's defeat in the Crimean War fostered an atmosphere favourable for change. The institutionalization of the principle of legality by separating judicial from administrative functions became urgent and reasonable. According to some critics, previous arrangements had caused corruption and inefficiency in state administration during the war and had economically weakened the empire. To overcome these administrative and economic problems, Alexander II (1855–1881) initiated a series of reforms of governmental and social institutions. As a result, considering all ambiguities, judicial independence was supposed to replace subordination to the state administration, specialized training to replace generalist knowledge, public hearings and adversarial procedure to replace inquisitorial formalism, broad judicial discretion to replace the prohibition against judicial interpretation of law, and equality before the law to replace the hierarchy of courts and evidentiary rules based on social status. Only the judiciary was legitimately provided with the power to interpret the law. The courts were meant to be separated from state administration, and judicial independence was recognized. With all the inconsistencies in Russian governmental policy, the rule-of-law culture, however, became the basis of the Russian law profession.⁹

The reforms, however, fashioned a judicial system whose principles challenged the essence of autocratic power. Conflict became inevitable, fostering political division within the educated and professional circles of society while at the same time undermining autocracy. The methods of the tsarist government and the political order were incapable of accommodating

⁸ Wagner, *Marriage, Property, and Law*, 16, 22.

⁹ Wagner, *Marriage, Property, and Law*, 39, 41; Brian L. Levin-Stankevich, "The Transfer of Legal Technology and Culture: Law Professionals in Tsarist Russia," in *Russia's Missing Middle Class. The Professions in Russian History*, ed. Hartley D. Balzer (London and New York: Routledge Taylor and Francis Group, 2015), 223–249.

the ideological diversity that had emerged among state officials and society during the late empire.¹⁰

3.2. Gatekeepers: the Administration for the Colonists

...it is difficult to find an example of colonization in any country, as successful as the one you [Samuel Kontenius] carry out

Armand-Emmanuel du Plessis Duc de Richelieu, Odessa, 16 December 1805.¹¹

In this section I sketch the competence and powers of the Russian colonial administration regarding the foreign colonists, with an emphasis on the mode of encounter between the colonists and the wider society and polity. The introduced metaphor of *gatekeeper* in respect to the colonial administration is here used analytically. The gatekeepers decide what information should be passed on to groups or individuals and what information should not. Here, the *gatekeepers* are also the decision-makers.

The Guardianship Office for New Russian Foreign Settlers in the Southern Region of Russia (*Kontora opekunstva novorossiiskikh inostrannykh poselentsev Iuzhnogo karaia Rossii*) (henceforth the Guardianship Office) was established in the city of Ekaterinoslav in 1800 for the purpose of supervising the colonists of the Northern Black Sea region of diverse ethnic and religious backgrounds (Mennonites, Germans, Poles, Jews, Bulgarians and etc.). It was also meant to provide the established colonist settlements with consistent economic guardianship and to safeguard their rights and privileges while securing the fulfilment of the colonists' obligations and duties to the Crown. The unsatisfactory results of the governmental audit in 1797 of the first colonies established in this region in the 1780–1790s gave a strong impetus to the formation of this agency.

The whole agency, combining administrative, economic, judicial and police functions,¹² was headed by a major curator, a Chief Judge, appointed by the Minister of the Interior. The first Chief Judge was Samuel Kontenius. It was he who conducted the audit of the colonies and revealed the problems

¹⁰ Wagner, *Marriage, Property, and Law*, 381, 382; Engelstein, *The Keys to Happiness*, 22.

¹¹ Letter №24 [16 December 1805], in *Pis'ma gertsoga*, 87.

¹² According to terminology of the time, "policing" was an activity of the authorities, aimed at the well-being of the population and guaranteeing law abidance, safeguarding good morals, ethics and religion, health and social care, and education.

and the disastrous condition of the first settlers in the steppe. Kontenius, as his contemporaries underlined, faithfully devoted himself to his office and the colonists until his death. He was therefore acclaimed as “the father of the German colonists”.

The Guardianship Office was assigned multiple responsibilities regarding the colonies by the Russian government. It was supposed to correct and improve the condition of the colonies, to discipline colonists and encourage them to engage in husbandry, to scrutinize the debts of each family and to enforce the payback of loans as the ten years of grace had already expired for some of the colonists. The Guardianship Office was under the jurisdiction of the Ministry of the Interior and, after 1838, of the State Domains. The authority of the Guardianship Office was in force for previously settled colonists as well as newcomers. Its duties included the selection and the purchase of land for settlement, the transfer of migrants to their places of settlement, providing loans on request, protecting the rights and privileges of the colonists and much more. The Guardianship Office monitored the colonists' fulfilment of their commitments and obligations to the state, debt repayments to the treasury, their farming and their running of households. It promoted agriculture, cattle breeding and the establishment of linen factories in the colonies. It also collected and summarized information about the economic development of the colonies and regularly reported on such matters to the government.

The Guardianship Office also embodied the emperor's will and represented the Russian government in the region and in relations with colonists. The powers of the Guardianship Office (later replaced by the Trustees Committee with the same functions) were specified and limited by the Instruction to the Guardianship Office for the New Russian Foreign Settlers, dated 26 July 1800,¹³ but also by Senate and Synod¹⁴ decrees, the Ministry of the Interior's prescripts and other laws of general jurisdiction. On province and village levels, management was exercised by the Odessa, Ekaterinoslav

¹³ “Vysochaishe utverzhdennyi doklad Senata. S instruktsiei Kontore Opekunstva Novorossiiskikh inostrannykh poselentsev [26 July 1800],” in *Nemtsy v istorii Rossii*, 93–95.

¹⁴ The Most Holy Governing Synod (*Sviateishyi Pravitel'stvennyi Sinod*) was the highest governing body of the Russian Orthodox Church in the period 1721–1918, when the Patriarchate was restored. The jurisdiction of the Most Holy Synod extended over every kind of ecclesiastical question and also some that were partly secular. The Synod was composed partly of ecclesiastical people, and partly of officials appointed by the tsar. Beyond forming the Synod in an effort to weaken the power and authority of the Russian Orthodox Church, the Roman Catholics and Protestants were also under the Synod jurisdiction. See Litsenberger, *Katoliki i liuterane v Rossii*, 120–121.

and Bessarabian regional offices, and respective district and village boards (*okruzhnye i sel'skie prikazy*). The powers of village and district boards were defined by the Instruction for the Internal Order and the Management of the New Russian Foreign Colonies (further on the Instruction), dated 16 May 1801, and the Addition to it, dated 7 July 1803, but also by orders of the Guardianship Office and the Chief Judge.¹⁵ Both district and village board mayors (*ober-schulze* and *schulze* respectively) were government officials and appointed by the Guardianship Office after local elections.

The title of the position of the Chief Judge, the curator of the colonists, was not randomly chosen, but rather pointed to his responsibility, among others, to judge, interpret and apply the law regarding the colonists. The Guardianship Office was also a judicial body in minor civil disputes. The criminal offences of the colonists were tried in the county courts in the obligatory presence of a colonial member. The Guardianship Office implemented the “judgement and punishment of the colonists [*sud i rasprava nad kolonistami*]” in accordance with the law.¹⁶

Minor civil disputes among the colonists, and insults among parishioners and clergy, were subjected to the judgement of village and district boards. In these proceedings, the self-governing bodies were guided by the Instruction of 1801 and its Addition of 1803. By these two legal acts, the government introduced regulation and surveillance of colonists' economic activity and everyday life, as well as their behaviour, actions and interpersonal interactions. If the Instruction of 1801 did not specify the sanctions for certain kinds of misdeed, the mayors were supposed to address the Guardianship Office for decision. The Guardianship Office/ Trustees Committee was the body that made the final decision in civil issues. “Police offences” such as thefts and beatings were judged by the Guardianship Office/Trustees Committee based on imperial law. Disputes between colonists and other subjects were considered in local provincial courts or township magistrates. A deputy from colonial authorities was to represent colonist's interests there. If the colonist was not satisfied with a court verdict, he could appeal to the Senate, but only with the permission of the Ministry of the Interior/State Domains. Criminal cases were tried directly in district

¹⁵ “Instruktsiia dlia vnutrennego rasporiadka i upravleniia Novorossiiskikh inostrannykh kolonii [16 May 1801],” in *Nemtsy v istorii Rossii*, 116–131; “Dopolnenie k Instruktsii vnutrennego rasporiadka i upravleniia Novorossiiskikh inostrannykh kolonii [7 July 1803],” in *Nemtsy v istorii Rossii*, 136–142.

¹⁶ “Vysochaishe utverzhdennyi doklad Senata. S instruktsiei Kontore Opekunstva Novorossiiskikh inostrannykh poselentsev [26 July 1800],” in *Nemtsy v istorii Rossii*, 94.

courts, county courts, or the provincial chamber of criminal court with the mandatory participation of the colonial deputy.¹⁷

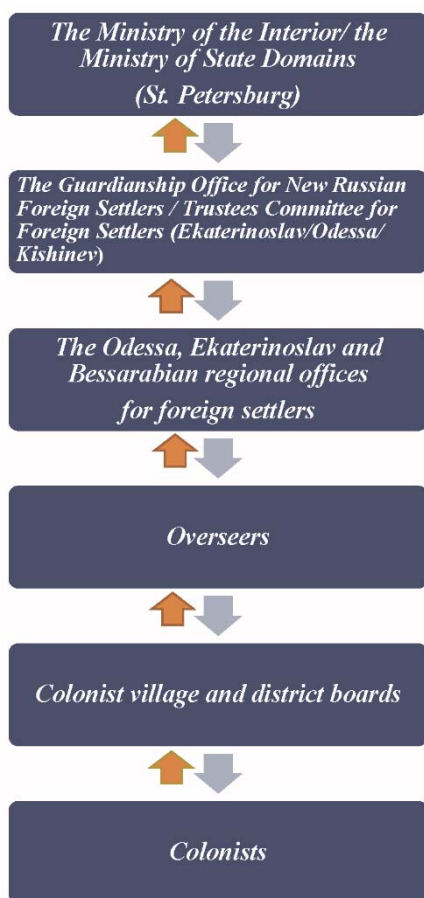


Figure 2. Diagram of the most common two-way communication path between the Russian government in St. Petersburg and the colonists in the Northern Black Sea steppe.

The Guardianship Office/ Trustees Committee and its officials, were the only legitimate representatives when communicating with other ministries and governmental agencies on behalf of the colonists, when sending statistical reports and church records to the respective institutions, and when

¹⁷ Olga Konovalova, “Kolonisty Iuga Rossii v konflikte s zakonom (1800–1818 gg.),” in *Voprosy germanskoi istorii. Nemtsy Ukrainy i Rossii v konfliktakh i kompromissakh 19–20 vekov*, ed. Svetlana Bobyleva (Dnipropetrovs’k: “Porogy,” 2007), 82–83.

representing the colonists and speaking on their behalf in the courts. At the same time, all instructions and prescriptions targeting colonists were distributed through the Guardianship Office/the Trustees Committee. On the local district level those instructions were distributed to clerks and overseers for further implementation by colonist district and village boards.

In 1803, the Addition to the Instruction introduced the position of a pen pusher in the local colonial administration:

As not only from village but also from district boards, different reports, submissions, complaints and claims arrive at the Office [*Kontora*], at times the Office is totally unable to grasp the essence of the situation and understand the genuine circumstances. For this reason, each village and district board is prescribed to keep one pen pusher [...] who is aware of all happenings in the colonies and can, in a proper way, clearly and convincingly, express it on paper.¹⁸

The introduction of the pen pusher's office did not immediately improve the way of documenting. The office work of the colonial administration had been characterized by an enormous number of mistakes, inconsistencies, incorrect and imprecise names and references. The introduction of the pen pusher's office in 1803, however, might explain to some extent the scarcity of documented evidence regarding the first settlers-colonists during the previous period, the 1780s and 90s.

At the beginning of the nineteenth century, with the increasing number of migrants destined for settlement in the Northern Black Sea region, the position of overseer (*smotritel'*) was established, providing a direct communication link between the Guardianship Office and the colonists. With the idea of preventing chaos and confusion due to the growing number of colonists of different backgrounds, the procedure of addressing the Guardianship Office was established. The colonists were forbidden to directly address the Guardianship Office. From now on, this was to be conducted only through local overseers.¹⁹ The overseers resided in the colonies and became the direct two-way mediators between the Guardianship Office and the colonists, their powers being defined by the Chief Judge. Starting from 1837, the colonists were also prohibited from travelling to

¹⁸ "Dopolnenie k Instruktsii [7 July 1803]," in *Nemtsy v istorii Rossii*, 141.

¹⁹ DAOO, f. 6, op. 4, spr. 18981 (O sobliudenii kolonistami zakonnoi postepenosti v podache imi po svoim delam proshenii [1858–1860]). The reference to the archival description of the file, since the original is lost.

Petersburg for personal petition.²⁰ From the 1830s the colonists and Mennonites were strictly forbidden under penalty to address the Guardianship Office by bypassing the local authorities, i.e. village and district boards.²¹

One of the achievements of Paul's short reign in respect to the colonization project was the reform of the colonies' self-governance. The community of each colony exercised its authority through the village assembly (*mirskoi skhod*), consisting of the male representatives of each household (*s kazhdogo dvora*). All heads of colonist households, as a rule married and well-respected males, enjoyed voting rights in elections and were automatically members of the village assembly. The village assembly, a self-governing body, was composed of the heads of households in each colony and took decisions by a majority vote. This assembly acted as an executive body and elected a village mayor (*schulze*), two assistants (*beisitzer*) appointed for two-year terms, and a clerk hired to keep the records.²² Those elected were confirmed in their offices by the Guardianship Office. The village assembly had yet another function. The colonists had to appeal to the village assembly and request its verdict (*mirskoi prigovor*) on all matters.²³ Apart from village and district elections, the village assembly exercised a variety of functions, such as: consent (or the lack of it) to colonists moving to

²⁰ DAOO, f. 6, op. 1, spr. 4568 (O nedozvolenii kolonistam priezzhat' v Sankt-Peterburg dlia lichnogo khodataistva po delam [1837]. The reference to the archival description of the file, since the original is lost.

²¹ DAOO, f. 6, op. 1, spr. 3200 (Po pros'be menonita Ioganna Gofera o dozvolenii emu poselitsia v kakoi-libo iz Molochanskikh kolonii, tut zhe i o vospreshchenii kolonistam vooobshche vkhodit' s pros'bami v Komitet mimo mestnogo nachal'stva [1834]). The reference to the archival description of the file, since the file is damaged.

²² In addition to the *schulze* and his two *beisitzer*, some of the documents, including censuses and election reports also refer to elections of the village *bürgermeister*. These terms were roughly equivalent. The latter term was more commonly used; it appears very frequently in official documents. As Roland Wagner suggests, this diversity in the terminology for the mayor's assistants can be attributed simply to local preference. Rastadt and München colonies, for example, consistently used the term "*bürgermeister*," whereas most of the other Beresan colonies used *beisitzer*. It is possible that there was a subtle difference in meaning, with the term "*beisitzer*" being a generic term for mayor's assistant, while *bürgermeister* had more honorific connotations, referring to an assistant with specific responsibilities. For more about this discussion, see Roland M. Wagner, "A Discussion of Local Government in the German Colonies of the Black Sea Region," in *A German-Russian Genealogical Library*, accessed February 11, 2016, <http://www.odessa3.org/journal/government.pdf>.

²³ Taisiia Malynovs'ka, "Zavdannia i povnovazhennia sil's'koi obshchyny u nimtsiv-kolonistiv Pivdnia Ukrainy (kinets' 18 st. – persha polovyna 19 st.)," in *Visnyk Chernihiv's'koho derzhavnogo pedahohichnogo universytetu. Serii: Istorychni nauky*, 52, ed. M. O. Nosko (Chernihiv: ChNPU im. Shevchenka, 2008), 37–38.

another estate, deciding on the invitation of clerics, the distribution of taxes and duties, and overseeing land use and the planting of crops. Together with purely socioeconomic tasks, the village assembly maintained public order in the colony and, starting from 1837, had the right to exclude “libertines” (*rasputniki*) from the colony.

The village mayor or his representative attended the district meetings. A colonist district usually consisted of several communities grouped around the district office, with an elected chairman or district mayor (*ober-schulze*), his two assistants (*beisitzer*), and a salaried secretariat. The district secretary was appointed by the government. The elected officers were chosen by landholders for limited terms, but approved by the colonial administration. The district mayor represented the district at the meetings with Russian officials and was responsible for community funds and the transmission of government orders to local officials for implementation. He was also responsible for policing his district and could punish wrongdoers with fines, sentences of communal labour, imprisonment, and even corporal punishment, although the latter could only be meted out with the approval of the colonial authorities.²⁴ Imperial ordinances and legislation turned elected village and district officers into governmental agents. They were elected by the village assembly but appointed by the colonial administration; their authority was much wider than that of the village assembly. The village community’s control over its elected officers was actually quite limited.

The new colonist offices – village and district boards – received detailed instructions on their duties, and other procedures. Communication with the colonists was to be conducted “in their dialect” (German or Bulgarian language). As Roger Bartlett concludes, in fact all introduced changes confirmed the colonists’ separate civil status, special financial arrangements, different language of communication and administrative system. All these matters contributed to and reinforced their separation from the rest of the population.²⁵

As mentioned above, the overseers and district and village boards alike were prohibited from punishing colonists without the consent of the Guardianship Office.²⁶ The village mayor, *schulze*, was directly subordinated to the district mayor, *ober-schulze*, and had to report all important matters to

²⁴ James Urry, *None but Saints. The Transformation of Mennonite Life in Russia 1789–1889* (Winnipeg, MB: Hyperion, 1989), 70–72.

²⁵ Bartlett, *Human Capital*, 212–213.

²⁶ DAOO, f. 252, op. 2, spr. 769 (O vospreshchenii mestnomu nachal’stvu nakazyvat’ kolonistov bez vedoma Kontory [1830]), arkk. 5–7.

him for approval. The responsibilities of his office were numerous and extensive. He had to publicize and enforce the ordinances that were issued by the district mayor and the Guardianship Office. An *ober-schulze* of a district board and *schulze* in each village promulgated orders to the colonists, which occasionally took place after the church services, near the churches or in chapels, when the whole local community was gathered. The *ober-schulze* and *schulze* were assigned the important functions to “interpret, warn and teach” the colonists.²⁷ The *schulze* also supervised farming and husbandry, organized communal work such as the construction of roads and dams, issued passports for travel, collected taxes and much more. He also acted as a magistrate in the village court, and imposed fines and penalties for minor misdeeds. It was the village mayor who had to see that peace and order prevailed in the community, and that the laws and ordinances were strictly and rigorously enforced. Joseph Height gives examples of the penalties for officials guilty of insubordination. The village clerk at Mariental was fined five roubles for sending a report to the chief mayor without the knowledge and approval of the village mayor. In 1812, the mayor of Mannheim was deposed for communicating directly with the Odessa Guardianship Office, bypassing the chief mayor.²⁸

The powers of *ober-schulze* and *schulze* were quite extensive and multifaceted; however, they were in turn subordinated to the Guardianship Office. It is hard to overestimate the role of these people and their offices in the everyday life of the colonies. Introducing the micro-control of a chairman of a district board, the Instruction for the Internal Order of 1801 ascribed to him the task of monitoring all colonists’ commitments, wills and contracts, ensuring that they were in writing and authorized by a chairman.²⁹ The *ober-schulze* and *schulze* were also responsible for the would-be colonists’ administration archive. They were supposed to have special books for documenting verbal orders, and proceedings between colonists, and to generally document and set down in writing all that happened in the line of their duties. They were also prescribed to collect all received orders and sent reports.³⁰

Olena Pryimak suggests that there was a clash in communications not only between the Ukrainian peasantry and regional officialdom in the nineteenth-century southern Ukraine, but also between different levels of

²⁷ “Instruktsiia [16 May 1801],” in *Nemtsy v istorii Rossii*, 119 (§ 16).

²⁸ Height, *Homesteaders on the Steppe*, 230–231.

²⁹ “Instruktsiia [16 May 1801],” in *Nemtsy v istorii Rossii*, 120 (§ 21).

³⁰ “Instruktsiia [16 May 1801],” in *Nemtsy v istorii Rossii*, 121 (§ 27).

regional officialdom – at township, county and provincial levels. Territorial remoteness and social and perceptual clashes were the main reasons for such broken communication. The periodicity of an official's visit at township, county or provincial level to a certain village was very irregular, and when such visits occurred, the official was perceived as totally alien.³¹ When it comes to the colonists, the responsibilities of the offices of the *schulze* and *ober-schulze* were a challenge for the bearers of these titles. However, the *schulze* and *ober-schulze*, as individuals who were themselves colonists, were too close to their fellows. In many everyday situations, in the fields, markets, and streets, they were just one of many colonists. Such closeness might lead to personal engagement and sympathy, which were not permissible for the office. Joseph Height suggests that while the attitude of the colonists towards the administrative hierarchy was generally one of respect and even gratitude, nevertheless bribes and other mercenary tributes were not unknown among the colonial officials.³²

In 1818, mainly due to the increase in numbers of the colonists in Odessa, Kherson, Ekaterinoslav provinces and Bessarabia, a reformatting and fragmentation of the central colonial administration occurred. By imperial decree the Trustees Committee for Foreign Settlers in the Southern Region Russia was introduced in the city of Kherson, essentially with the same functions as its predecessor.³³ General-lieutenant Ivan Inzov was appointed head and a Chief Trustee and remained in office from 1818 to 1845. For several years, Kontenius remained Inzov's chief advisor. The Ekaterinoslav, Odessa and Bessarabia regional offices for foreign settlers were established simultaneously. From the Kherson military governor, the Bessarabia vicegerency, the Guardianship Office for the New Russian Foreign Settlers and the Odessa Chancellery, the Trustees Committee reclaimed all archives and materials regarding colonist matters and gathered them together. With the establishment of the Trustees Committee, the colonial administration archive was localized and consolidated. The Trustees Committee was directly

³¹ About regional communication between southern Ukrainian officialdom and peasantry at the end of the nineteenth century – the beginning of the twentieth century, see Olena Pryimak, "Pivdenoukrains'ke chynovnytstvo ta selianstvo v rehional'nomu komunikatynomu poli kintsia 19 – poch. 20 st.," *Humanitarnyi zhurnal*, no. 1–2 (2011): 108–114.

³² Height, *Homesteaders on the Steppe*, 231.

³³ "Vysochaishe utverzhdennoe polozhenie. O glavnom upravlenii kolonistov iuzhnogo kraia Rossii. Imennoi ukaz dannyi Senatu [22 March 1818]," in *PSZRI*, vol. 35 (1818) (St. Petersburg, 1830), 154–159.

subordinated to the Ministry of the Interior.³⁴ When the existing ministerial prescriptions and legal acts were not applicable in some situations, disputes or relations in concrete cases, the Trustees Committee was to refer to the Ministry for a resolution and approval. In urgent cases, the Trustees Committee was guided by the interests of treasury and colonist needs, reporting about everything to the minister.³⁵ As will be shown in the following chapters, the trustees were not always good at handling problems voiced by petitioners or at making decisions that followed the main body of law.

Reflecting autocratic legality, the judiciary functions were embedded in the state administration prior to the judicial reform of 1864. This is exemplified clearly in one of the functions of the Chief Judge. He or his deputy was obliged to inspect all colonies every year:

During such inspection, his [Chief Judge] or his deputy's main responsibility will be to consider in detail if all the resolutions and orders of the authorities are precisely met and if the order established to their fulfillment is followed, otherwise try to stop all quarrels and disorders in every way by fines.³⁶

The Trustees Committee was not authorized to interact directly with other ministries, but only through the Ministry of the Interior.³⁷

Thousands of colonists were under the sway of these officials. In 1817 there were 32,466 colonists of different ethnicities and confessions under the authority of the Ekaterinoslav and Odessa regional offices, whereas the Bessarabia regional office managed 30,030 people in 1819.³⁸ By the early

³⁴ "Vysochaishe utverzhdennoe polozenie [22 March 1818]," in *PSZRI*, vol. 35 (1818) (St. Petersburg, 1830), 156. The staff of the Trustees Committee included the Chief Trustee, two members of the Committee, one chief secretary and two secretaries, two assistant secretaries, one journalist, one accountant and two assistant accountants, two translators, one treasurer, three officials for colonist reception and land acquisition, one land surveyor and two assistant land surveyors, and, finally, pen pushers. The staff of the Odessa, Ekaterinoslav and Bessarabia regional offices consisted of one major member and two junior members, a secretary and an assistant secretary, an accountant, a translator, a treasurer, a physician, a veterinarian and a pen pusher. See Olga Konovalova, ed., *Popechitel'nyi Komimet ob inostrannykh poselestantsakh Iuzhnogo kraia Rossii. 1799–1876: Annotirovannaia opis' del 1819–1826*, vol. 2 (Odessa: "TES," 1999), 10–11.

³⁵ "Vysochaishe utverzhdennoe polozenie [22 March 1818]," in *PSZRI*, vol. 35 (1818) (St. Petersburg, 1830), 155–156.

³⁶ "Vysochaishe utverzhdennyi doklad Senata. S instruktsiei Kontore Opekunstva Novorossiiskikh inostrannykh poselentsev [26 July 1800]," in *Nemtsy v istorii Rossii*, 95 (§ 9).

³⁷ "Vysochaishe utverzhdennoe polozenie [22 March 1818]," in *PSZRI*, vol. 35 (1818) (St. Petersburg, 1830), 156.

³⁸ Konovalova, *Popechitel'nyi Komimet*, vol. 2, 12.

1830s, the Ekaterinoslav Office (in Ekaterinoslav), the Odessa Office (in Katarzhyna colony, later in Odessa), the Bessarabia Office for Foreign Settlers (in Kaushany (*Căușeni*)), and the Transdanubia settlers (in Bolgrad colony) were placed under the authority of the Trustees Committee in the city of Kishinev (*Chișinău*). According to Alexander Fadeev, a member of the Ekaterinoslav Office for Foreign Settlers, in 1830 the Ekaterinoslav settlement (*vodvorenii*) comprised 133 colonies and 35,264 people, the Odessa settlement 41 colonies and 25,186 people, the Bessarabian settlement 19 colonies and 10,022 people, and the Transdanubia settlement 58 colonies and 28,238 people; in total 251 colonies and 98,710 people.³⁹

Another crucial aspect is the financial upkeep of the colonial administrative hierarchy, both regional and local. This burden rested entirely on the shoulders of the colonists. The Chief Judge, the members of the Guardianship Office/Trustees Committee and other officials received a salary according to staff size. This nominal sum was compiled from the income from dues (*obrochnye stat'i*) from the “New Russian and Bessarabian colonists.”⁴⁰ In 1850, an additional three kopecks were charged from each male colonist, revision “soul,” to cover the staff costs.⁴¹ The district board chairman, pen pusher and district board *beisitzer* received a salary collected from the dues of all villages in the district. The *schulze* received a salary from the dues of the village where he was elected. Village *beisitzer* and assemblymen did not receive any salary at all since they were volunteers.⁴² The importance of representation of each household in the village elections is also shown by the composition of the village board. An assemblyman (*desiatskii*—in Russian, *zehntmann* – in German) was elected for every ten households, and these men were known as the “village elders.”

The Guardianship Office and the Trustees Committee were meant to be civil administrations. However, during most of their existence from 1800 to the early 1870s they were actually run either by military men, or nobles with

³⁹ Olga Konovalova, ed., *Popechitel'nyi Komitet ob inostrannykh poselentsakh Iuzhnogo kraia Rossii. 1799–1876: Annotirovannaia opis' del 1827–1833*, vol. 3 (Odessa: “Astroprint,” 2000), 19–21.

⁴⁰ “Imennoi, dannyi Senatu, raspublikovannyi 14 dekabria. O shtatakh upravleniia Novorossiiskimi i Bessarabskimi inostrannymi poseleniiami i Saratovskoi Kontory inostrannykh poselentsev [1 November 1845],” in *PSZRI*, vol. 20 (1845), part 2 (St. Petersburg, 1846), 110.

⁴¹ “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii. Svod Uchrezhdenii i ustavov o koloniiakh inostrantsev v imperii [1857],” in *Nemtsy v istorii Rossii*, 424 (§33).

⁴² “Instruksiia [16 May 1801],” in *Nemtsy v istorii Rossii*, 119 (§ 13).

a foreign background.⁴³ The composition of clerks and overseers was mixed in terms of ethnic background as well as former professional experience, with a strong presence of ex-militaries.

Along with designing and delimiting the competence of each body within the rising colonial vertical power in the Northern Black Sea region, the Russian government also introduced a certain procedure of interaction between the colonial administration and the ecclesiastical authorities regarding colonist matters. In questions concerning the colonists, religious servitors were prohibited by law to interact directly with the St. Petersburg Evangelical Lutheran Consistory or the Mogilev Roman Catholic Consistory, thereby bypassing the Guardianship Office/ Trustees Committee.⁴⁴ For misdeeds related to family and marriage, sexual and moral issues, church penalties were imposed on the colonists. In these matters, the religious servitors had to coordinate all their decisions with the colonial administration; they were prohibited from chastising the colonists without preliminary approval from the colonial authorities.⁴⁵

The moral qualities (*npravstvennost'*) of the colonists were a constant concern of the Russian authorities. It was perceived that only a highly moral person could become a prosperous farmer. Monitoring the morality of the colonists was therefore made a responsibility of the village and district board mayors. They cooperated closely in this with the overseers, and were supposed "to take effective measures to eradicate the evil."⁴⁶

Discursively interconnected issues of morality, good behaviour and thrift regularly became a subject of new prescriptions issued by the Trustees Committee. As a rule, such prescriptions were in the same genre: warnings and reminders to the district and village local authorities on the need to keep an eye on the colonists during their leisure time, in the winters, and in the evenings. In 1856–1857, Lutheran pastors Maÿ and Doll warned the colonial

⁴³ The Chiefs of the Trustees Committee: General Ivan Inzov 1818–1845, Staatsrat Eugene von Hahn 1845–1849, Baron von Rosen 1849–1853, Baron von Mestmacher 1853–1856, Islawin 1856–1858, Alexander von Hamm 1858–1866, Th. Lysander 1866–1867, Vladimir von Oettinger 1867–1871.

⁴⁴ The following file exemplifies the communication regime: DAOO, f. 6, op. 1, spr. 618 (Po prosheniui iamburgskogo patera Maevskogo o nesposobnosti shvedskogo kolonista Georga Shperlinga k brachnomu s zhenoiu zhytiiu [1812–1822]).

⁴⁵ DAOO, f. 252, op. 1, spr. 390 (Kasatel'no polozhennogo paterom Martsinkevichem na kolonista Zatmana nesoobraznogo shtrafu i ob uchinenii raspriazheniia naschet vospreshcheniia sviashchennikam nalagat' samim soboiu na kolonistov vzyskaniia za prostupki [1821–1822]).

⁴⁶ DAOO, f. 6, op. 4, spr. 18022 (Po otnosheniui pastora Maia o beznpravstvennosti kolonistov [1857]), ark. 4.

authorities about the disruption of the social order, “corruption and riot during the worship [*razvrat i buistvo vo vremia bogosluzheniia*]” in the Lutheran colonies in the Beresan district. At the beginning of 1859, the Trustees Committee ordered the Beresan district board to instruct all village mayors (in both Roman Catholic and Lutheran settlements) to surveil colonists strictly, not only in the evenings but in the daytime as well, so that the colonists “would not gather in crowds for no purpose [*ne sobiralis’ bez nadobnosti tol’pami*].” After a first transgression, the offending colonist youth should be punished by forced labour, and in subsequent instances by fines. The same punishments were meted out to those who disrupted the worship services in church. It was also emphasized that there was an urgent need for village teachers and vergers (*küster*) to watch the behaviour of youths of both sexes.⁴⁷

Michael Khodarkovsky underlines that between 1500 and 1800, Russia’s relations with its southern and eastern neighbours, the Nogais, Kalmyks, and Kazakhs were based on a series of misunderstandings and deliberate misinterpretations, altogether comprising a set of mutual misconceptions that reflected larger “structural incompatibilities” between the Russian and indigenous societies.⁴⁸ This is supported by Kristin Collins-Breyfogle’s analysis of imperial policies in the Caucasus in regard to gender, sexuality and familial structures. Each side, according to Khodarkovsky, perceived the other through its own socio-political system and projected its own image onto the other. The Russian government’s policies in the Eurasian steppe, from the Don River in the west to Lake Balkhash in the east,

...should be understood not simply as a set of instructions emanating from the capital, but also as a function of the contested vocabularies and identities that the government labored to impose on the peoples and the landscape of the region.⁴⁹

A similar pattern existed in the Northern Black Sea steppe, in the triangle consisting of the St. Petersburg government, colonial administration and colonist settlements. Apart from multiple practical functions related to the management and surveillance of the colonists, the Guardianship Office and the Trustees Committee functioned as intermediary communication nodes between the government and the colonists. They represented imperial power in the region to the colonists, being the sole interpreters and implementers of

⁴⁷ DAOO, f. 6, op. 4, spr. 18022, arkk. 5–11 ob.

⁴⁸ Khodarkovsky, *Russia’s Steppe Frontier*, 74–75.

⁴⁹ Khodarkovsky, *Russia’s Steppe Frontier*, 74–75.

imperial decrees and ministerial directives. Frequently limited to pompous declarations, the decrees and orders of the Russian rulers, however, very often disregarded the practical aspects of their implementation. Many of the cabinet ministers had a rather vague picture of colonization as an actual life situation. Thus, colonial authorities usually found themselves manoeuvring between St. Petersburg's ambitions and visions and the realities on the ground. In practice, the Guardianship Office had a monopoly on creating images and discourses of colonization on the ground. The Guardianship Office was to implement the imperial visions and realize the centre's ambitions in the new region. At the same time, it faced the task of adjusting them to the situational needs, and not alienating the actors involved.

In the 1870s, in keeping with the unifying tendency embedded in the Great Reforms, the "foreign colonists" of the empire, including the Volga River and the Northern Black Sea region, lost not only their legal status but also their special administration and many of their previous privileges.

3.3. Saviours of Not Only Bodies and Souls: Clergymen in the Steppe

3.3.1. The "Foreign" Confessions in the Imperial Matrix

This section briefly outlines the institutional construction and legal foundation of the Roman Catholic and Evangelical Lutheran Churches in the Russian empire during most of the nineteenth century, crucial processes that might have echoed in the Lutheran and Catholic colonies of the Black Sea steppe.⁵⁰

The institutional and legislative construction of these churches, Paul Werth states, should be considered in conjunction with the Russian Orthodox Church's own induction into the imperial apparatus. The institutionalization of Orthodoxy as a consistent part of the state structure was not completed in 1721, and in fact significant enactments on this matter

⁵⁰ On the relations between the Russian empire and the non-Orthodox churches in all their complexities, and the politics of the Russian rulers in respect to the non-Orthodox religious denominations, see, for example, Dennis J. Dunn, *The Catholic Church and Russia: Popes, Patriarchs, Tsars and Commisars* (UK: Routledge 2004); Litsenberger, *Katoliki i liuterane v Rossii*; Olga Litsenberger, "Problema pravstvennosti v deiatel'nosti Liuteranskoi i Katolicheskoi Tserkvei," in *Kliucheveye problemy istorii rossiiskikh nemtsev: Materialy desiatoi meshdunarodnoi nauchnoi konferentsii*, Moskva 18–21 noiabria 2003 (Moskva: ZAO "MSNK-press," 2004), 212–224.

appeared simultaneously with those designed to regulate the “foreign” confessions.⁵¹ Researchers of the confessional history of the Russian empire are not in complete agreement when assessing the relationships between the Russian state and the church. In contrast to Gregory Freeze, Elena Campbell, Olga Litsenberger, Andreas Kappeler and Paul Werth are more inclined to regard the church as a part of the state apparatus.

The supremacy of the state over the church became the essential principle of confessional politics of the Russian monarchs, starting from the eighteenth century. As a result of Peter the Great’s church reforms, Orthodoxy became a “state religion,” as Olga Litsenberger puts it. The Patriarchate was abolished and the church was subordinated to the emperor.⁵² Since Catholicism and Lutheranism were mostly associated with foreign ethnic minorities and imperial subjects of non-Russian background, in the imperial legal realm these were designated “foreign” confessions (*inostrannyye ispovedaniia*). Starting from the 1830s and until 1917, the legal standing of the Roman Catholic and Evangelical Lutheran Churches in Russia and their relations with the state were regulated by the Digest of Laws of the Russian Empire. Religious denominations (*konfessii*) ranging from primary (*pervenstvuiushchie*), tolerated (*terpimyye*) and persecuted (*gonimyye*) were introduced in the Digest of Laws, signifying that some enjoyed legal protection while others lacked even the right of existence. This ranking officially put some denominations in privileged positions compared to others, and also turned confessional affiliation into potential justification of harassment.⁵³

During the first half of the nineteenth century, most religious denominations were acknowledged by the Russian legislation and acquired legal status. However, as Andreas Kappeler notes, they did not have equal rights. Only the Russian Orthodox Church had the right to proselytize, whereas the missionary work of other religions and confessions and apostasy from the Orthodox faith was prohibited by criminal law.⁵⁴ Paul W. Werth argues that confessional policy was a functional equivalent of the “nationalities policy” in imperial Russia, at the heart of which stood the concept of “religious toleration.” By 1857 most of the foreign confessions had been fitted with institutions created and legitimized by the imperial state, while their religious provisions had in most cases been brought into conformity with the state’s

⁵¹ Werth, “The Institutionalization of Confessional Difference,” 152.

⁵² Litsenberger, *Katoliki i liuterane v Rossii*, 117–120.

⁵³ Litsenberger, *Katoliki i liuterane v Rossii*, 239–241.

⁵⁴ Kappeler, “Russia as a Multi-Ethnic Empire,” 62–63.

interests through the publication of specific statutes and sets of laws amalgamated in the third edition of the Digest of Laws.⁵⁵

The Orthodox ecclesiastical bureaucracy monopolized authority over crucial issues concerning its believers, such as marriage and civil acts. However, as Werth suggests, the secular state was more directly implicated in the affairs of “foreign” confessions than it was in the Russian Orthodox Church. After 1832, the Minister of the Interior was clearly identified as the ultimate authority when managing the affairs of “foreign” confessions. A certain “departmentalism” clearly existed for the non-Orthodox religions, whereby the spiritual leadership of each confession or religion enjoyed a distinct sphere of competence over the affairs of its believers. Most notably, statutes regulating Orthodoxy were not included in the Digest of Laws and thus occupied a distinct legal realm separate from the main corpus of the law.⁵⁶

At the beginning of the nineteenth century, the central organ of church management over “foreign” Christian confessions was the Collegium of Justice for Livland, Estland, and Finland Affairs (henceforth the Justice Collegium) (*Iustits-kollegiia Ljfliandskikh, Estliandskikh i Finliandskikh del*) founded in the 1760s. Several decades prior to this, the Justice Collegium was the original court of appeal for the judicial institutions that fell to Russia as part of the Baltic provinces conquered by Russia under Peter I.⁵⁷ Due to the considerable distance between the Justice Collegium, located in St. Petersburg, and the parishes in the Black Sea region, its administrative functions were limited to the collection of statistical data and to appointing clergy. The substantial growth of the Protestant (mainly Lutheran), and especially the Roman Catholic population in the Russian empire at the end of the eighteenth and early nineteenth centuries due to the division of Poland and the colonization in the Lower Dnipro River and the Northern Black Sea regions, led to crucial administrative changes in the church organization of the “foreign” confessions.

In 1810 the administrative body the Main Administration of Spiritual Affairs of Foreign Confessions (*Glavnoe upravlenie dukhovnykh del inostrannykh ispovedanii*) was created. In 1817 it was incorporated in the Ministry of Spiritual Affairs and National Education, which in 1824 was transformed into the Ministry of National Education. Thus, a religious

⁵⁵ Werth, “The Institutionalization of Confessional Difference,” 152–153, 163–164. The charters of the “foreign” confessions in the Russian Empire, see “Ustavy dukhovnykh del inostrannykh ispovedanii v Rossiiskoi Imperii [1857],” in *Nemtsy v istorii Rossii*, 269–420.

⁵⁶ Werth, “The Institutionalization of Confessional Difference,” 163–164.

⁵⁷ Krylov, “Collections of the Roman Catholic and Uniate Spiritual Institutions,” 196–197.

institution was created to which all non-Orthodox subjects were subordinated and through which their private and public lives were supervised. In 1832 the Main Administration of Spiritual Affairs of Foreign Confessions became a part of the Ministry of the Interior as a special Department for Spiritual Affairs of Foreign Confessions (*Departament dukhovnykh del inostrannykh ispovedanii*), and remained so until 1917. This Department dealt with all confessions in the territories of the Russian empire and the Western provinces, except for the Eastern Orthodox.⁵⁸ It is crucial to underline that both ecclesiastical authority over the foreign colonists and the colonial administration in the Northern Black Sea region were subordinated to the Ministry of the Interior.

In 1772, after Belarusian and Right Bank Ukrainian territories came under Russian rule following the first partition of the Polish-Lithuanian Commonwealth, the number of Roman Catholics in the Russian empire immediately increased tenfold. The first ever fully-fledged Roman Catholic diocese in the Russian empire was now founded with its centre in Mogilev (present-day Belarus). The Roman Catholic colonists of the Northern Black Sea region were administered by the Mogilev Roman Catholic Ecclesiastical Consistory.⁵⁹ In order to administer the Roman Catholic churches in the colonies of the southern provinces of the Russian empire, the visitatorial (*visitatorstvo*) in the city of Odessa was founded.

The non-Orthodox Christian churches were centralized and controlled by the state civil administration, which normally appointed or confirmed the church leaders in their offices. The Roman Catholic dioceses, largely Polish in terms of language and clergy, were centralized under the Metropolitan of Mogilev and administered from 1801 by the Roman Catholic Ecclesiastical Collegium (*Rimsko-katolicheskaia dukhovnaia kollegiia*) in St. Petersburg, which oversaw the ecclesiastical consistories in each diocese.⁶⁰ As Olga Litsenberger has shown, the governmental attitude towards the non-Orthodox churches, particularly the Roman Catholic Church, was politically motivated.⁶¹ The increasing governmental control over the Roman Catholics

⁵⁸ A. R. Sokolov, "The Department for Spiritual Affairs of Foreign Confessions in the Ministry of the Interior," in *Foreign Churches in St. Petersburg and Their Archives, 1703–1917*, ed. P. Holtrop and H. Slechte (Leiden–Boston: Brill, 2007), 161.

⁵⁹ Krylov, "Collections of the Roman Catholic and Uniate Spiritual Institutions," 198.

⁶⁰ Kappeler, "Russia as a Multi-Ethnic Empire," 64.

⁶¹ The Polish uprising in 1830–1831, and particularly that of 1863, aggravated the position of the Roman Catholic Church, its laity and clergy in Russia. Persecutions and the Ministry of the Interior's surveillance of the Roman Catholic clergy, anti-Polish and anti-Catholic moods culminated in Alexander II's decree on the dissolution of the relations

in the Russian empire, turning the Roman Catholic clergy into state intermediaries who had to follow non-canonical norms and instructions, resulted in tense relations with Rome. Communications between the Vatican and the Russian Roman Catholic Church were channelled through the Ministry of Foreign Affairs.⁶²

Following the imperial decree of 20 July 1819, a bishopric was introduced in the Evangelical Lutheran Church that controlled all Protestant communities and clergy within the empire.⁶³ The bishop was appointed by the tsar. The first bishop of the Evangelical Lutheran Church in Russia was Zacharias Cygnaeus (1820–1830), born in Sweden.⁶⁴ The affairs of the Protestant confessions, such as the Evangelical Lutherans and the Reformed Church, were run by different bodies. When the Justice Collegium was abolished, the Evangelical Lutheran Church of Russia was managed by the General Evangelical Lutheran Consistory, established in December 1832. The local controlling function was vested in spiritual consistories in every consistorial district, in turn subordinated to the General Consistory.⁶⁵ The General Consistory in St. Petersburg became the highest body of church administration over the Protestants and the Reformed in the Russian empire. The president of the General Consistory was appointed by the Emperor, the members of the Consistory by the Minister of the Interior; they were state officials. In administrative questions, the General Consistory was subordinated to the Ministry of the Interior, and in judicial matters to the Senate.⁶⁶ The General Consistory was also subordinated to the Department for Spiritual Affairs of Foreign Confessions in the Ministry of the Interior.⁶⁷

Up to 1832, the adoption of the Charter of the Evangelical Lutheran Church of Russia, the Swedish Church Ordinance (*Kyrkoordningen*) of 1686, was valid not only in Estonia and Livonia, but also in all Lutheran colonies

with the Vatican in 1866. Olga Litsenberger has shown the political and historically rooted negative attitude towards Roman Catholics and the state's leniency to the Protestants, see Litsenberger, *Katoliki i liuterane v Rossii*, 141,164–166,186–210; Olga Litsenberger, *Rimsko-katolicheskaia tserkov' v Rossii: istoriia i pravovoe polozhenie* (Saratov: Povolzhskaiia Akademiia gosudarstvennoi sluzhby, 2001), 99–100, 125.

⁶² Litsenberger, *Katoliki i liuterane v Rossii*, 232–233; Sokolov, "The Department for Spiritual Affairs," 164.

⁶³ "Imennyi dannyi Senatu. Ob otdelenii Iustits-Kollegii Lifliandskikh i Estliandskikh del ot Konsistorial'nogo zasedaniia, po delam dukhovnym [20 July 1819]," in *PSZRI*, vol. 36 (1819) (St. Petersburg, 1830), 315–316.

⁶⁴ Konovalova, *Popechitel'nyi Komimet*, vol. 2, 17.

⁶⁵ Sokolov, "The Department for Spiritual Affairs," 161–172.

⁶⁶ Olga Litsenberger, *Evangelicheskoi-liuteranskaia tserkov' v Rossiiskoi istorii (XVI–XX vv.)* (Moscow: Lutheran Heritage Foundation, 2003), 82–83.

⁶⁷ Litsenberger, *Katoliki i liuterane v Rossii*, 141–142.

throughout the Russian empire. However, the Swedish Church Ordinance was designed for conditions in the Swedish realm in the late seventeenth century. Its continuous use in the territories of the Russian empire and among populations outside any Swedish context created anomalous situations, confusion and arbitrariness, leaving many crucial questions to local interpretation.

Lutherans in the empire were divided into eight consistorial districts. The Lutheran colonists in the southern provinces were administered by the St. Petersburg Consistory founded in 1833. Besides purely religious and church matters, each consistory was the court of first instance, dealing with questions regarding divorce, and minor administrative and criminal offences of its parishioners. In 1834, the Lutheran colonies in the southern provinces of the Russian empire were divided into regional districts – deaneries (*probstvo*).

Other religious groups of the empire experienced similar administrative fragmentation. Despite a frequently expressed desire to formulate a single set of legal norms and a common political line with respect to the empire's Muslim subjects, in practice the authorities never developed a single approach. This situation found its expression in the system of religious administration: the Orenburg Assembly, the Tauride Governing Board, and the two Transcaucasian governing boards, which resulted in the incorporation of the Muslim clergy into, as Elena Campbell puts it, the structure of government and the creation of a class of religious bureaucrats.⁶⁸

If the Orthodox clergy constituted a coherent social estate by the early nineteenth century, the same, according to Paul Werth, cannot be said for the servitors of most of the other confessions. The prospects for the creation of non-Orthodox clerical estates were particularly favourable from the 1830s to the 1860s. By the 1830s, the state was in the process of producing statutes for the “foreign” confessions, which in some cases involved the explicit definition of rights and privileges of religious servitors. By the 1860s, state policies regarding the Orthodox clergy moved away from the estate principle. If Orthodox servitors tended to enjoy estate rights, then the rights of the non-Christian servitors and Protestant pastors are, in the words of Werth, best understood as service rights. Although specific privileges varied somewhat from religion to religion, many servitors gradually acquired more extensive rights and privileges. This placed them in a distinct position, at least for the duration of their office, in relation to the emperor's other subjects. Most of

⁶⁸ Elena I. Campbell, “The Autocracy and the Muslim Clergy in the Russian Empire (1850s–1917),” *Russian Studies in History*, vol. 44, no. 2 (2005): 26–27.

the non-Orthodox clerics, eventually, acquired exemption from taxation and duties, military conscription, and corporal punishment.⁶⁹

The continuous institutional reshaping of the “foreign” confessional structure and administration, decided in the St. Petersburg cabinet, had little in common with the actual needs of the congregations in the outskirts of the Russian empire. The governmental policy regarding “foreign” confessions was modified, but down-to-earth questions like providing the remote parishes with the religious servitors or facilitating the priests’ fulfilment of their professional obligations hardly ever came to the attention of the state administrators. These problems were rather shouldered by the regional authorities and the parishioners themselves.

3.3.2. “For God’s Sake, Let’s Think about the Clergymen”⁷⁰

In this section I examine the service rights and the recruitment policy of the religious servitors in the German colonies, its conditions, routines, and outcomes.

From a secular standpoint, the institution of the church’s two most powerful stances were the great significance it ascribed to sexual (mis)behaviour and the paramount position it accorded to marriage as the only locus of accepted sexual relations. The presence of clergy in the colonies was an assurance of good morals, social order, and hence welfare, profitability and the sustained economic development of the colonist settlements. The Instruction for the Internal Order of 1801 additionally emphasized the urgent need to put the colonists under extra surveillance during winter time, which was the slack period in the agricultural circle. From a legislator point of view, winter time was the period of the year when colonists were most exposed to the vices of idleness and laziness.⁷¹ Providing foreign colonies with Lutheran and Roman Catholic clergymen turned out to be one of the greatest challenges for the Russian government and colonial administration.

The establishment of the Protestant parishes in the Black Sea region was accompanied with considerable difficulties. The village communities were not composed of homogeneous groups, since immigrants had come from various German lands and often had diverse religious backgrounds. While the majority belonged to the Evangelical Lutheran Church, there were also minority groups of different sizes who were alienated and, in some cases,

⁶⁹ Paul W. Werth, “Soslovie and the ‘Foreign’ Clergies in Imperial Russia: Estate Rights or Service Rights?” *Cahiers du monde russe* 51, 2/3 (2010): 435–436, 439.

⁷⁰ Letter № 43 [22 May 1809], in *Pis'ma gertsoga*, 127.

⁷¹ “Instruksiia [16 May 1801],” in *Nemtsy v istorii Rossii*, 130 (§ 78).

separated from the regular Protestant establishment. In addition to the Reformed congregations, there were also non-conformist groups of Swabian Pietists, some of whom had even established so-called “separatist” communities. These religious differences made it difficult to secure the kind of spiritual unity and cooperation that was needed to organize and build up a new parish. A second major obstacle to the growth and development of the Protestant churches during the early years of settlement was the persistent lack of clergymen. According to Joseph Height, not a single Lutheran pastor had accompanied the hundreds of families who had immigrated from Württemberg to Odessa during the pioneer years between 1803 and 1815.⁷²

The first colonists who settled at the end of the eighteenth century and early nineteenth century faced a serious and persistent lack of clergy that caused long delays in the conducting of vital life circle ceremonies such as baptisms, marriages, and funerals. Because hardly any clergy at all travelled to the Northern Black Sea steppe with the early migrants, most villages had to manage with only very sporadic visits from religious servitors. Engaged colonist couples usually had to wait for almost a year to be married.⁷³ Not until 1801 was a Lutheran pastor placed in the Josephstal colony. If, for instance, the Swedish colonists, who were among the first colonists in the region, wanted a Lutheran pastor to visit their colony they had to provide him with travel money or arrange his transport. A Lutheran pastor was meant to visit the Swedish colonies at least once a year, every winter. But if the Swedish colonists decided to allocate more financial resources, the visits of the pastor could be increased to twice per year. The pastor was supposed to live in each of the four Swedish colonies for not less than one month, staging confirmations and teaching youngsters the Lutheran creed.⁷⁴

Alexander’s politics of 1803–1804 regarding colonization inspired extensive immigration from the German lands. At the same time, on the Ministry of the Interior’s initiative, one Lutheran pastor and one Catholic priest entered service in Odessa. Both received salaries from the state for ten

⁷² Height, *Homesteads on the Steppe*, 245.

⁷³ DAOO, f. 6, op. 1, spr. 56 (Po predstavleniiu smotritelei i prikazov o pozvolenii kolonistam vstupat’ v brak [1801–1807]). For more about Swedish colonists-pioneers in the steppes of Kherson province, see Piotr Wawrzyniuk and Julia Malitska, eds., *The Lost Swedish Tribe: Reapproaching the History of Gammalsvenskby in Ukraine* (Huddinge: Södertörn University, 2014).

⁷⁴ “Instruktsiia [16 May 1801],” in *Nemtsy v istorii Rossii*, 117 (§ 2, 4). The Swedish district was made up of three Lutheran colonies and one Roman Catholic colony. Despite the fact that only one colony was made up by Swedes and the other three mostly by Germans, in the documents all four colonies are named as Swedish.

years. During the first ten “grace” years in governmental service, these clergy were freed from all taxes. After this exemption period, the colonists were to keep the clergy at the colony’s expense, primarily on the proceeds from winemaking. Moreover, colonist societies provided clergy with travel money (*progonnnye den’gi*) for their circuit among the colonies. Apart from travel money, clergy were also provided with horses and carts.⁷⁵

In 1803 Emmanuel Richelieu, newly appointed governor of Odessa, assigned the Lutheran cleric John Pfersdorf, who had studied theology at Leipzig and Halle, as a pastor of the parish of Großliebental. The Guardianship Office paid him an annual salary of 400 roubles. He was also given the use of 120 *desiatinas* of church land which had been allotted to the parish. During the first three years, when pastor Pfersdorf was still living in Odessa, he had to make visiting circuits among the Lutheran communities of the steppe. In 1805 a parsonage was built at governmental expense in the district of Großliebental, and the following year pastor Pfersdorf was installed there. With the establishment of new colonies in the districts of Glückstal and Beresan (1808–1817), pastor Pfersdorf was confronted with the arduous task of ministering to between eight and ten widely scattered communities. As the colony chronicles disclose, in emergency situations Catholic priests from neighbouring colonies were usually invited to the Lutheran colonies to administer baptisms and conduct funeral services.⁷⁶ According to the chronicle of Glückstal colony, from the time of creating the settlement in 1804 and until 1824, the colony had virtually no pastor. The pastor who was formally placed there between 1811 and 1816 was removed from office because of “reprehensible misconduct.”⁷⁷

The persistent lack of clergy caused grave concerns for the colonists, particularly during the first decades of settlement. This dilemma was to some extent caused by the imperial policies towards the non-Orthodox churches. “Foreign” Christians of the empire were deprived of the right to establish educational institutions for the training of new clergy. This measure reflected the supremacy of Orthodoxy in the Russian empire and the rulers’ intention to safeguard the Orthodox population from “external” cultural influences. This caused considerable trouble, considering the current colonization

⁷⁵ DAOO, f. 6, op. 1, spr. 777 (O dostavlenii Ministerstvu vnutrennikh del svedenii: kakim obrazom mogut byt’ sodержimy pastory i patery posle istecheniia desiatiletnei l’goty [1813], arkk.1–1ob, 5–5ob.; Malynovs’ka, “Zavdannia i povnovazhennia sil’skoi obshchyny,” 37–40.

⁷⁶ Height, *Homesteads on the Steppe*, 246.

⁷⁷ “Chronicles of Glückstal and Hoffnungstal, 25 April 1848,” in Height, *Homesteaders on the Steppe*, 189.

project in the region and the role of immigrants. An extract from the record of the Committee of Ministers of 1809 states:

As to the increasing of the foreign colonists in the New Russia region, necessity demands the establishment of churches there and that we supply them with good clerics of different faiths.⁷⁸

In this situation, the government decided to invite Roman Catholic and Lutheran clergy from abroad, particularly from the German lands and France. Many of the early pastors in the Northern Black Sea were trained at the Mission Society in Basel. Aiming to attract foreign clergy to settle in the Black Sea steppe, the Committee of Ministers introduced favourable conditions and generous benefits to potential applicants. According to the Committee of Ministers' regulations of 1809–1810, Lutheran and Roman Catholic clergy were guaranteed travel expenses, a governmental salary, and exemption from taxes for ten years, as well as a loan for accommodation which was different to that for Lutheran (600 roubles) and Catholic clerics (300 roubles). After the expiration of the ten years, Lutheran and Roman Catholic parishioners of each colony were supposed to pay the clergy from the colony's common income. The clergy were also provided with land for ploughing and hayfields, 120 *desiatinas*, and with a house and a garden (3 *desiatinas*). Moreover, it was planned to build houses for the clergy, and many of them were also provided with extra financial support.⁷⁹ Under the same conditions, Lutheran and Roman Catholic clerics were invited to Bessarabia.⁸⁰

Despite these seemingly alluring benefits, Lutheran and Catholic clergy, unexpectedly for the Russian government, were not very enthusiastic about moving to the Russian empire. By 1810, due to the dissolution of seminaries and monasteries during the Napoleonic and revolutionary wars, both the German lands and France were themselves in need of clergy, as the Russian consul in Frankfurt reported to the Minister of the Interior. He also claimed that the low salary was another restraining factor for clergy, making them less

⁷⁸ “Vypiska iz zhurnala Komiteta Ministrov. O vydache deneg v ssudu opredeliaemykh koloniiam sviashchennikam i ob otvode im uchastkov zemli [25 August 1809],” in *PSZRI*, vol. 30 (1808–1809) (St. Petersburg, 1830), 1108.

⁷⁹ “Vypiska iz zhurnala Komiteta Ministrov [25 August 1809],” in *PSZRI*, vol. 30 (1808–1809) (St. Petersburg, 1830), 1107–1108.

⁸⁰ “Polozhenie Komiteta Ministrov. O varshavskikh kolonistakh, otzyvaiushchikhsia ot prisiagi i o predostavlenii sviashchennikam v Bessarabskikh koloniiakh tekhn zhe vygod, koimi pol'zuiut'sia sviashchenniki v koloniiakh Novorossiiskogo kraia [17 July 1814],” in *PSZRI*, vol. 32 (1812–1814) (St. Petersburg, 1830), 841–843.

interested in emigrating to Russia. Insufficient funds for travel expenses was another issue. The Russian consul in Saxony claimed that the religious servitors' lack of interest in job opportunities in the Russian empire was due to the low remuneration of travel costs. He suggested raising these expenses to 900 roubles for pastors, and 600 roubles for priests. The Minister of the Interior believed that an increase in travel expenses was acceptable because it was paid from the "colonist sum." In 1810, the Minister, however, expressed scepticism about raising clergy salaries.⁸¹

Providing Lutheran and Catholic colonies with clergy remained a constant concern for the colonial administration during the first decades of the nineteenth century, the time of significant increase in the number of immigrants in the Northern Black Sea region.⁸² The remote Northern Black Sea colonies were visited by clergy at best only once or twice a year. Emmanuel Richelieu's correspondence with Samuel Kontenius shows strong and constant worries about the lack of clergy, their "low competence and ethics," and the continuous search for new recruits.

"We would only need to have good priests, but it turns out to be almost impossible," wrote Richelieu in desperation in a letter to Kontenius on 13 April, 1810.⁸³

In 1816, the colonists of the Swedish district repeatedly and in desperation asked their overseer Kaetan Dalke to be allowed to travel to Kherson in order to be married there by a Roman Catholic priest. They also wanted to call him to the Swedish colonies "to perform Christian rites." The overseer instead suggested that they wait for a pastor's arrival in the colonies. Dalke expressed his deep concerns to the Guardianship Office regarding the situation in the Swedish colonies, writing that pastors usually visited the Swedish colonies not more than once a year "due to their out-of-the-way location." In October 1816, the overseer reported to the Guardianship Office:

Some colonists, being sick, frequently died without confession and consolation. Others, being betrothed, must wait for their wedding ceremonies the whole year before the pastor arrives. During this time, not infrequently

⁸¹ "Polozhenie Komiteta Ministrov. O vydache vzyvaemykh iz-za granitsy dlia kolonistov pastoram po 900 rublei na putevye izderzhki, a pateram po 600 rublei [23 March 1810]," in *PSZRI*, vol. 31 (1810–1811) (St. Petersburg, 1830), 101.

⁸² By 1810, the number of Roman Catholics settled in the southern provinces of Russia was around 50,000 people. Cited from Litsenberger, *Katoliki i liuterane v Rossii*, 86.

⁸³ Letter № 61 [13 April 1810], in *Pis'ma gertsoga*, 165.

dissatisfaction between brides' and grooms' relatives arise that repeatedly result in breaking the deal and material losses for both sides.⁸⁴

He forcefully asked the Guardianship Office to permit the Kherson city pastor to come to the Swedish colonies on the request of the colonists in order to “perform Christian rites” and conclude marriages. The Guardianship Office instructed the pastor to visit the Swedish colonies at least twice a year, at the beginning of spring and in the autumn.⁸⁵

In the Lutheran colonies, the verger was to compensate for the absence of pastors, but only to a limited extent, as Homer Rudolf underlines. Their general responsibilities were to assist the pastor, direct the church choir, and play the church organ. In addition, they served as the heads of the church village schools, as well as having the prime responsibility for the training of young people that led up to confirmation. In the smaller colonies, they also often served as village secretaries. That provided an additional source of income, and they were generally better educated than other residents in the colonies. When the pastor was absent, usually serving another congregation in the parish, the verger also assumed the responsibility of conducting the Sunday church services. Responsibilities connected to communion and confirmation, weddings and divorces, were reserved for the pastor, due to their significance and because they could be scheduled at a time when the pastor was actually present. Of course, people died or were born while the pastors were away (since they were away most of the year). A burial could not be delayed, so it was sometimes serviced by the verger. Baptism also became the responsibility of the verger in the absence of the pastor.⁸⁶

By the middle of the nineteenth century the University of Dorpat (presently Tartu) in Estonia became the most important training institution for Lutheran pastors in the empire. When the University of Dorpat was re-established in 1802, it included a Lutheran theological faculty teaching in German. However, it could not provide all Evangelical Lutheran parishes of the empire with clergy, and some pastors who came to the Black Sea colonies were trained at various places in the German lands. Starting from 1856, the priests for the Roman Catholic colonies of the Black Sea were trained in the

⁸⁴ DAOO, f. 6, op. 1, spr. 1025 (Po raportu smotritelia Shvedskoi kolonii Dalke o pozvolenii khersonskomu pastoru sezzhat' v shvedskie kolonii dlia ispolneniia khristianskikh treb [1816], arkk. 4–4ob.

⁸⁵ DAOO, f. 6, op. 1, spr. 1025, ark. 5.

⁸⁶ Rudolf Homer, “Pastors in the German Villages of South Russia,” *Germans from Russia, Heritage Collection, North Dakota State University libraries*, accessed February 2, 2016, http://library.ndsu.edu/grhc/history_culture/history/pastors_gervill.html.

Saratov seminary.⁸⁷ The situation for clergy recruitment changed considerably only in the last quarter of the nineteenth century. In the late 1870s, when the Trustees Committee was already abolished, the congregations were given the right to administer their own church routines. By the end of the nineteenth century a new generation of Lutheran clergy had been raised among the imperial subjects.

Russian rulers have had a long history of complicated relationships with Roman Catholic clergy. The tension escalated with the aspirations of the Russian government to facilitate the conclusion of mixed marriages in the Polish lands, particularly after 1832. Upholding the prerogatives of Orthodoxy in mixed Orthodox-Catholic marriages would, in the eyes of the Russian leaders, facilitate the integration of contested borderland regions with the empire's central provinces. Mixed marriages, however, failed to serve the cause of Russification, according to contemporaries, partly due to Catholic internal discipline and the powerful force of the priests in dissuading Catholics from marrying non-Catholics.⁸⁸ The condition of the Roman Catholic clergy in the Russian empire deteriorated significantly after the Polish uprisings of 1830–1831, 1848 and 1863. Large scale harassment and persecution of the Roman Catholic clergy peaked after the Polish uprising in 1863–1864. Eventually, Polish Catholic priests in the Black Sea colonies were accused of provoking anti-governmental sentiment among the local population, exerting a harmful influence on the morality of the German colonists, and causing economic stagnation in the Roman Catholic colonist settlements.

3.3.3. Busy Weekdays for the Clerics

Most of the Roman Catholic clergy in the south-western parts of the Russian empire, annexed in the partition of the Polish-Lithuanian Commonwealth, were actually Polish. Faced with the constant problem of recruitment, authorities had to appoint Polish Catholic priests to serve in the German Catholic colonies. Often the Roman Catholic priests experienced difficulties when communicating with the German colonists. Priest Albin Marzinkewitz from Landau parish (1820–1828) was known for his inadequate ability in German. This created a number of misunderstandings and confusions

⁸⁷ For more details, see Litsenberger, *Rimsko-katolicheskaia tserkov'*, 117–125.

⁸⁸ Werth, "Empire, Religious Freedom," 321.

between priests and their parishioners when conducting rites and other activities.⁸⁹

Usually a priest served in several parishes, traversing considerable distances. The Catholic priest Thomas Majewski approached the Guardianship Office requesting additional means for his travels between settlements in order “to conduct Christian rites among the colonists.” Eventually having obtained support from the Mogilev Roman Catholic Consistory, the Ministry of the Interior, the Ekaterinoslav Treasury Chamber and Odessa city governor Richelieu, his request was finally granted.⁹⁰

As a rule, one parish comprised several or even dozens of colonies. For example, the Roman Catholic parish Grunau, founded in 1827, covered Aleksandrovska and Mariupol counties of the Ekaterinoslav province and comprised 27 colonies and six farms (*khutor*).⁹¹ Obviously, the size of the parishes had a profound impact on the way the clergy could perform their professional duties. Kaetan Maziewsky was the priest of the Selz and Mannheim parishes between 1821 and 1828, and of Landau parish between 1828 and 1832. During these years, he visited most of the Catholic parishes from Odessa to Minsk and Kishinev. Maziewsky repeatedly petitioned the Trustees Committee to provide him with tickets for his travels to Bessarabia, and to allow him to demand horses from the Catholic colonists. His diligence, however, did not go unnoticed. In 1825, “for many years of diligent service for the benefit of the Catholic parishes” in the southern provinces of the Russian empire, Maziewsky was awarded by the Ministry of the Interior an “honourable ten-year loan.”⁹²

The professional travels of the clergy between the colonies of the parish were usually impeded by the conditions of the infrastructure. In the middle of the nineteenth century, Alexander Schmidt, a General Staff lieutenant colonel, explained that only in dry weather were the postal, transit and local roads in a satisfactory condition. In his evaluation of the communication lines in Kherson province, he found that the roads were in a very poor

⁸⁹ For more about Marzinkewicz’s professional activity, see DAOO, f. 6, op. 1, spr. 2235 (O ponuzhdenii patera Landauskogo prikhoda Martsinkevicha ispolniat’ svoi obiazannosti [1828]).

⁹⁰ Litsenberger, *Rimsko-katolicheskaia tserkov’*, 69.

⁹¹ Kniazeva, “Metrichekie knigi,” 190–191.

⁹² DAOO, f. 252, op. 1, spr. 273 (Po pros’be Zeltsskogo patera Matsievskogo kasatel’no vydachi emu zhalovaniia po Mangeimskomu prikhodu [1821–1826]. DAOO, f. 252, op. 1, spr. 322 (Ob iskhodataistvovanii ot Minskogo grazhdanskogo gubernatora dlia patera Zeltsskogo prikhoda Matsievskogo neotpushchennykh emu na proezd siuda progonykh i putevykh deneg [1821–1832])).

condition for at least three to four months per year, particularly in winter, two or three weeks in the spring and at the end of autumn. He emphasized the climatic conditions as the main factor behind impassable roads, and pointed out that no attempts had been made so far to overcome the harmful effects of the climate on the lines of communication.⁹³ Usually the colonies were situated quite far away from the postal and transit roads; the clergymen in their professional travels therefore mainly used local service roads that were the most vulnerable to the climate.

The lack of Roman Catholic priests became particularly acute after the expulsion of Jesuits from the Russian empire in 1820. Starting from 1820 and until the establishment of Kherson (Tiraspol) Roman Catholic Diocese in 1847, all Roman Catholic priests were appointed by the Diocese of Kamianets-Podilsky.⁹⁴ In December 1832, Rafail Musnizky, a visitator of the New Russian Roman Catholic churches, approached the Trustees Committee with a request to double the number of priests in some parishes due to the population increase. He reasoned that the parishes of the Roman Catholic Church had grown considerably, and that one priest per parish was no longer enough. According to Musnizky, Landau parish consisted of 564 households and 3,414 parishioners; Selz parish of 502 households and 3,420 parishioners; Josephstal parish of 375 households and 1,946 parishioners, Heidelberg parish on the Molochna River of 343 households and 1,882 parishioners; and Eichwald parish of 241 households and 1,622 parishioners. Besides the increase in population, some colonies in these parishes were located at great distances from each other. To strengthen his argument, the visitator referred to the imperial decree of 1795, according to which a priest was to maintain not more than 100 households consisting of four persons. Musnizky argued:

The colonist youth and spiritual education, as well as the conducting of religious rites, suffer particularly because of the waiting time of a year or more.⁹⁵

⁹³ Aleksandr Schmidt, comp., *Materialy dlia geografii i statistiki Rossii, sobrannye ofitserami General'nogo shtaba. Khersonskaia guberniia*. Part 1 (St. Petersburg: V Voinskoi tipografii, 1863), 248–252.

⁹⁴ In 1852, the Kherson Roman Catholic Diocese was moved into Tiraspol and renamed the Tiraspol Roman Catholic Diocese. Because of the outbreak of the Crimean War (1853–1856), it was moved to the city of Saratov. See: Litsenberger, *Katoliki i liuterane v Rossii*, 157–160.

⁹⁵ DAOO, f. 6, op. 1, spr. 2743 (Po otnosheniiu ispravliaiushchego dolzhnost' vizitatora novorossiiskikh rimsko-katolicheskikh tserkvei ob umnozhenii prikhodov i sviashchennikov v koloniiakh [1832–1833]), ark.1.

In the view of Musnizky, death and protracted illnesses among the priests were the main reasons for the delays in the colonists' life cycle rituals.

The Trustees Committee did not respond favourably to Musnizky's request. Considering the previous crop failures, recent plague and cholera epidemics, and the passage of military troops which might have worsened the economic conditions of the colonists, the Trustees Committee concluded that a multiplication of parishes and the maintenance of a double number of priests would be too much of an economic burden for the colonists. Thus, the Trustees Committee decreed that one priest per parish would still be enough for the coming years, if only the clergy would "perform their duties with diligence and zeal."⁹⁶

The frequent absence or even complete lack of clergymen in Lutheran and Roman Catholic colonies obviously caused long delays in marriage conclusions and dissolutions, which could in turn induce illegal sexual intercourse among the colonists. The colonial archives give a strong impression that illegal sexual relations remained largely out of sight of the ecclesiastical and colonial authorities, or signs of such instances were simply met with no official reaction. Colonial records give hints of illegal pregnancies, and out of wedlock or premarital sexual relations. However, in many cases investigations were simply not made. In other cases, investigations were not documented, or were simply lost. On the other hand, many formally illegal sexual relations were exposed, but were not legally defined as illegitimate, which means that legal proceedings did not follow the actual exposure.

According to Gregory Freeze, the Orthodox Church's lack of firm control in the first half of the eighteenth century affected the archival records for this period. The records are very sparse, especially when compared with the documentary abundance of later times.⁹⁷ The same point about the lack of control might be relevant to the colonists. Yet, some leniency might have occurred due to the deficiency of clergy as well. At the same time, all the issues related to personal interactions were supposed to be under the close consideration and control of village and district boards, as well as village communities.

The Russian authorities believed that the ability and quality of the cleric played a decisive role in the colonists' edification, both in spiritual and economic terms. In a case analysed in the Chapter 6 of this book, the

⁹⁶ DAOO, f. 6, op. 1, spr. 2743, arkk. 3–5 ob.

⁹⁷ Freeze, "Bringing Order to the Russian Family," 715.

safeguarding of state interests was discursively made part of priest Celestine Staszewski's duties, this time by the Mogilev Roman Catholic Consistory. Provost Granbaum, of Swedish origin, became a role-model farmer in agriculture for many colonists under his direction in the parish of Freudental. He came to Freudental in 1812 and, as Height points out, "under his youthful, energetic administration the parish soon made substantial progress."⁹⁸ As Height emphasizes, pastor Granbaum set a practical example of industry and initiative for all the farmers in the community. On Saturdays, he could be seen hauling a wagon of wheat or manure to the Odessa market.⁹⁹ Not all clergy, however, had his qualities. Pastor Granbaum's successor, Georg Hübner, was born in Württemberg. He arrived in the parish in 1845 and remained in office for 35 years. Pastor Hübner was a man of gentle character, who, Height concludes, was unable to exercise any great degree of authority in the community:

His exceedingly patient and kind nature was generally exploited and abused by unconscionable people, so that the traditional respect for law and order gave way to license, dishonesty, drunkenness, and a contemptuous attitude towards both pastor and the teacher. The incidence of such immoral behaviour became particularly deplorable in the early sixties, when many of the farmers in Freudental and Peterstal, as well as in the villages of Guldendorf and Josephstal, were engaged to haul Bessarabian wheat and Moldavian wine from Mayaki to Odessa. [...] Thus, the trucking business not only led to a deplorable increase in drunkenness, but also caused the truckers to neglect their farm work.¹⁰⁰

However, as documented evidence suggests, not all clerics were passionate and diligent in their office, and not all had a very busy schedule. Priests Marzinkewitz from Landau parish and Obuszynski from Heidelberg became known for their dereliction of duty.

In the summer of 1823, the colonists of Landau Catholic parish contacted von Kryger, the commissioner of the Trustees Committee, through the Beresan district board with a complaint about their priest. Landau parish included the colonies and village boards of Landau, Speier, Karlsruhe, Sulz and Katharinental. Kryger assumed that if a priest made "necessary efforts" (*dolzhnoe staranie*) to fulfil his professional obligations, "the discontent of

⁹⁸ Height, *Homesteaders on the Steppe*, 246.

⁹⁹ Height, *Homesteaders on the Steppe*, 246–247.

¹⁰⁰ Height, *Homesteaders on the Steppe*, 248–249.

the society eventually would end by itself.¹⁰¹ The situation, however, was aggravated by the fact that there was no other priest in the Landau parish proficient in German. Reporting to Kryger in September 1824, the Beresan district board submitted a long list of instances of Marzinkewitz's professional negligence, as pointed out by the colonists. He neither supervised the schools, nor held any church services. On Marzinkewitz's orders, the teaching of children was conducted by the *schulze*. The confessions before Easter were not conducted at all; colonists who wished to confess were simply dismissed by the priest. One colonist died without having received communion. The colonists complained that whenever the priest was needed, he was always on leave at the home of landlord Ignatovich.¹⁰²

Despite the seriousness of these complaints, only in August 1828, after consultations with the Chief Trustee, did lieutenant colonel von Hildenschantz, the senior member of the Odessa Office report to the visitator of the Roman Catholic churches about Marzinkewitz.¹⁰³ Not hiding his surprise, the visitator claimed that during his visit, the colonists had expressed their satisfaction with Marzinkewitz. However, to solve the problem, the visitator reported about the issue to the high ecclesiastical authorities.¹⁰⁴ Bearing the inadequate performance of the priest in mind, it is difficult to know how this affected wedding ceremonies between 1823 and 1828 in Landau parish. The documents give the impression that the authorities were not in a hurry to deal with the problem. This hesitation can be partly explained by the lack of clerics and therefore a lack of alternatives at that time.

On 3 October 1832, the Ekaterinoslav Office approached the Trustees Committee about the dereliction of duty by the Catholic Priest Obuszynski, officially appointed priest of the Roman Catholics in the Swedish colonies in 1829. In 1829 he conducted his last service in the Swedish colonies; after that he had been absent, the Swedish district board reported. Several times, it was claimed, written invitations had been sent to the priest, but with no response. It became obvious to the board that Obuszynski did not want to provide his spiritual service to the local Catholic colonists, and thus the board applied to the higher authorities for a solution to the problem. The Catholic priest from Kherson could not serve in the Swedish colonies since he was not proficient in German. All in all, the Catholic colonists of the Swedish district did not have any religious services for two years. The Swedish district board instead

¹⁰¹ DAOO, f. 6, op. 1, spr. 2235, arkk. 2–2 ob.

¹⁰² DAOO, f. 6, op. 1, spr. 2235, arkk. 4–5 ob.

¹⁰³ DAOO, f. 6, op. 1, spr. 2235, arkk. 7–7 ob.

¹⁰⁴ DAOO, f. 6, op. 1, spr. 2235, ark. 12.

suggested that the Ekaterinoslav Office appoint the Jamburg priest to the Swedish colonies.¹⁰⁵

On 18 October 1832, the Trustees Committee approached Rafail Musnizky, visitor of the New Russian Roman Catholic churches, with a request to entreat Priest Obuszynski firmly to perform his duties “annually and urgently,” so that the Swedish colonists would not be left without edification and spiritual rites.¹⁰⁶ On 8 November 1832, Musnizky reported to the Trustees Committee about the measures applied towards Obuszynski. He was reprimanded “for the omission of his duties and leaving the colonists without edification and spiritual rites.” He was strongly instructed to properly conduct his professional duties, under threat of penalties.¹⁰⁷

This was not a unique case. Johannes Conrad Wiemann, a Roman Catholic priest of Rosental parish, was dismissed in 1835 after 12 years in service, due to misconduct. From the report of the overseer to the Trustees Committee in December 1834 it emerges that Wiemann had been engaged in extramarital sexual relations with Elisabeth Fusner, a colonist’s daughter from Leitershausen colony, who was in service in the priest’s household in Rosental colony. Elisabeth gave birth to a son in November 1834, but the child died after nine weeks. The Rosental colonist society asked the overseer to transfer Wiemann and instead appoint a new priest to the parish. The Trustees Committee requested Musnizky to replace Wiemann with another priest with a good command of German. In January 1835, Musnizky asked Ferdinand Kokersky, a chaplain of the Black Sea Fleet and placed in Sevastopol, to conduct an investigation into Rosental. Assisted by the colonist deputy, he was ordered to investigate the circumstances concerning Wiemann and write a report. During Kokersky’s interrogation in March 1835, Wiemann confessed to acts of fornication and also recognized his paternity of the deceased baby. Moreover, Wiemann stated that he had two years previously submitted a letter of resignation to the ecclesiastical authorities, which had remained unanswered. His petition to be dismissed from the priesthood was probably motivated by his relationship with Elisabeth. In April 1835, Musnizky notified the Trustees Committee about

¹⁰⁵ DAOO, f. 6, op. 1, spr. 2732 (O patere Molochanskogo Geidel’bergskogo prikhoda Obushinskom neispolniaiushchem svoei obiazannosti [1832]), arkk. 1–1ob.

¹⁰⁶ DAOO, f. 6, op. 1, spr. 2732, arkk. 2–2 ob.

¹⁰⁷ DAOO, f. 6, op. 1, spr. 2732, arkk. 4–4 ob.

the appointment of a new priest to Rosental parish.¹⁰⁸ What later became of Wiemann and Elisabeth Fusner remains unknown.

In conclusion, the institutionalization of the Roman Catholic and Evangelical Lutheran Churches in the Russian empire during the first half of the nineteenth century, the adoption of church charters, and the designation of the administrative structure of the parishes, had in practice very little effect on the everyday needs of the Roman Catholic and Lutheran population in the parishes of the Northern Black Sea. For most of the time under investigation, the deficiency of clerics in the Lutheran and Roman Catholic colonies remained chronic. Considering the significance of their offices to the colonists, the politics of colonization, and the legitimization and implementation of the marriage regime, the importance of the clerics is impossible to overestimate. The absence of clerics in the colonies for extended periods of time complicated if not paralyzed the implementation and functioning of the marriage regime and desired social order.

3.4. Concluding Discussion

In this chapter, I have explored the colonial administration of the Russian government and the church administration for Roman Catholics and Lutherans in the Northern Black Sea region within the contexts of the imperial power matrix and legal order.

The function of the Guardianship Office/ Trustees Committee was that of a gatekeeper, a communication node between the Russian government in St. Petersburg and the colonists in the steppe borderland. It was also an agency with extraordinary powers over the colonists, including jurisdiction. If the Russian government set the agenda for the politics of colonization, the trustees were supposed to accommodate this agenda to regional realities. The clergy were assigned their own part in accomplishing this political agenda. The trustees and local power actors at different levels were associated with the representation, management, guidance, chastisement, communication, and monopoly on the formation of a colonization discourse on the ground. In respect to the colonists, the trustees, clerks, overseers, and religious servitors were meant to execute a common mission. Through their offices, they were to promote welfare and economic efficiency in the colonies. Following this line, it was perceived that only a well-ordered, and physically and morally

¹⁰⁸ DAOO, f. 6, op. 1, spr. 3604 (O sviashchennike kolonii Rozental' Vimane za uchinennoe s kolonistskoiu docher'iu Elizavetoiu Fusnerovoiu preliubodeianiia i prizhitii ditiati [1834–1835]), arkk. 1–1 ob., 4–4 ob., 6–6 ob., 8, 11–12 ob., 16.

healthy society could be economically successful. Through zealous work and edification, the clergy were expected to encourage colonists in their economic development.

Basically, both clerks and religious servitors were viewed as safeguards of the colonists' economic self-sufficiency and good morals. Assigned to monitor and guide the colonists, and operating in the same physical spaces, colonial officials and religious servitors alike appear not to have maintained a distance from the colonists. These ambivalent and unresolvable relationships, in my opinion, not only influenced the mutual perceptions of the colonists, colonial officials and religious servitors, but also the professional activity of the latter. Considering the power of man rather than law in the legal practices of the Russian empire during the studied period, these claims seem all the more likely to be true.

The clerics' project of recruitment into the colonies, and its administration, were associated with multiple difficulties and challenges. The number of clerics was never adequate in respect to the numbers of colonists and parishes. This issue became a chronic problem during most of the nineteenth century. Partly this can be explained by external factors. To some degree, the problem was rooted in the confessional politics in the Russian empire, which were aimed at safeguarding the supremacy of the Orthodoxy. As previous research has pointed out, the religious servitors officially became part of the state apparatus. I have shown in this chapter that the clergy's status can be considered as a service status, a designation coined by Paul Werth.

So, what characterized the interplay between the colonization agenda, colonist status and marriage? The next chapter examines the legal position of the colonists, marriage eligibility, and other civil rights.

CHAPTER 4

The Golden Cage: Colonist Status and Marriage Eligibility

In this chapter I address the following questions: What significance did the colonists' civil rights and the colonist status bring to its bearers in the sphere of marriage? In what way did the legal status of the colonists influence their eligibility to marry? How was colonist marriage defined within the framework of the colonist status and conditioned to it? How were the regulations of colonist marriage affected by the colonist status and the imperial politics in the region?

Metaphorically speaking, the rights, privileges, generous loans and land possession attributed to the colonist status became a golden cage for its holders, particularly in terms of their physical and social mobility. Considering the imperial social matrix, however, this was an expected development rather than an anomaly.

4.1. Subjects of the Empire, Objects of Governance: Legal Grounds of the Colonists

For Germans, Bulgarians, Greeks, Serbs, and many others, admission to the colonist rank presupposed denaturalization from their native citizenship¹ and naturalization into the Russian one. The Minister of the Interior decided on naturalization at his own discretion. This meant that even if the applicant met all legal requirements regarding naturalization, the Minister still had the power to deny the petition. The law set five years' residence in Russia as a naturalization requirement. The five-year term requirement could be reduced by the Minister of the Interior if the applicant possessed some "merits beneficial for the empire."² In May 1832, for instance, the Minister of

¹ By citizenship I mean *poddanstvo*. In this I follow the established tradition of using this concept in Russian imperial studies by Jane Burbank, William Wagner, Eric Lohr, Alexander Morrisson and others.

² Plakhotniuk, "Nemtsy-inostrantsy rossiiskogo frontira," 208–209.

the Interior was entitled “on his own discretion” to allow the enrolment of foreign craftsmen, useful for the colonies, into the colonists’ rank at their own expense, after obtaining the approval of the village assembly.³

Russian imperial governance was based on differentiated collectivity. The codification of law in the nineteenth century display differentiated regulations, expressed primarily in the terms of “rights” (*prava*), and “rules” (*pravila*), less frequently through “obligations” (*obiazannosti*), and only occasionally as “special attributes” (*preimushchestva*) and “awards” (*l’goty*), that were granted and applied to different societal groups. Rights were assigned to people according to their status as members of collective bodies. Belonging to a collective, with its assigned rights, gave an individual the possibility of legally engaging in many aspects of social life. Getting married, buying property, and changing one’s place of residence, were regulated according to the estate, confession, ethnicity, or territorial location of the individual. Age and gender were grounds for further specification of rights within these categories, but these qualities were not usually addressed by separate legal rules.⁴

Colonist status (*zvanie*), colonist rank (*rang*), and colonist class (*klass*) were terms at times officially used interchangeably regarding the colonists, implying the distinctiveness of this group. A number of scholars on the history of the German colonists have touched upon different aspects of the legal standing of the colonists, depending on the angle of the enquiry.⁵ Colonist status as a distinct social condition and colonists as a separate group of imperial subjects attained their legal shaping, development, specification and formalization, particularly during the first decades of the nineteenth century in a set of imperial acts. This was an open-ended process, yet was terminated by the legal abolition of the colonist status in the early 1870s. By defining and specifying the legal position of the colonists, their civil rights and obligations, eventually the Russian lawmakers officially bound this group

³ “Vysochaishe utverzhdennoe polozhenie Komiteta Ministrov. O predostavlenii vlasti Ministerstvu vnutrennikh del razreshat’ prichislenie k kolonistam remeslennikov iz inostrantsev [31 May 1832],” in *PSZRI*, vol. 7 (1832) (St. Petersburg, 1833), 345.

⁴ From a number of scholars who developed this thesis, see Burbank, “An Imperial Rights Regime,” 407.

⁵ Just to name a few contributions to this topic: A. Shadt, “Pravovoi status nemetskikh kolonistov v Rossii XVIII–XIX vv. (sostoianie voprosa i postanovka problemy),” in *Nemtsy Rossii: sotsial’no-ekonomicheskoe i dukhodnoe razvitie 1871–1941* (Materialy 8-i mezhdunarodnoi nauchnoi konferentsii) (Moskva: “MSNK-press,” 2002), 15–29; Nikolai Shevchuk, “Status inostrantsa-kolonista v Rossiiskoi Imperii: pravo i real’nost (vtoraia polovina 18 – pervaiia polovina 19 veka),” in *Voprosy germanskoi istorii: sbornik nauchnykh trudov*, ed. Svetlana Bobyleva (Dnepropetrovsk: RIO DNU, 2009), 20–33.

of imperial subjects to the autocratic state. That was common imperial practice.

At the beginning of the nineteenth century a number of crucial instructions and regulations concerning colonists' management and their legal standing had been adopted. The legal position of the colonists embodied some general all-imperial features common to all subjects designated as colonists, but also had some peculiarities, depending on the specific region of settlement. These similarities were manifested in the legal acts concerning the Volga, St. Petersburg and Bessarabia colonists. The crystallization of the colonist's legal standing went hand in hand with the influx of new migrants and the foundation of many more settlements-colonies in the Black Sea region, as well as the gradual forging of colonial vertical authority.

The colonial administration and elected self-governing organs (village and district boards) were called upon to conduct overall management and supervision of the colonists. Communal and domestic issues, so-called "minor disputes and civil claims," were in the first instance under their jurisdiction. However, the Trustees Committee, in the person of the Chief Judge, exercising judiciary functions, was the last body to make a final decision in such minor cases. Still, in cases of colonists' trial and punishment the judiciary function of colonial administration was only partial.

As to penalties and sanctions, colonists were generally subject to the all-imperial Criminal Statute on Punishments (*Ulozhenie o nakazaniiaakh*). Penalties of greater severity were meted out to those who disobeyed or insulted persons in authority. Crimes of theft led invariably to severe corporal punishment, which was meted out in public.⁶ Forced labour to the benefit of society and the treasury, and fines, were the most widely used penalties for colonists violating the law. Apart from these measures, corporal punishment, sending offenders to penitentiary establishments, imprisonment, confiscation of farms, keeping on bread and water, church penance, and noise punishment were commonly applied to those convicted. Starting from 1803, each district board was obliged to have a special room for arrested colonists. Blocks, slingshots and whips were available for the "implementation of justice" at the village and district boards.⁷ However, in practice imprisonment caused problems for the colonial clerks. In particularly serious cases and recurrences, the most common sentences were instead expulsion from the

⁶ For a more detailed description of the corporal punishments, see Height, *Homesteaders on the Steppe*, 230–231.

⁷ Konovalova, "Kolonisty Iuga Rossii," 94; "Dopolnenie k Instruksii [7 July 1803]," in *Nemtsy v istorii Rossii*, 136 (§1–3).

colony, being exiled to Siberia, or expulsion from the territory of the Russian empire. Siberian exiles were deprived of their civil rights and their standing within the legal and social order.⁸

The most severe penalties were meted out to colonists guilty of “lewd behaviour” (*razvratnoe povedenie*), an official category of broad interpretation which might embrace, for instance, drunkenness or absence from the place of residence without authorized leave. “Lewd behaviour” was seen as undermining colonist households and their economic sustainability. This category certainly had economic undertones. In the most extreme cases, “incorrigible” offenders were forced to leave the empire. The decision on a colonist’s expulsion was made by a two-thirds majority in the village assembly. A colonist would be forced to leave Russia forever and to confirm in writing that he would never come back. The family of such an offender was free to choose its own destiny, and was not considered responsible for the deeds of its member. Occasionally, several kinds of punishments, combined with physical, material, religious and moral interventions, could be applied to an offender.

Crimes against morality and related to sexuality, as well as manslaughter, required church repentance (penance). Such punishments were first approved by the consistory and afterwards imposed by the local religious servitors. The criminal cases involving colonists were directly tried in the courts. Colonists’ criminal offences and conflicts with Russian subjects of other estates were considered in county courts, by city magistrates or in the provincial chamber of the criminal court, with the mandatory presence of the colonial deputy representing the colonial office. Colonists’ criminal offences were also judged according to the general imperial legislation.⁹

By the late eighteenth century, belonging to a society and performing certain duties were two legal principles defining what estate meant¹⁰ that were manifested in laws regulating social and physical mobility. The imperial laws governing estate mobility reflected an essential conflict between state ideals

⁸ Engelstein, *The Keys to Happiness*, 29.

⁹ Konovalova, “Kolonisty Iuga Rossii,” 80–83; DAOO, f. 6, op. 1, spr. 1844 (Ob otezde starshogo chlena Odesskoi Kontory v Kherson dlia prisutstviia po kolonistskim delam v tamoshnei ugolovnoi palate [1825]).

¹⁰ Here, by “estate” I mean *soslovie*, thereby avoiding the historiographical debate on the semantics and conceptual distinction between estate and *soslovie*. See Simon Dixon, “Russia’s Soslovie (Estate) Paradigm Revisited,” review of *For the Common Good and Their Own Well-Being: Social Estates in Imperial Russia*, by Alison K. Smith, *The Slavonic and East European Review*, vol. 93, no. 4 (2015): 732–736; and the works by Vasilii Kliuchevskii, Gregory L. Freeze, and Boris Mironov.

and local interests. While the legislation sought to fix individuals into social categories and specific places, overriding imperial concerns made some degree of controlled mobility desirable. The eighteenth and early nineteenth centuries constituted an era of Russian annexation and subsequent colonization that changed the centre's economic needs and required at least some degree of social and physical mobility. Thus, the imperial laws were torn between two conflicting demands: restricting mobility and favouring it.¹¹

Individuals were required to obtain documents showing that they were free to move to a new location. Also, moving away was not to lead to losses in taxes or duties to the state or local authorities. Only after the Emancipation in 1861, which brought fundamental changes to the meaning and functions of estates, did some governmental circles start to view estate and social mobility restrictions as significant limitations to the economic potential.¹² Still, in the eighteenth and early nineteenth centuries, legal measures continued to fix people to certain locations, prescribed that fugitives be tracked down and emphasized the importance of registration. All imperial subjects were locked within their positions through formal ascription in a particular societal group. This was perceived as an embodiment of a perfectly organized and well-ordered society.¹³

The Highest Approved Opinion of the State Council on the Rules on Colonists' Movement to Other Estates, adopted in 1812, regulated colonists' social mobility.¹⁴ At that time, the state was interested in keeping the colonists firmly in place, and in preventing their settlements from dilution and disruption. In the eyes of the Russian government, colonists were to stay at their places of settlement in order to work diligently and increase the productivity of their farms. According to this legal act, it was prohibited to release people from their status as colonists unless certain conditions were met. The social mobility of the colonists became bureaucratized. "An act of severance" (*uvol'nitel'nyi akt*) from the colonist settlement and "a letter of acceptance" (*priemnyi list*) from a new community became crucial documents for those wanting to change their social affiliation, way of life and belonging. A colonist could move to another estate only with written permission from the village assembly, or if he could find a replacer who

¹¹ Smith, *For the Common Good*, 48.

¹² Smith, *For the Common Good*, 49, 150, 208

¹³ Smith, *For the Common Good*, 48–50, 78.

¹⁴ "Vysochaishe utverzhdennoe mnenie Gosudarstvennogo Soveta. O pravilakh na uvol'nenie kolonistov v drugie zvaniia [27 November 1812]," in *Nemtsy v istorii Rossii*, 171–172.

would “willingly agree to run his farm.”¹⁵ No one could be released from the colonist rank unless one had definitely chosen “another way of life” and, more essentially, repaid her/his debt to the state. A colonist petitioning to be freed from the colonist rank had to obtain a receipt from the overseer, proving the repayment of his debt.

Apart from this, the Highest Approved Opinion of 1812 also introduced the possibility of dual estate affiliation for colonists who wanted to keep their colonist rank but at the same time wished to join another estate and, thus, were economically prosperous enough to pay the required duties for both estates. Such a hybrid condition was embodied in the designation and position of the Odessa city craft colonists. However, members of an entire colony were not allowed to join another estate. This legal act of 1812 associated the estate membership and social affiliation with the network of obligations between the members of a colony, between local societies and their colonist members, and finally between colonists and the imperial state.

The Charter of the Foreigners' Colonies in the Russian Empire, adopted in 1857, was the culmination of almost a century of legislative enactments regarding the colonists.¹⁶ It compiled the legal acts on foreign colonists in the entire empire adopted during the last third of the eighteenth and the first half of the nineteenth century. The major part of the Charter was devoted to the colonies of foreigners established on state lands, and only one chapter dealt with colonies established on lands purchased by colonists or on private lands. The chapter “On the civil status of the colonists”¹⁷ characterized the colonists as a “special kind of peasant estate,” pointing out that only those foreigners who were settled on state, private or purchased lands as agriculturalists or craftsmen could be recognized as colonists.¹⁸

By the middle of the nineteenth century, the acceptance into the colonist rank and the establishment of colonist settlements on state lands became rather exceptional, and was extended only to individual foreigners who were either relatives of established colonists, or were particularly valuable craftsmen. Still, a letter of acceptance from the village assembly was required. In both cases, the state no longer provided new would-be colonists with

¹⁵ DADO, f. 6, op. 1, spr. 2691 (O prichislenii kolonistov i perechislenii iz odnoi kolonii v druguiu po Bessarabskomu vodvoreniiu [1832–1833]), arkk. 40–42.

¹⁶ The Charter consisted of nine sections and 577 paragraphs, see “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 420–492.

¹⁷ “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 435–438 (§ 110–140).

¹⁸ “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 435–436 (§ 110–112).

financial assistance for accommodation. When given the colonist status, the person in question had to promise in writing “to follow the internal laws of the colonies” and also swear an oath of allegiance to the Tsar.¹⁹ These rules were older, originating in 1763–1764. The cessation of the so-called “civil condition” (*grazhdanskoe sostoianie*) of the colonists could take place in three cases: moving to another status, leaving the Russian empire, or committing a crime. The last case entailed the deprivation of all rights associated with the colonist status.²⁰ There was a brief reference to the marriage and family rights of the colonists in the Charter of the Foreigner’s Colonies in the Russian empire of 1857, which, however, were regulated by the charters of the Evangelical Lutheran and the Roman Catholic Churches, adopted in 1832 and 1857 respectively.

Neither of the documents discussed above, nor the Catherinian decree of 1764, specified or even mentioned the procedure of marriage and divorce among the colonists. These social practices and their quintessence were condensed into the first sentence of the Instruction for the Internal Order of 1801 claiming that “the main obligation of all settlers is to obey the law of their church.”²¹ At the turn of the eighteenth and nineteenth centuries, social practices regarding marriage and family issues came under the purview of respective churches and religious servitors. But this would not last long.

A special state commission was appointed in 1867 to review the status of the colonists. Convinced that names were indeed important, the commission suggested that foreigners in this category should from now on be called “settler-proprietors” (*poseliane-sobstvenniki*) rather than colonists.²² The era of Great Reforms of the 1860s and 70s brought significant implications and challenges to the estate system in general and to the colonists, as an imperial social group, in particular. Thus, in keeping with the standardizing and modernizing agenda of the Great Reforms, the foreign colonists in the Volga and Black Sea steppe lost not only their former designation but also their special administration and many privileges. Starting from 1871, however, the former colonists of the Ekaterinoslav, Kherson, and Tavria regions, now renamed “settlers-owners,” were officially brought under the authority of

¹⁹ “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 436 (§ 113, 114).

²⁰ “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 438 (§ 131).

²¹ “Instruktsiia [16 May 1801],” in *Nemtsy v istorii Rossii*, 116.

²² Sunderland, *Taming the Wild Field*, 158–159.

councils of new provincial (*zemstvo*) assemblies on an elected basis.²³ This was the end of the separate legal regime for the colonists of the Black Sea steppe.

To sum up, at the beginning of the nineteenth century, the spirit and leitmotif of the imperial project of colonization had changed. It became bureaucratized and more pragmatic in many ways, including the selection of migrants. These changes were caused by land scarcity in the Northern Black Sea provinces, the unsatisfactory outcomes of the eighteenth-century colonization, and the increasing overpopulation in the Central Russian provinces. Focusing on quality rather than quantity, the governmental ambition was no longer to populate the borderlands, but to settle a limited, well-selected number of immigrants who could serve as role-models in farming, commerce and innovation.

Eventually, the colonists' status obtained its legal position within the imperial legal space. The colonists' status contained multiple meanings – as obligation, as opportunity, as belonging, as identity, as civic status, as way of life, as subordination and, finally, as hierarchy.²⁴ Accumulating for decades, imperial legislation on colonists reflected a detailed body of bureaucratic regulation which penetrated all spheres of colonists' everyday life and activities. The chairman, the *schulze* and *beisitzer* were supposed to control all the complexities of agricultural work, as well as social interactions within the colonies. The legal regulation of colonists' social mobility set the boundaries for the colonist status within the imperial estate system. By the middle of the nineteenth century, colonist status was perceived and officially designated as a civil condition within the peasant estate.

²³ “Vysochaishe utverzhdennye pravila ob ustroistve poselian-sobstvennikov (byvshykh kolonistov), vodvorennykh na kazennykh zemliakh v guberniakh: S.-Peterburgskoi, Novgorodskoi, Samarskoi, Saratovskoi, Voronezhskoi, Chernigovskoi, Poltavskoi, Ekaterinoslavskoi, Khersonskoi i Tavricheskoi i v oblasti Bessarabskoi [4 June 1871],” in *Nemtsy v istorii Rossii*, 507–516. The same decision but in respect to the “foreign” colonies of Voronezh, Novgorod, Samara, Petersburg and Chernihiv regions was made in December 1866. They were also brought under the authority of the provincial district and county agencies, see “Vysochaishe utverzhdennoe polozhenie Glavnogo Komiteta ob ustroistve sel'skogo sostoiianiia, obiavlennoe Senatu Ministrom Gosudarstvennykh imushchestv. O peredache kolonii inostrannykh poselentsev v vedenie obshchikh po krest'ianskim delam uchrezhdenii [17 December 1866],” in *PSZRI*, vol. 41 (1866), part 2 (St. Petersburg, 1868), 408.

²⁴ Similar characteristics according to Alison Smith possessed *sosloviia* (estates), as macro imperial social categories, see Smith, *For the Common Good*, 12.

4.1.1. Land and the Colonists' Duties

In the Russian empire, two systems of peasant landholding were recognized: the *mir* system where land was subdivided, and a system of hereditary household tenure in which land was transferred as a single unit to a solitary heir. Because of the profound political transformations in the Dnipro River region, the eradication of the Zaporozhian Sich, and the absorption of the Northern Black Sea region and Crimea, the Russian government was eager to introduce commune traditions there with mandatory mutual responsibility. However, in comparison with the Central Russian provinces, the commune system was alien in these territories. Among Ukrainian peasants, the farmstead form of peasant land use prevailed. The typical form of a Ukrainian peasant household was the farm (*khutir*), a self-sufficient and independent economic unit. Oleksandr Evtushenko shows that the communal land system in the Northern Black Sea provinces prevailed only in landlord estates.²⁵ In the German colonies, the farmstead (*dvor*) allotment was the main economic unit, and was inherited indivisibly.²⁶ The lands reserved for the settlement of colonists were in their own “unquestionable and hereditary possession,” “so that those lands would never end up in foreign hands,” and constituted the communal possession of each colony.²⁷ In 1764, the government adopted this system for most foreign colonies, except the Mennonites who followed their own customs after being granted their special Charter of Privileges in 1800.²⁸

According to the Russian law, all colony land belonged to the colony in perpetuity, not to individual families. Families held the rights to their farms and household plots and could transfer them to their descendants, but their land could not be divided, mortgaged, or sold to anyone outside the colony. Basically, the colonist community possessed the land assigned to the colony, but did not own it. If a man died without a will, or if none of the children wished to continue farming, the farm could be transferred but only to another colonist. Such transactions had to be approved by the village assembly and the colonial

²⁵ Oleksandr Evtushenko, “Osoblyvosti derzhavnogo rehuliuвання zhyttiedial’nosti selians’koi obshchyny na pivdni Ukrainy v druhii polovyni XIX stolittia,” in *Naukovi pratsi: naukovo-metodychnyi zhurnal*, vol. 44, issue 31 (Mykolaiv: MDGU im. P. Mohyly, 2005), 147–149.

²⁶ Alexander Postnikov, *Obshchinnoe zemlevladienie*, vyp. 2 (Odessa: Tip. Ul’rikha i Shultse, 1878), 71; Alexander Klaus, *Nashi kolonii. Opyty i materialy po istorii i statistike inostranoi kolonizatsii v Rossii*, vyp. 1 (St. Petersburg: Tip. V.V. Nusval’ta, 1869), 124.

²⁷ “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 441 (§ 159).

²⁸ On Mennonites in the southern provinces of the Russian empire, see Urry, *None but Saints*.

authority.²⁹ J. G. Kohl visited German colonies near Odessa in the early 1830s, lived in the colonies of Lustdorf and Großliebental for a while, and became closely acquainted with their inhabitants. In his travel accounts he wrote:

The sixty dissiateens of land are never to be divided, but always to continue one property, for which the colonists are to pay a yearly rent to the emperor, not at present amounting to more than fourteen rubles for each male. The whole revenue derived by the emperor from the German colonies may amount to about 2,000,000 rubles annually. Though the law prohibits a division of the lot of ground assigned to a family, there is nothing to prevent several families from settling on it, if they can draw a subsistence from it.³⁰

By Russian law, the farmland could not be subdivided and could be inherited by only one of the children, usually the youngest son, who then compensated the other members of the family. According to ultimogeniture, if the youngest son for some reason could not inherit a land allotment, the father had the right to appoint a guardian or another heir from among his sons and relatives. The land allotment was indivisible, whereas other moveable and unmoveable property was divided between all the inheritors equally. In the case of the German colonists, the widow was supplied with a quarter of the property; daughters shared another quarter unless otherwise stated in the will, and the rest was equally divided among the sons. If there were no sons, the widow and daughters were supposed to possess the land, unless one of the daughters was married or the widow remarried.³¹ This system of land tenure existed until the 1860s, when the government encouraged the equal division of land between all inheritors. Despite governmental expectations, the abolition of junior right did not cause any rapid fragmentation of German colonist land tenure.³²

Unlike the German colonists, the Mennonites' entire property (excluding land) was divided equally among all inheritors of the deceased regardless of sex. Mennonites had special rules that regulated the population size in each

²⁹ On Russian inheritance policies see: Bartlett, *Human Capital*, 72–73.

³⁰ J. G. Kohl, *Russia. St. Petersburg, Moscow, Kharkoff, Riga and Odessa. The German Provinces on the Baltic. The Steppes. The Crimea and the Interior of the Empire* (Faber and Faber LTD: London, 2009), 439.

³¹ “Ustav o kolonniakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 442 (§ 170).

³² On the agrarian relations of German and Mennonite colonies in the second half of the nineteenth and early twentieth centuries, see Oleksii Zamuruitsev, “Nimets’ki kolonii Pivdnia Ukrainy u druhii polovyni XIX–na pochatku XX.” (Dys. kand. inst. nauk, Kyivs’kyi Natsional’nyi Linhvistychnyi Universytet, 2008), 90–99.

colony. Each colony was supposed to comprise 20–22 farmsteads. If the number exceeded this, it was a signal to found a new daughter colony.³³

Inspired by the organizing principle of the *mir* system, based on the “soul count” of adult males in a village, in the Volga German colonies each male member of the colonist community (*gemeinde*), regardless of age, was entitled to a share of the colony’s communal land holdings. Families with several sons had access to more shares of land than those with fewer sons. Eventually, with the increase in population, each person’s share grew smaller. In the Black Sea colonies, the main principle of land use was the household (*hof*) and the farmstead (*wirtschaft*). At the foundation of the settlements in the Black Sea region, each family head was allocated a house plot of 60 *desiatinas* in the settlement, plus a fixed quantity of surrounding farm lands inherited in its entirety by one son only. When the other siblings came of age, they were usually provided by their parents with financial settlements of their shares of the farmstead, which enabled them to purchase land elsewhere, or to pursue a trade. Because of this indivisibility of the farmsteads in the Black Sea settlements, colony lands were not fragmented over time into smaller portions when the population grew, as happened in the Volga region. In the second half of the nineteenth century, this principle caused a great upsurge in land purchases conducted by the German colonies in the Northern Black Sea region. After 1842, the Russian government stopped providing newly organized daughter colonies with land. Later in the century, however, due to population growth, some colonies began to disregard the prohibition against subdividing and allowed the division of households into halves and quarters for siblings.³⁴

Apart from land allotments, the Catherinian decree of 1763 assured 30 years of so-called “grace” to the colonists, during which they were freed from all taxes and duties. In 1806, the grace years were reduced from 30 to ten. After the grace years, colonists were charged with a number of duties. Like all peasants of the empire, colonists were charged with communal (*mirskie*) duties, both monetary and in kind, for the maintenance of the self-governing bodies of village and district boards. Duties in kind included the lodging of

³³ Voенно-statisticheskoe obozrenie Rossiiskoi imperii. Vol. 11. Novorossiiskie gubernii, Bessarabskaia oblast’ i Zemlia Voiska Donskogo. Part 2. Tavricheskaia guberniia, sostavil Gen.shtaba podpolkovnik Gersivanov (St. Petersburg: V tipografii Departamenta General’nogo Shtaba, 1849), 100. On the practice of egalitarian rules of inheritance among the Mennonites, see: Redekop, “The Mennonite Family,” 83–84.

³⁴ On the social economic development of colonist settlements in the second half of the nineteenth and early twentieth century, and colonist land tenure, see Zamuruitsev, “Nimets’ki kolonii Pivdnia Ukrainy,” 72–130.

district boards, providing the overseers with accommodation, and the delivery of goods and letters. The district boards were either lodged in colonist houses, moving annually from one house to another, or were placed in a separate building erected at the cost of the colonists. The overseers were to be lodged in colonist houses as well; their places of accommodation also changed annually.

There were also communal duties paid in cash intended to cover the upkeep of clergy and their travel expenses connected to their duties in different colonies. Starting from 1834, the colonists had to pay duties in cash for the maintenance of the colonial administration. After the grace years, the upkeep of the clergy became an obligation for the colonists. The clergy were to receive the same salary as that paid by the state. In the St. Petersburg colonies, these fees were demanded from every household, whereas in the Volga and Black Sea regions they were demanded from each worker between 16 and 60 years of age. The payments were collected three times a year by the churchwardens, who were elected among the colonists, and the total was then transferred to the district chairman.³⁵ The upkeep of teachers, and the salaries of the chairman, *schulze* and *beisitzer*, were likewise to be covered by the colonists. In cases of court trials, the colonists were to pay the deputies from the Guardianship Office who represented the colonist authorities in the courts. District council (*zemskie*) duties were also performed by the colonists, and included the repair of roads and bridges, an accommodation service for clerks, and the transportation of prisoners.

The tax immunity of the first colonists of Alt-Schwedendorf and Danzig expired in 1792 and 1797 respectively. According to the law, the colonists apart from other payments were to pay a direct tax to the state budget – a scot (*podat'*). The taxable estates in the Russian empire were subject to a poll tax.³⁶ It was applied to a “register of souls,” the way of counting the male population. However, the colonists were not included in the poll tax; instead a land tribute (*pozemel'naia podat'*) was established for them. The unit of taxation was the *desiatina* of land suitable for economic use. The rate of land tribute varied. It was established for each colony at the end of the period of tax benefits and was usually reconsidered several times.

According to the new rules of 1804 on foreigner settlements, for ten years after the grace period colonists were to pay 15–20 kopecks annually for each *desiatina*. After that period the colonists, but not the Mennonites, were

³⁵ “Instruktsiia [16 May 1801],” in *Nemtsy v istorii Rossii*, 117 (§ 2).

³⁶ The taxable estates in the Russian empire: peasants, townspeople, craftsmen and, until 1775, merchants.

supposed to be equal as regards land taxation to the local state peasants of the region. For example, according to the laws of 1800 and 1805, at the end of the grace period, Josephstal colonists were to pay 15 kopecks per *desiatina* annually, while the residents of the Swedish, Danzig and Jamburg colonies paid five kopecks. Mennonites paid higher rates. In 1817, the Jamburg, Josephstal, Swedish and Danzig colonists, the first batch of “old” colonists in the region, were equal as regards taxes to the regions’ state peasants. After that, the land scot was to be paid in accordance with the number of souls at the latest revision and the quantity of land, and equal to the sum the state peasants of the southern provinces paid annually for each registered soul (11 roubles). The Russian government equalized tax revenues of the colonists to the local state peasants at different times. For the first colonists of the Jamburg, Josephstal, Swedish and Danzig colonies who settled in the 1780–1790s, it happened by the end of the 1810s, whereas for others it happened in the 1820s.³⁷

4.1.2. Financial Aid from the State

The colonization of the steppe was an expensive enterprise. Funds spent by the government on each family of would-be colonists during settlement and accommodation constituted the state debt of these colonists.

The examples below illustrate the extent of state aid to the colonists and its redistribution. As soon as the immigrants from Württemberg and would-be colonists of Neuburg of the Liebental enclave arrived at the place of their settlement in 1804–1805, they were provided with food money for two years. Most of these immigrants arrived without any significant funds, though there were some well-to-do people who did not accept any travel aid or food-ration money. Not long after they were settled, each household received farm

³⁷ By the 1800, the state settlers (*kazennye poseniane*) of “New Russian provinces” were to pay two kopecks from each *desiatina* of land, see “Vysochaishe utverzhdennyi doklad Senata. O predpolagaemykh sredstvakh k popravleniiu sostoianiia Novorossiiskikh inostrannykh poselentsev, i ob uchrezhdenii pod vedomstvom Ekspeditsii Gosudarstvennogo Khoziaistva, Kontory Opekunstva Novorossiiskikh inostrannykh poselentsev [6 April 1800],” in *Nemtsy v istorii Rossii*, 86; “Vysochaishe utverzhdennyi doklad [20 February 1804],” in *Nemtsy v istorii Rossii*, 146; “Vysochaishe utverzhdennoe mnenie Gosudarstvennogo Soveta. Ob umnozhenii na menonistov platezha dolgovoi summy i o sravnenii starykh Novorossiiskikh kolonistov s kazennymi selianami [19 November 1817],” in *Nemtsy v istorii Rossii*, 188–189. On the rates of land tribute in the colonies of foreigners in the Russian empire at the turn of the eighteenth and nineteenth centuries, see: Boris Malinovskii, “Stavka pozemel’noi podati v koloniakh inostrantsev na territorii Rossiiskoi imperii (rubezh XVIII–XIX vv.),” *Istoriia torhivli, podatniv ta myta*, no. 1 (7), 2013, 82–86.

equipment, seed grain, a wooden wagon, a yoke of oxen, and 50 roubles for the purchase of a cow. Three to four farmers had to share a plough and a harrow. For each householder, the total advance loan, including the cost of the wood-frame house, amounted to 355 roubles.³⁸ The 68 families (263 persons) who arrived in 1808 and 1809 in the would-be colony of Bergdorf, owned assets worth approximately 3,000 roubles upon arrival. However, the settlers received financial aid from the Russian government, in total around 60,500 roubles, including money for provisions, settlement and seed grain.³⁹ The first settlement of Hoffnungstal (1819) was composed of 64 families originating from Württemberg. All of them received a state loan of 500 roubles for building materials, livestock, and agricultural equipment. Subsequently 30 families received a further loan of 3,000 roubles, yet these settlers had at their disposal about 10,000 roubles of their own money.⁴⁰

After the “grace” years, money spent on the accommodation of each family was combined with the land tax. It was to be repaid in between ten to 30 years, proportionally and annually. The Russian government showed some flexibility and lenience on the question of reclaiming state debts from the colonists. There was a constant concern in governmental circles that too much pressure in debt repayment could cause even more trouble for the colonists and their vulnerable economy. Sometimes the Russian government gave various deferments to the colonists, even writing off their financial debts completely.

In 1817, the State Council decided to collect from each family of Josephstal colonists 12½ roubles of land tax and state debt. Mennonites were to repay the most, from 48 to 53 roubles of land tax and state debt money from each family annually. The so-called “old” colonists who already paid land taxes, were to repay five roubles of debt annually.⁴¹ Before the equalization in taxation to the local state peasantry which occurred in 1817, these “old” colonists repaid 7–12 roubles of state debt per family annually.⁴²

³⁸ “Chronicle of Neuburg, 6 April 1848,” in Height, *Homesteaders on the Steppe*, 156–157.

³⁹ “Chronicle of Bergdorf, 4 May 1848,” in Height, *Homesteaders on the Steppe*, 199–200. In 1808, one rouble is equal to about 3,5 francs. See Height, *Homesteaders on the Steppe*, 51.

⁴⁰ “Chronicle of Hoffnungstal, autumn 1848,” in Height, *Homesteaders on the Steppe*, 201–203.

⁴¹ “Vysochaishe utverzhdennoe mnenie [19 November 1817],” in *Nemtsy v istorii Rossii*, 188–189.

⁴² Manufactured goods were quite expensive by that time. Some examples for the prices prevailing in 1818: shoes, 5–7 roubles; boots, 7–20 roubles; a cotton handkerchief, 2–3 roubles; an embroidered muslin shawl, 10–15 roubles; one pound granulated sugar, 1–2 roubles. See: Height, *Homesteaders on the Steppe*, 57.

In March 1825, “after bringing all accounts in order,”⁴³ the Department of State Economy announced that all in all more than five million roubles had been invested in the “New Russian colonies.”⁴⁴ At the same time, the State Council expressed determination and requested the Ministry of the Interior and the Trustees Committee to collect debts, starting from 1 January 1825, from all “New Russian colonists” whose exemption period had expired. By 1824, almost 3.9 million roubles of recoverable colonist debts were to be collected from the “New Russian colonists.” This was money the State Treasury had spent on food, accommodation, house-building, medicine etc. For example, the Molotschna, Crimean, Danzig and Swedish colonists, comprising in total 1,263 families, had a joint debt of around 716,000 roubles. Each family was to repay 20 roubles annually until they were equal as regards taxes with the region’s state peasants. However, not all governmental expenses could be reclaimed. It was calculated that around 116,000 roubles in travel money were spent on the “New Russian colonists,” money that could be reclaimed only from those who left the Russian empire or changed their social status. In 1825 more than half a million roubles, spent on church erections, land purchases, salaries of clerks and clergy, and other expenses for the colonists, were written off by the State Council.⁴⁵

On the eve of the Great Reforms, a substantial part of the colonist debt had still not been repaid. To speed up the collection of debts, the Committee of Ministers decided in 1861 to increase the annual fees of the German

⁴³ The bookkeeping was at times the Guardianship Office’s weak point. During an audit in the Guardianship Office, Kontenius revealed incongruities in its cash accounts. In 1804, he reported that not all records of dispensed cash (loans and food money) were supplied with recipients’ signatures or other corroborative documents. In 1811 a major corruption scandal occurred in the Office. In November 1811, the plundering of public funds by the accountant Ivan Gsell was revealed, having taken place between 1806 and 1811, with around 62,500 roubles embezzled. This sum was constituted of colonist taxes and debt repayments, and money for future settlements. However, according to the 1814 Manifesto, all persons involved were acquitted. For more, see the collection of Samuil Kontenius’s records: Olga Einfeld, ed., *Samuil Khristianovich Kontenius ob inostrannoï kolonizatsii Iuzhnoi Rossii: sbornik dokumentov, 1801–1829* (Odessa: “Astroprint,” 2003), 16–17, 124–126, 232–245.

⁴⁴ In the State Council’s 1825 opinion about debt collections from the “New Russian” colonists, approved by Alexander I, no clarification was made regarding the categorization of the “New Russian” colonists. Yet one can understand from the document that it was the colonists of different ethnicities, and the Mennonites of Ekaterinoslav and Odessa enclaves (*vodvorenje*), that were in focus. See “Vysochaishe utverzhdennoe mnenie Gosudarstvennogo Soveta. O vzyskanii s Novorossiiskikh kolonistov kazennogo dolga [9 March 1825],” in *Nemtsy v istorii Rossii*, 210–214.

⁴⁵ “Vysochaishe utverzhdennoe mnenie [9 March 1825],” in *Nemtsy v istorii Rossii*, 212–213.

colonists in the provinces of Ekaterinoslav, Kherson and Tavria, and the Bessarabia region.⁴⁶ With the dramatic shift in policy during the 1860 and 70s, above all the abolition of the colonist status, the former colonists were placed in another taxation and legal framework, similar to the one for all peasantry of the Russian empire. The colonist debt repayment process stretched throughout the whole colonist era, and caused major concerns for the Russian authorities.

4.1.3. Voting Rights

The household/farmstead principle also determined the electoral process and representation. Each head of the household had a vote and was a member of the village assembly that elected village and district mayors. Age and sex also defined voting rights in the Black Sea colonies. When a household head died, his voting rights passed to his widow or to his surviving male heir. If the male heir had not yet reached legal age or inherited the farmstead, then the vote passed to the widow. In the case of remarriage, the widow lost her legal personality and her vote, and the running of the household usually passed to her new husband. Marrying widows was economically beneficial for landless males, foreigners and males from other estates. It brought political representation, social recognition and economic assets.

However, while the Russian rulers were determined in their intentions to form and maintain a well-ordered society, their power remained limited when attempting to control and predict the processes of human interactions and migrations. The growing influx of outsiders from other colonies and villages, as well as foreigners and people from other estates, brought changes to the initial social structure of the settlements. There were also hired workers and day labourers who rented houses in the colonies. These newcomers had no rights to share communal colonist land, and no voting rights, even though they could live in the colony and were even registered in the church records in the colonies. Not all dwellers enjoyed colonist status.

⁴⁶ For example, the German colonists of Bessarabia were supposed to repay 10 roubles of state debt from each family annually. The German colonists of the Ekaterinoslav province were to repay from two to four roubles annually per family. In Kherson province, the German colonies of the Liebental and Beresan districts were to repay 15 roubles per family annually, whereas the Kutschurgan and Glückstal districts as well as the Hoffnungstal colony paid 10 roubles, and the Swedish district paid three roubles. See “Vysochaishe utverzhdennoe polozhenie Komiteta Ministrov, obiavlennoe Senatu Ministerstvom Gosudarstvennykh imushchestv. Ob uvelichenii sbora s nemetskikh kolonistov Novorossiiskikh gubernii i Bessarabskoi oblasti [30 May 1861],” in *Nemtsy v istorii Rossii*, 503.

Consequently, towards the middle of the nineteenth century, new population groups evolved in the colonies: owners of households with land allotments, owners of households without land, and hired workers and day labourers without a household, who could participate in the village assembly, although with restricted or no voting rights. Usually, the election lists show a clear distinction between the member (*wirte*) of the village community (*gemeinde*) who possessed a land allotments, and the landless household heads (*kleinhäuser*). Administrative reforms in the 1860s broadened the electorate in the colonies: thenceforth, landless household heads could participate in the election of colony mayors.⁴⁷

In conclusion, belonging to a certain group of population in the Russian empire was a guarantee of being part of the imperial legal order. During the first decades of the nineteenth century, in a series of legal acts, the holders of colonist status were legally differentiated into a distinct group of peasants, with certain assigned rights, obligations and attributes, as well as a separate colonial administration. They also became tied legally and socially to their places of settlement. Most German colonists had financial obligations to the Russian government, individually imposed on each household. State debt repayment, and transfer or sale of the farm to a fellow colonist, were among the conditions for those colonists who wished to move to other estates and join another category of imperial subjecthood. Though social mobility was not prohibited, it became complicated and bureaucratized. The legal construction of colonist status as a social category was ongoing and open-ended, and occurred in tandem with the politics of colonization in the region, its changing perceptions and aims over time. It reached its apogee in 1857, with the publication of the compilation of laws for the colonists.

4.2. Bringing Order to the Family⁴⁸

Marriage as the key social institution, organized the basic units of economic production and ownership: the farmstead, the workshop, and the estate.⁴⁹ It also secured workers and continuity of production. Synchronizing marriage with a material base was perhaps the chief regulative function of the traditional networks. Marriage (or courtship leading to marriage) was the

⁴⁷ Wagner, “A Discussion of Local Government.”

⁴⁸ The title of this section is borrowed from Gregory L. Freeze’s article, quoted in this subchapter, see Freeze, “Bringing Order to the Russian Family.”

⁴⁹ On marriage and gender roles in early modern times see: Henry Kamen, *Early Modern European Society* (London and New York: Routledge, 2006), 157–176.

only framework for legitimate, socially approved sexual relations. This meant that marriage was an enormously important institution carrying an unsurpassed density of social meanings. Wealth, social standing, adulthood, livelihood, communal responsibility, and sexual expression were all joined symbolically in this one institution.

“Bringing order to the family,” especially by establishing control over marriage and divorce, in the words of ChaeRan Y. Freeze, was a common political instrument both in Europe and the Russian empire.⁵⁰ Starting from the sixteenth century, generally in response to the Reformation, both Protestant and Roman Catholic countries of Europe had gradually generated complex systems to record and regulate marriage. The subsequent growth of the secular state, especially in its “absolutist” form, put greater emphasis on its right and duty to supervise the family and marriage. The zeal to regulate marriage persisted well into the nineteenth century. In Napoleonic France the state required that all citizens submit to a formal civil marriage to ensure proper registration and order. The attitudes of European elites towards the family also reflected the Enlightenment, particularly the secular notion that marriage was not a sacrament but a contract. Similar ambitions to regulate the family and marriage formation came to shape official policy in the Russian empire starting from the beginning of the eighteenth century, first in the case of the preeminent confession, Russian Orthodoxy.

Due to institutional backwardness, the medieval Orthodox Church in Muscovy could only exercise episodic control over marriage and divorce. Marriage was a secular contract rather than a church sacrament.⁵¹ Although the Orthodox Church of more modern times held the exclusive authority to make and unmake marriages, until the middle of the eighteenth century it lacked the records, administration, and coherent law to realize this prerogative. As a result, laymen and parish priests made and unmade marriages on their own authority, with scant reference to Church Law or Episcopal prerogative, and for a broad range of reasons, not only on canonically recognized grounds such as adultery and impotence, but also due to marital discord, incompatibility, and physical maltreatment. In 1730 the authorities forbade priests from issuing divorce certificates, but as the law’s reiteration in 1767 indicates, the practice evidently persisted.

One of the major developments of the “bureaucratic revolution” in the Russian Orthodox Church initiated by Peter the Great concerned the

⁵⁰ ChaeRan Y. Freeze, *Jewish Marriage and Divorce in Imperial Russia* (Hanover and London: Brandeis University Press, 2002), 75.

⁵¹ Freeze, “Bringing Order to the Russian Family,” 713.

structure of administration. By expanding the network of diocesan administration, yet not without serious shortcomings, reducing the average size of dioceses, and by tightening supervision from higher authorities, the Russian Orthodox Church enhanced its capability to control the laity. A second important development was the establishment of detailed parish records. A third alteration was the preparation of systematic laws on marriage and divorce. It was a new and complex system of bureaucracy, documentation, and law that substantially enhanced church control over marriage and divorce.⁵² Thus, by the end of the eighteenth century, the Russian Orthodox Church had expanded and improved its administrative control over marriage and divorce, both *de jure* and *de facto*. The secular Russian state also became increasingly assertive and intrusive. The Russian government sometimes intervened directly in the marriage domain, for example when setting the minimum marital age of 13 for females and 15 for males in 1774, but more often indirectly, by insisting that the church tighten its control over the family, marriage formation and divorce.⁵³ By the second half of the eighteenth century, the Russian Orthodox Church had gradually adopted a conservative policy, defining marriage as an indelible sacrament. Both state officials and the Orthodox Church defended marriage and family as “the best defence against moral degradation” and “the bedrock of political stability.”⁵⁴

Marriage formation for imperial subjects became embedded in the circle of constraints, making it heavily bureaucratized. A number of governmental decrees specifically regulated the prohibition on concluding marriages between Orthodox parishioners without the consent of the people under whose supervision they were placed. The Synod decree of 1783 confirmed the prohibition on military men marrying without a written certificate from their regimental commander. According to Paul I’s order in January 1800, generals, headquarters and chief officers were obliged to obtain the consent of the tsar in order to marry. Interestingly enough, they also had to submit information about their brides to the tsar.⁵⁵

The prohibition of marriages between serfs without the landowner’s consent was implemented much earlier. Orthodox peasants’ marriages in nineteenth-century Central Russia were affected by the institutional constraints imposed by serfdom and determined by several circles of

⁵² Freeze, “Bringing Order to the Russian Family,” 714–719.

⁵³ Freeze, *Jewish Marriage*, 76.

⁵⁴ Freeze, *Jewish Marriage*, 76.

⁵⁵ Lyman, *Rosiis’ka pravoslavna tserkva*, 284–285.

constraints imposed both by the imperial and Canon Law, as well as the landowner and the patriarchal system.⁵⁶ A set of rules imposed by imperial and Canon Law set out a first ring of constraints, regulating minimum and maximum age at marriage, kinship prohibitions,⁵⁷ and the numerous periods of the year when weddings were not permitted; periods that were more frequent than in other Christian denominations. These rules could not be disregarded, since their observance was verified when a marriage was registered. The landowner defined the second circle of constraints. Before the Emancipation of 1861, he took care to keep his serfs, and thus avoided marriages that might entail a departure. The law offered a set of guarantees, by putting severe limits on mobility. The third circle was created by the rural community (*mir*) and the family head, operating within a traditional patriarchal system and exercising strong control over the choice of spouses. Although the Emancipation lifted some of these constraints, especially those preventing mobility, the religious restrictions remained intact until 1918. The father continued to play a pivotal role and the patrilocal nature of marriage was unaffected.⁵⁸

Tracy Dennison's examination of the household formation practices and marriages of serfs at two estates in Central Russia also proves that marriage and household patterns in rural Russia appear to have responded to differing institutional environments much more than to geographical differences or any other specific variable.⁵⁹ Only with the Emancipation did the Synod guarantee that all emancipated peasants of both sexes could get married without permission from their (ex)owners.⁶⁰ Nevertheless, the regulation of family and sexual life constituted a battleground where the Russian Orthodox Church, the autocratic state, and the professional elites struggled to define the basic principles governing the social and political order of late imperial Russia.⁶¹ The institution of marriage turned into an effective instrument of Russian imperial policy as well as social and political normalization and assimilation within the expanding empire.

⁵⁶ Avdeev et al., "Peasant Marriage," 721–764.

⁵⁷ The intriguing file about the permission of marriages between relatives in the Roman Catholic colony of Jamburg has been lost. (DAOO, f. 6, op. 4, spr. 18920 (O dozvolenii obshchestvu kolonii Iamburg brakosochetaniia mezhdru rodnymi [1858–1859]).

⁵⁸ Avdeev et al., "Peasant Marriage," 743–746.

⁵⁹ Dennison, "Household Formation," 463–464.

⁶⁰ "Sinodskii. O venchanii krest'ian i dvorovykh liudei, vyshedshikh iz krepostnoi zavisimosti [9 August 1861]," in *PSZRI*, vol. 36 (1861), part 2 (St. Petersburg, 1863), 234–235.

⁶¹ Engelstein, *The Keys to Happiness*, 17.

During the times of the Cossack Hetmanate, 1649–1764, marriage formation among the Ukrainian peasants, who had not experienced serfdom, was mostly regulated on contractual grounds according to customary law. Parents and the rural community (*sil's'ka hromada*) were the key actors regulating and approving marital unions. With the gradual loss of the Cossack Hetmanate's autonomy and its eradication in the second half of the eighteenth century, the contract-based customary law of Ukrainian peasants, with its household and land splitting, homestead land tenure (*podvirne zemlevolodinnia*), and relatively high status of females both within the family and society, was gradually subordinated to the imperial legal system. Peasant marriage and family formation were monopolized by the Russian Orthodox Church.⁶²

In the Western provinces and Baltic region, the Russian imperial authorities politicized and instrumentalized the institution of marriage in yet another way. By encouraging confessionally mixed marriages and Orthodox pre-eminence after the law of 1832, the imperial regime aimed at binding those regions more thoroughly to Russia's central regions. The question of mixed marriages, as Paul Werth proves, reveals the difficulties that the imperial government faced when attempting to reconcile Orthodox pre-eminence, the expansion of religious freedom, and the maintenance of imperial integrity and political consensus. Insistence on the prerogatives of Orthodoxy would antagonize members of the Baltic elite and prevent any reconciliation with Roman Catholics. In practice, however, the regime failed to achieve its objectives.⁶³

Constraints on marriage formation and its politization were not unknown phenomena in Central and Western European societies either. Under the

⁶² On customary civil law of Ukrainians in the nineteenth and early twentieth centuries, particularly matrimonial customary law, prenuptial agreements, property and land relations and its gradual erosion in the Ukrainian lands under imperial rule, see Hrymych, *Zvychaeve tsyvil'ne pravo*. On peasant marriage and family law in the Southern Ukraine during the first part of the nineteenth century, see Oleksandr Evtushenko, "Derzhavno-pravove zabezpechennia simeino-shliubnogo obriadu selians'koi rodyny na pivdni Ukrainy v pershii polovyni XIX stolittia," in *Naukovi pratsi: naukovo-metodychnyi zhurnal*, vol. 23, issue 10 (Mykolaiv: MDGU im. P. Mohyly, 2002), 82–87. On the Ukrainian peasantry and imperial policies in the southern Ukraine, see Evtushenko, "Osoblyvosti derzhavnogo rehuliuвання," 147–151; Oleksandr Evtushenko, "Politolohichni aspekty derzhavnogo rehuliuвання obshchynnykh vidnosyn na pivdni Ukrainy v druhii polovyni XIX stolittia" (Avtoreferat dys. kand. polit. nauk, Mykolaiv's'kyi derzhavnyi humanitarnyi universytet im. P. Mohyly, 2006). On the Russian Orthodox Church in the southern Ukraine in the last quarter of the eighteenth and the first half of the nineteenth century, see Lyman, *Rosiis'ka pravoslavna tserkva*.

⁶³ Werth, "Empire, Religious Freedom," 296–331.

legal restrictions on marriage in the Tyrol and Vorarlberg region of Austria between 1820 and 1920, members of the lower classes could marry only with the prior consent of the village authorities. Local and provincial authorities justified the necessity of these laws by referring to overpopulation and widespread impoverishment, which, they alleged, had resulted from the increase of lower-class marriages since the onset of industrialization. Elisabeth Mantl argues that these limitations on marriage were due less to fear of impoverishment than the threat to the villages' existing economic and social order caused by the industrial development. In the interest of upholding the inherited economic and social order, social inequality in marriage formation was grounded in law and politically instrumentalized.⁶⁴

It would indeed have been anomalous for the imperial government not to interfere in the marriages of the colonists, considering their mission in the politics of colonization and the nature of the imperial social and legal order. But this raises the question: what was, more exactly, the imperial strategy in respect to the marriage of the colonists in the Black Sea region?

4.3. Governing the Colonists, Controlling Their Marriages

It is now time to analyse more closely the encounters between the colonists and authorities regarding the marriage formation in the first decade of the nineteenth century, primarily the first and second generations of settlers who founded the colonies of Josephstal, Jamburg, and Danzig during the period of 1787–1796.

For rulers of the Russian empire, governance was primarily about control over resources – territory and labour – and the social order required to secure them. For tributes or taxes to be paid, the organizing and reproductive capacity of the population had to be sustained. Maintaining order, including household order, and productivity in each region of the empire were among the principles of the imperial governance. In the eyes of the Russian rulers, only through rigid social order, surveillance and guardianship over the colonists could the goals of colonization be met.

In the nineteenth century, the rights of imperial subjects in the sphere of marriage were established primarily by religion, but age, sex, occupation, marriage history, criminal record, and place of settlement were also considered in the law. The right to marry according to the rules of one's own

⁶⁴ Elisabeth Mantl, "Legal Restrictions on Marriage: Marriage and Inequality in the Austrian Tyrol during the Nineteenth Century," in *The History of the Family*, vol. 4, no. 2 (1999), 185–207.

faith was offered to most subjects of the Russian empire. In accordance with the differentiated imperial governance, the rules regarding marriage were not uniform: Orthodox Christians, non-Orthodox Christians, and non-Christians could marry under laws particular to their religious group. These rights were defined differently according to the religion of the spouses. Imperial marriage law, codified and published in 1830s, both recognized differences in marriage practices and made some universal assumptions.

In the Russian empire, the cultural diversity was accommodated by authorizing a plurality of legal regimes, but most of them were rooted in a combination of custom and religion. However, authorities had to struggle on occasion to deal with subjects whose actions did not clearly fit within the frame of a confession or a legal order. Hence both intermarriage and conversion were problematic issues that challenged the essence of the system and imperial governance.⁶⁵ In imperial Russian law, marriages were construed as “mixed” only from a confessional perspective. Marriages between different ethnicities or “races” were neither regarded nor regulated as “mixed.”⁶⁶ The marriage laws were only altered in 1861 to allow unions between people of different estates, but the principle of rights accorded to defined groups and the division of population by social status persisted as mechanisms of governance.⁶⁷

In the eyes of the Russian government, organizing colonies on the basis of a common confessional principle facilitated the carrying out of religious rites among its members, but also enabled their control and management.⁶⁸ However, as it turned out in practice, it was hardly possible to maintain such boundaries and segregation, and confessionally mixed colonies, particularly Roman Catholic–Lutheran ones, appeared.

The imperial project of the Black Sea steppe colonization in the early nineteenth century had evolved in a “trial-and-error” spirit. Large flows of newcomers from the German lands settling in the Northern Black Sea region, unresolved economic problems and stagnation, diseases and epidemics among

⁶⁵ Burbank, “An Imperial Rights Regime,” 408–409.

⁶⁶ Werth, “Empire, Religious Freedom,” 298.

⁶⁷ Burbank, “Thinking Like an Empire,” 199.

⁶⁸ In June 1840, two male colonists, Lutherans by faith, from the Roman Catholic Leitershausen and Heidelberg colonies of Molotschna district, asked to transfer their farms (*khoziaistva*) to other colonists and leave. As they explained, being Lutherans they had some trouble in exercising their cult among the Roman Catholic majority. DAOO, f. 6, op. 1, spr. 5299 (O perechislenii kolonistov, peredache khoziaistv i brakosochetaniiu po Ekaterinoslavskomu vodvoreniiu [1839–1842]), ark. 79.

the immigrants, lack of shelters, the search for building materials and carpenters for colonists' houses, absence of clergymen – these were only a few issues that the undersized colonial administration, at that time, had to deal with.⁶⁹

At the beginning of the nineteenth century, it was either the overseer of the respective colony or the village mayor who notified the Guardianship Office for New Russian Foreign Settlers about colonists intending to marry, asking for its approval. During the period 1801–1807, Pavel Peleshnikov, Vasilii Develdeev, and Ivan Gsell, the overseers of the colonies, reported about the marriage plans of the residents of the Josephstal, Jamburg and Rybalsk colonies. They also regularly averred that there were “no obstacles,” giving assurances of the absence of any negative consequences of the proposed unions, and asked for the Guardianship Office's approval. These regular matters followed a rather simple procedure.⁷⁰

Bartel Lutz, the village mayor of Jamburg colony, reported about marital intentions among the colony's residents and received positive resolutions from the Guardianship Office on the requests of Georg Lang and Maria Schtibertin, Andreas Orth and Katharina Lenz, Martin Frost and Anna Charlotte Ullerichin, Gottfried Weis and the widow Elisabeth Fahlin, and others. On 22 January 1801, on behalf of Margaretha Schotring, the Jamburg village mayor Lorenz Bleicher approached the Guardianship Office with a

⁶⁹ In 1800 the staff of the Guardianship Office consisted of the Chief Judge Samuel Kontenius, his accountant and two pen pushers, see Konovalova, *Popechitel'nyi Komitet*, vol. 1, 12–13.

⁷⁰ Some examples: On 19 September 1801, Johann Knoblaue was permitted to marry a daughter of Jakob Emrich, colonist from Rybalsk colony of the Josephstal district. On 25 September 1801, the Guardianship Office permitted the marriage of Josephstal colonists Martin Baur and Barbara Bleich. The same day, Daniel Keinich, a colonist of Josephstal was permitted to marry the widow Anna Barch from the same colony. On 11 October 1801, permission was issued to Josephstal colonist Peter Zerneckel and Catharina Bittel. In May 1802, Josephstal colonist Heinrich Alehr was permitted to marry a “daughter of Schwabian” Kristian Mohr under the name Catharina. On 20 June 1802, marriages of Josephstal colonists Johann Jerz and the widow Karlina Muziks, and Friedrich Skodelsky and Elisabeth Albrecht were allowed. On 23 October 1802, Danzig colonist Gottlieb Fridrich received permission to remarry with a daughter of the widow Varvara Kniterka, in the Greek Russian church. On 15 November 1804, Pavel Chuiko, the assistant of the Chief Judge in 1804–1809, resolved to allow the marriage of Joseph Schneider, an “Austrian deserter” enrolled in the Josephstal colonists, with colonist Elisabeth Bleich. On 30 March 1805, Chuiko allowed the marriage of Josephstal colonists Elisabeth Nich and Karl Kristian Lorenz. See: DAOO, f. 6, op. 1, spr. 56 (Po predstavleniiu smotritelei i prikazov o pozvolenii kolonistam vstupat' v brak, 1801–1807), arkk. 19–20 ob., 21–22 ob., 24–24 ob., 26, 30–30 ob., 36–36 ob., 38, 82, 86.

request to let her marry her fiancée. The positive resolution was ready for the village mayor's notification on 31 January 1801.⁷¹

It remains unclear what was actually behind the overseer's concise declaration on the "lack of obstacles" for marriage in these regular cases. What were the criteria of evaluation, if any? Was any investigation conducted, but not documented? In these cases, no personal petitions from colonists asking for permission to marry were found in the archives. Probably, their intentions were only expressed orally to the overseer or village mayor. Most of the laconic reports of the overseers were met by positive and likewise laconic resolutions of the Guardianship Office, made after just a few days. During the first years of the nineteenth century, as evidence suggests, the intentions of the colonists of Jamburg and Josephstal colonies to marry were met with positive resolutions by the Guardianship Office, with only a few exceptions where additional proceedings were needed. The Guardianship Office routinely authorized the marriages of established, so-called "old" colonists, as well as those newly arrived, and widows with colonist males.⁷²

In irregular cases, when one of the parties had underage children or property, some additional commitments were required in order to obtain permission to marry. On January 1806, a marriage between Josephstal widower Johann Nich and widow Regina Klein, aged 44, was condoned after Johann Nich had promised in writing to support Regina Klein's underage children, her sons Johann, aged 14, and Paul, aged 12, and her daughter Ester, aged 6, as his own and to teach them good morals (*dobronravie*), how to run a farm, and generally take care of them as if they were his own children.⁷³

On 5 January 1801, after having been engaged for quite some time, colonist Anna Catharina Neumeier from Jamburg colony⁷⁴ intended to marry Ekaterinoslav city carpenter Johann Michael Becker, whom she had already lived with for a few months in Ekaterinoslav. The Guardianship Office instructed the overseer to identify Becker's social belonging and suggested he allow the marriage only if Becker was a colonist from the Jamburg colony. By the end of the month, it was made clear that Becker was indeed not such a colonist, thus Anna Catharina Neumeier was supposed to be sent back to her place of registry, to Jamburg colony, and not permitted to marry Becker.⁷⁵ As

⁷¹ DAOO, f. 6, op. 1, spr. 56, ark. 5.

⁷² DAOO, f. 6, op. 1, spr. 56, arkk. 5–8, 20–104.

⁷³ DAOO, f. 6, op. 1, spr. 56, ark. 89.

⁷⁴ Jamburg colony, settled by Catholics, situated in 17 *versts* from the city of Ekaterinoslav. One *versta* equals to 1067 meters.

⁷⁵ DAOO, f. 6, op. 1, spr. 56 (Po predstavleniiu smotritelei i prikazov o pozvolenii kolonistam vstupat' v brak [1801–1807]), arkk. 1, 7–7 ob.

it turned out, despite the Guardianship Office's ban on the union, Johann Becker and Anna Catharina Neumeier were married by the Josephstal Pastor Carl Biller.⁷⁶ When this became known to the Guardianship Office, in March 1801, Carl Biller was reprimanded and strictly prohibited from marrying colonists without the colonial administration's approval.

The Guardianship Office justified its disapproval of Becker's and Neumeier's marriage and Carl Biller's reprimand in two different ways. First, Becker did not belong to the colonist rank and was therefore not under the Office's authority. Second, it was maintained that "maids [*devki*] subordinated to this colony [Jamburg] are needed for its own colonists." As the colonial records suggest, pastor Biller knew from a letter from priest Thomas Majewski that all marriages should be authorized by the Guardianship Office, but still chose to disregard this rule.⁷⁷

On 13 April 1801, Dmitrii Golovin, Novorossiisk city governor and court counsellor, reported to the Guardianship Office that Anna Catharina had been ordered to return to Jamburg colony. However, John Michael Becker, resisting her deportation, claimed to be her legal husband and submitted a marriage certificate as proof.⁷⁸ There was nothing the colonial authorities could do in this case, except, with indignation, accept this marriage.

Due to the lack of any official directives and guidelines on how to approach and administer cross-border marriages, marriages between colonists and persons of other social backgrounds or non-Russian subjects, the Guardianship Office considered it appropriate in Anna Catharina Neumeier's and Johann Michael Becker's case to simply disallow their marriage. The colonial administration justified its decision by stating it had to safeguard the internal marriage market and restrain marriages with outsiders and non-colonists. Such restriction became particularly relevant in situations when a possible marriage would result in the woman's change of social belonging, and leaving the colonist status. From Biller's point of view, the groom not having colonist status was not an obstacle to the wedding. This clash in perspectives clearly caused contradictions.

Intermarriage had been a delicate area because it challenged the principle that people belonged to collectives with certain rights and obligations. When individuals wanted to marry someone of a different faith, it was critical to establish in legal terms how the intersection of the two regimes could be

⁷⁶ Carl Biller was the Lutheran pastor of the Josephstal district colonies during 1801–1826 and the Swedish district colonies during 1801–1828.

⁷⁷ DAOO, f. 6, op. 1, spr. 56, arkk. 13–14.

⁷⁸ DAOO, f. 6, op. 1, spr. 56, arkk. 15, 18.

achieved and whether marriages of this type should be allowed. There was no civil marriage in modern terms outside religious authority. But from an imperial perspective, all marriages attained legal force by virtue of their regulation by religious authorities recognized and empowered by the law.⁷⁹ As the silence in the colonial paperwork indicates, at the beginning of the nineteenth century, the terms of intermarriage/cross-border marriage of the colonists were not at all specified by the Russian government. But this situation did not remain unchanged.

The evidence suggests that the marriage requests of the colonists of Jamburg, Rybalsk, Danzig and Josephstal were largely met with positive resolutions from the Guardianship Office. Filed by overseers or village mayors, the requests followed a simple formal procedure. The overseer's and village mayor's report about the intentions of colonists to marry, and the Guardianship Office's approval rested on the logic of colonial administration which was about surveillance and supervision of all spheres of life of the colonists. These measures are explicitly reflected in the Instruction for the Internal Order of 1801, stating the micro-control of the chairman and village mayor on the level of the colonist district and the colony. The chairman and village mayor were supposed to document all verbal orders and proceedings, and generally set down in writing all that happened under their rule.⁸⁰ All commitments among the colonists and with other people, such as wills and contracts, were supposed to be in writing, authorized by a chairman and made known to the Guardianship Office. The chairmen were also required to send annually to the Guardianship Office complete records of births, marriages and deaths, together with an inventory of each farm.⁸¹

⁷⁹ Burbank, "An Imperial Rights Regime," 408.

⁸⁰ "Instruktsiia [16 May 1801]," in *Nemtsy v istorii Rossii*, 121 (§ 27).

⁸¹ "Instruktsiia [16 May 1801]," in *Nemtsy v istorii Rossii*, 120, 121 (§ 21, 26).

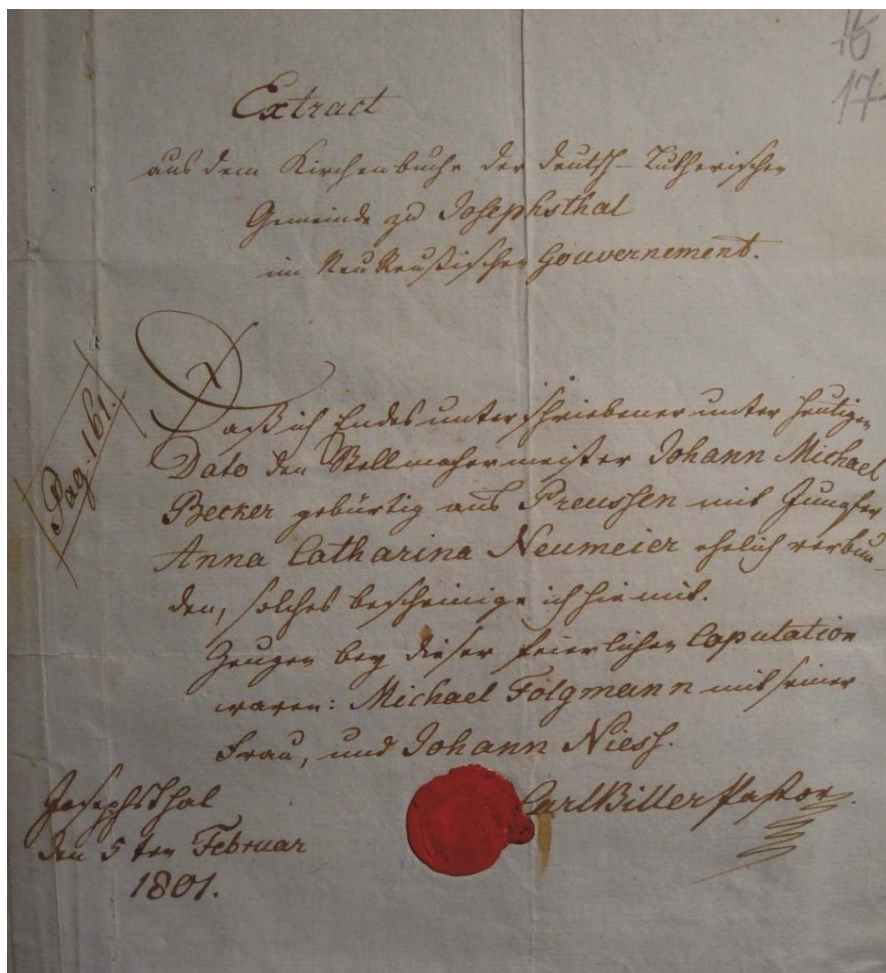


Figure 3. Anna Catharina Neumeier and Johann Michael Becker's marriage certificate, issued by the Pastor Carl Biller, Josephstal colony, 5 February 1801.⁸²

4.4. Married to the Empire: Bureaucratization of the Colonist Marriage

In the first decades of the nineteenth century, a special legal architecture was constructed aimed at conditioning the formation of colonist marriage and extending administrative control over it. Several legal acts were adopted

⁸² DAOO, f. 6, op. 1, spr. 56, ark. 17.

specifically targeting colonist marriage. The government became more explicit and precise when it came to the procedural requirements of colonist marriage formation and dissolution. At the same time, from 1812, the social mobility of the colonists became regulated and controlled.

On 4 March 1816,⁸³ the Ministry of State Domains in cooperation with the Ministry of the Interior and the Chief Manager of Spiritual Affairs of Foreign Confessions, decreed that marriages involving colonists could only be concluded after permission from the local authorities. This act particularly addressed the clergy in the colonies, ordering them not to marry colonists without a written certificate from the overseer of the colonies or the district board mayor, proving that there were no legal obstacles to the marriage. The governmental Decree of 1816 also strongly stressed to the overseers and the district boards that if no legal obstacles to marriage existed, a written certificate should be granted to the colonists without delay.⁸⁴ The Chief Manager of Spiritual Affairs of Foreign Confessions informed the Primate of the Roman Catholic Church about the new rules, who in turn was supposed to instruct the Mogilev Roman Catholic Consistory to order the Catholic clergy in the Odessa colonies not to marry colonists without the local authority's written approval.⁸⁵ Henceforth, marriages among the colonists were to be concluded solely on these grounds. The colonial administration, as the main supervising body over the colonists, was *de jure* introduced into the domain of matrimony and given control over it.

Meanwhile, based on this Decree, on 14 October 1816, the Chief Guardian of the colonists issued a circular to all overseers, instructing all district mayors to make the Decree known to all the clergy of their respective boards. The chosen channel of notification, through district boards, caused some indignation among the clergy. The Roman Catholic priests of Mannheim and Selz emphasized in their communication with the Kutschurgan district board that they had their own leadership (*nachalstvo*) and would not follow any orders except those from their own superiors.⁸⁶ Basically, Roman Catholic priests signalled their non-subordination to the secular power, obstructing the implementation of laws and instructions unless these emanated from

⁸³ This decree (*predstavlenie*) was not included in the Complete Collection of Laws of the Russian Empire. Yet, some uncertainties about the chronology of this legal decision remain, because the text in the archival file is damaged.

⁸⁴ DAOO, f. 252, op. 1, spr. 28 (O sovershenii brakov mezhdru kolonistami po svidetel'stvam svetskogo nachal'stva, [1816]), arkk. 1–1 ob.

⁸⁵ DAOO, f. 252, op. 1, spr. 28, ark. 2.

⁸⁶ DAOO, f. 252, op. 1, spr. 28, ark. 6.

their spiritual leadership. The Roman Catholic clergy remained particularly principal and strict in these matters.

However, enhancing the responsibilities of the colonial authorities by subjecting even marriage to their control was not in line with the limited powers of enforcement and administrative problems that were typical in imperial governance. The eventual growth of the Guardianship Office staff in 1810⁸⁷ which, however, went hand in hand with an increase of the foreign immigrants in the Northern Black Sea region, had no visible effect on the actual surveillance of the colonists' personal interactions in the Black Sea steppe or the religious servitors' professional activities. Remarkable indeed is the great number of copies and reminders of the Decree of 1816 in the colonial archive during the 1810–1830s, indicating its frequent violation. Although the Decree of 1816 was to be sent to all colonist district boards of the Black Sea colonies, the Trustees Committee repeatedly reminded religious authorities, including the Mogilev Roman Catholic Consistory, about the requirement for the secular authority's permission to be received before concluding marriages.⁸⁸

According to Anatoliy Remnev, in the Russian empire the administrative problems of the centre and the regions included a dialogue of two sides, central and local state agents, whose positions often did not coincide. The effect of the steady flow of instructions from the centre could be dampened successfully by their non-fulfilment in the periphery.⁸⁹ The communicative gap between the imperial centre and the regions is a noticeable feature not only in matters of marriage. Apart from this, the clergy were sometimes ignorant about and sometimes obstructed the marriage regulations. At the same time, the colonists were keen to apply pragmatic and problem-solving strategies concerning marriage and household formation. These matters contributed to an extensive correspondence between secular and religious authorities regarding violations of the Decree of 1816. Usually the result was penalties for colonists and clergy, mostly in terms of reprimands and warnings. However, even if marriages were concluded after gross negligence, the colonist authorities had no option but to recognize the validity of these marriages.

⁸⁷ In 1800, the staff of the Guardianship Office consisted of the Chief Judge in the person of Samuel Kontenius, his accountant and two pen pushers. In 1810, it had increased to 55 people. See: Konovalova, *Popechitel'nyi Komimet*, vol. 1, 12.

⁸⁸ DAOO, f. 6, op. 1, spr. 1600 (Po raportu Bessarabskoi Kontory o vospreshchenii sviashchennikam rimsko-katolicheskogo ispovedaniia sovershat' braki bez dozvoleniia mestnogo kolonistskogo nachal'stva [1822–1826]), ark. 4.

⁸⁹ Remnev, "Siberia and the Russian Far East," 432.

Regarding cross-border marriages, official guidelines on how to deal with them in the Black Sea colonies appeared only in the 1820s. By January 1820, the Trustees Committee had clarified the governmental requirements for concluding marriages, particularly between colonists and non-colonists; hence, cross-border marriage was legally recognized. Henceforth,

...marriages cannot be concluded without the knowledge of the secular authorities in cases when a colonist male marries a non-colonist female, or a colonist female marries a non-colonist male, because the admission into the rank of colonists [*priniatie v zvanie kolonistov*] and exclusion [*iskliuchenie*] thereof require a special permit.⁹⁰

Based on the Proposal of the Minister of the Interior on 12 December 1824,⁹¹ the Trustees Committee implemented a prescription particularly addressing all colonist females. Indebted colonist widows and daughters were prohibited from marrying non-colonists and leaving the colonist rank unless their share of the debt was repaid by themselves or for them.⁹² A colonist female's marriage with a non-colonist male was viewed as a woman's way out of the colonist rank and as a change of her social belonging. It challenged the imperial legal order and put the repayment of the colonists' debts to the state at risk. Thus, in order to be released from the colonist rank and admitted into another estate, the share of a woman's colonist debt had to be repaid.⁹³ So, if a person wanted to change estate, rank, and social belonging, all debts connected to the old social position had to be repaid and all obligations fulfilled.

⁹⁰ DAOO, f. 6, op. 1, spr. 1600, ark. 2. The text in the file is damaged.

⁹¹ Interestingly, the Proposal of the Ministry of the Interior dated 12 December 1824, if the chronology of this legal act in the archival file is correct, cannot be found in the Complete Collection of Laws. This Proposal was forwarded to the Trustees Committee on 21 February 1825. Significant for the marriage policies, it was, however, found in the individual file about colonist female Magdalena Schäfer and Wilhelm Herman. See DAOO, f. 6, op. 1, spr. 1910 (O vstuplenii kolonistki Shefer v zakonnyi brak s inostrantsem Vilgel'mom Germanom, ne podlezhashchemu kolonistskomu vedomstvu [1826]).

⁹² DAOO, f. 6, op. 1, spr. 1910, ark. 3.

⁹³ DAOO, f. 6, op. 1, spr. 2459 (Ob otpravlennykh v kaznacheistvo den'gakh v popolnenie dolga za kolonistok, vyshedshikh v zamuzhestvo za storonnikh liudei [1829–1833]); DAOO, f. 6, op. 1, spr. 4153 (O vzyiskanii kazennogo dolga s kolonistskoi docheri Sabiny Nol'd kolonii Geidel'berg po sluchaiu vykhoda v zamuzhestvo za postoronnego cheloveka [1836], ark. 2; DAOO, f. 6, op. 1, spr. 6878 (O brake Ioganna Bekera s Marieiu Mints i o vzyiskanii s nee kazennogo dolga [1843]); DAOO, f. 6, op. 2, spr. 12760 (Ob iskliuchenii iz kolonistskogo zvaniia kolonii Frantsfel'd Barbary Dertsaf po sluchaiu vstupleniia v brak [1849–1853]).

According to Alison Smith, most legislation on social mobility and estate membership “either ignored women or treated them as mere appendages to their male relatives.”⁹⁴ Men were legally registered in order to ensure the fulfilment of their duties, but because women had no such connection to the duties attributed to their social position, Smith claims, communities registered them only to keep track of the larger population. However, starting in the middle of the nineteenth century, the Ministries of the Finance and the Interior had been discussing whether women should be considered a special category when it came to legislation regarding mobility to another social estate. Eventually, in the 1880s, the Digest of Laws was amended to include the notice that all peasant and urban women who wished to enter new social groups as heads of households with no males would only be allowed to do so on their own requests, without presenting acceptance agreements, thus, in the view of Smith, confirming the view of women’s roles as adjacent to estate societies.⁹⁵

However, this was not the case for the colonist females of the Black Sea steppe. The imperial law and legal order neither regarded nor regulated situations when Russian subjects did not belong to any estate.⁹⁶ But this does not mean these matters were not handled in practice. Before leaving the colonist rank, an applicant, regardless of sex, had “to find another way of life;” basically, this meant being officially accepted into another group of imperial subjects.

Leaving or joining an estate was often restricted by the issues of duty. Colonist debts and solvency became one of the major restraining factors on colonist marriages. Most colonists in the Russian empire had both revocable and irrevocable debts. Food and travel money,⁹⁷ expenses for church erections, and salaries for clergy during the grace years, and purchase of land were seen as irrevocable assets that had to be repaid if the colonist wanted to leave the Russian empire or join another estate. The authorities, on request, provided colonists with substantial interest-free loans for dwellings, and the

⁹⁴ Alison K. Smith, “The Shifting Place of Women in Imperial Russia’s Social Order,” *Cahiers du Monde Russe*, vol. 51, no. 2 (2010), 2, accessed January 18, 2017, www.cairn.info/revue-cahiers-du-monde-russe-2010-2-page-353.htm.

⁹⁵ Smith, “The Shifting Place,” 7, 8.

⁹⁶ DAOO, f. 6, op. 1, spr. 4179 (O zhelanii gnadental’skogo kolonista Georga Mikhaelia Mertsa vstupit’ v brak s vdovoiu Reginoiu Ziber i ob uvol’nenii ego iz kolonistskogo zvaniiia s dozvoleniem ostavat’sia v Rossii inostrantsem [1836]).

⁹⁷ At the time of crossing the Russian border and until settlement, the migrants received food money from the Russian government – 3 kopecks per adult and 4 or 5 kopecks per child.

purchase of agricultural tools and cattle, to be gradually repaid by the colonists after the grace period. The colonists could use that money only for intended and pre-declared purposes. Moreover, they had to report the expenses incurred and look after the wares purchased. These material assets could not be sold off. The state loan was not granted to the colonists individually, but to the community of each colony. Communal responsibility became a sort of guarantee. It was the community that was obliged to answer for the debt in case of a colonist's withdrawal. The Catherinian decree prescribed the free interest rate repayment of the state loan after the ten grace years, in equal shares, during three years. However, these terms were repeatedly extended due to the colonists' lack of solvency.⁹⁸ So, the debt was equally imposed and calculated on all members of the farm (*khoziaistvo*), regardless of sex and age; the head of the farm household was held responsible for its repayment.⁹⁹ Frequently, many colonists sank into a debt bondage that restrained their social and physical mobility. The colonial authorities instructed the overseers to keep records on the debt of each farm and colony, and to systematically inspect and count the population of the colonies.

In contrast to Smith's generalization regarding women and their rather adjacent position to urban and rural estate societies as well as their marginalized role in the imperial legislation on social mobility, it was the colonist women and their marriage eligibility that were particularly legislated on and regulated in respect to their duties. Colonist women had *similar* duties to men attributed the colonist rank. Moreover, women were seen as most prone to change their social status through marriage.

When assuming office, religious servitors and clerks were in practice not provided with a step-by-step guide on how to conclude colonist marriages or divorces. The orders and prescriptions regarding the marriage procedure were inconsistent and dispersed. There was a certain established procedure of announcing new legal acts and prescriptions to the colonists, as already discussed in a previous chapter. However, the evidence gives a strong impression that the colonists usually became aware, if at all, of the procedure in its course or even *post factum*, after legal violations had been disclosed.

⁹⁸ "Vysochaishe utverzhdennyi doklad [20 February 1804]," in *Nemtsy v istorii Rossii*, 144–147; "Vysochaishe utverzhdennoe mnenie Gosudarstvennogo Soveta [27 November 1812]," in *Nemtsy v istorii Rossii*, 171–172; "Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857]," in *Nemtsy v istorii Rossii*, 458–459 (§ 290, 291–293, 296).

⁹⁹ DAOO, f. 6, op. 1, spr. 3764 (O brakosochetanii, peredache khoziaistv i prichislenii kolonistov kolonii Sarata, 1835–1836), ark. 24.

Naturally, this may also be an indication of resistance and defiance, an unwillingness to acknowledge the regulations and a tendency to “misunderstand” the legislation and admonitions.¹⁰⁰

It would certainly be an overstatement to claim that there existed a unified and standardized procedure for colonists to obtain marriage permits. Usually it depended on the specific case, time, and particular circumstances. However, the juxtaposition and examination of individual cases disclose the chain of steps and the integral routine when obtaining marriage permits. These common features have been reconstructed retrospectively, through an analysis of prohibitions and violations in individual cases. So, in the initial stage, the approval of the marriage from parents or guardians was needed (in cases of underage individuals). If parents or guardians disapproved of the marriage, they were required to provide justifying reasons for that. After obtaining approval from parents and village assembly (in the case of cross-border marriages), the couple had to address the Guardianship Office/ Trustees Committee through the overseer of the colony, who submitted a request for a marriage permit. A direct address from colonists to the Guardianship Office was prohibited, thus the overseer functioned as a two-way mediator between the colonial administration and the colonists regarding all practicalities. The marriage approval by the district board, which usually based its decision on the village assembly’s verdict, was important.

As an alternative, the district board itself occasionally reported to the overseer about colonists intending to marry. The overseer in his turn petitioned the Guardianship Office / Trustees Committee, which initiated an investigation at this point to ensure whether the colonist couple met the requirements, basically socioeconomic ones.¹⁰¹ If there were no obstacles from the Guardianship Office’s point of view, it approved the marriage and issued a marriage certificate to be submitted to the clergy. The marriage permission certificate was personally handed to the colonist couple by the overseer. Once the permission to marry had been submitted to the clergy, and all common requirements such as age and kinship considerations were met, a wedding ceremony was instigated. Sometimes the overseer himself conducted an investigation aimed at disclosing obstacles, if any, against the marriage. The results of such an investigation were reported to the Guardianship Office/ Trustees Committee. As seen, the routine of obtaining

¹⁰⁰ Werth, “From Resistance to Subversion,” 28–30.

¹⁰¹ DAOO, f. 6, op. 1, spr. 5299 (O prichislenii kolonistov, peredache khoziaistv i brakosochetanii po Ekaterinoslavskomu vodvoreniiu [1839–1842]), arkk. 122, 132.

marriage permissions slightly varied. However, approvals from parents, the village assembly in cases of cross-border marriages, and the district board were significant and usually ensured the Guardianship Office's authorization of marriage.

In the simplest cases, receiving a paper certificate permitting a marriage took a month or so from the moment a couple expressed their will to the actual wedding. In cases when there were no obstacles or hitches, time was needed primarily for inquiries (*navedenie spravok*) about the couple.¹⁰² In more complicated cases, connected with property and underage children in cases of remarriages, the waiting time for a marriage permission could be as long as one year. The wedding ceremony could also be delayed for numerous reasons, such as Lent and other religious holidays, the non-availability of clergy in the colony, and arrangements regarding custody over property or underage children. The personal lives of the colonists were highly affected by economic and administrative factors, and the colonists frequently found themselves in limbo.

In the 1810s and 20s, regulations explicitly targeting the marriage formation of the colonists were introduced. Surveillance and management, as the core duties of colonial vertical administration, were gradually extended in respect to colonist marriage formation and dissolution. Expanding the control of village and district mayors and guardianship offices over marriage formation among the colonists engendered a heavily bureaucratized procedure.

To conclude, the imperial legal order both recognized differences in marriage practices between different religious groups and made some universal assumptions. Universal requirements for marriage such as the free choice of spouse, parental approval, kinship and mental health considerations, and a certain minimum and maximum age, were not sufficient requirements for colonists intending to marry. The marriage routine for the colonists was additionally specified by governmental orders and the colonial administration's orders due to the colonists' social status and debt to the treasury. Since the boundaries of the colonist status within the imperial social system had been defined (and particularly by the legal act of 1812 on colonists' social mobility), certain legal restrictions on colonist marriage followed. At that point in time, the cross-border marriages of colonists with foreign subjects and people from other estates (craftsmen, bourgeois, and

¹⁰² DAOO, f. 6, op. 1, spr. 613 (O khudykh postupkakh kolonista derevni Klostendorf Iogana Tovbergera i zheny ego Barbary [1812–1813]).

nobility¹⁰³) had been also legally recognized; however, with the assumption that spouses should share the same social status. Obsessed with the idea of the productivity and maintenance of a well-ordered society, the Russian government eventually introduced a set of regulations on colonist marriage formation. It aimed at predicting and keeping track of interpersonal interactions, maintaining and securing social boundaries and the fulfilment of the duties associated with colonist status. Finally, from an official perspective, the introduction of the marriage regime would enhance colonist households' productivity and ensure the prosperity of the colonized region.

Marriages among the colonists were deeply fraught with political implications. Marriage became not only the object of law-making, but also a social category in need of regulation and supervision. Far from representing a private matter of importance only to individuals, families or local communities, these unions had considerable significance for the imperial governance of the region and the colonization project. Colonist marriage formation was conditioned by the financial obligations and debt repayment scheme imposed on each family unit and subject to colonist communal responsibility. Regulations on colonist land possession and farmsteads became a restraining factor on marriage conclusions and social mobility. From an official perspective, the social mobility of colonists undermined the colonization project, but also challenged the entire estate system. Ideally, colonists should stay in the places of their initial settlement, under surveillance and close supervision, engaged in agriculture and improving their farms. This was the reason they had been invited and sponsored by the state.

¹⁰³ The file about the marriage conclusion of Peterstal colonist Casper Schenk and the noblewoman Anna Jaworska is lost, see (DAOO, f. 6, op. 2, spr. 12770 (O vstuplenii v brak kolonista kolonii Peterstal' Kaspera Shenka s dvoriankoiu Annoiu Iavorskoiu [1849])). On the marriage of Großliebental widow Katharina Schlegel with an Odessa city resident, Peter Wirrich, see: DAOO, f. 6, op. 2, spr. 9453 (Delo po predstavleniiu Libental'skogo okruzhnogo prikaza o brake gros-libental'skoi kolonistki vdovy Kateriny Shlegel' s odesskim meshchaninom Petrom Viurikhom [1847]).

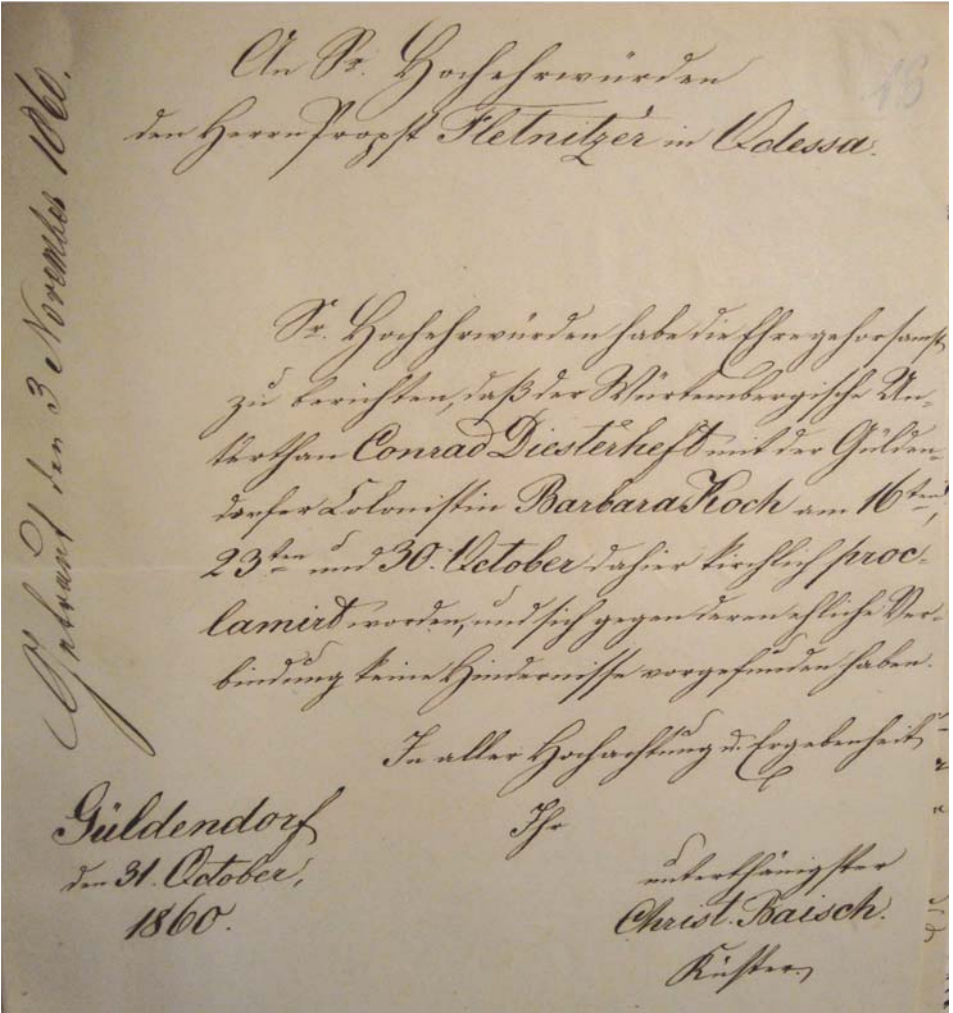


Figure 4. Marriage certificate of Conrad Diesterheft and Barbara Koch, Güldendorf colony, 31 October 1860. ¹⁰⁴

4.4.1. Time to Marry?

In pre-industrial rural society, the household was the most important institution, along with the market. Both production and consumption were, to a large extent, organized and distributed through the household, which also

¹⁰⁴ DAOO, f. 630, op. 1, spr. 188 (Svedeniia o brakosochetaniiaxh zhitelei kolonii Giul'dendorf, Vaterloo, Gros-Libental', Neifreidental'[1860]), ark. 16.

performed the vital function of insurance in cases of accidents and old age. However, to form a separate household and become its head, one had to get married.¹⁰⁵ This section deals with the Russian officials' considerations about the appropriate marriage age of the colonists.

Regulating the minimum age for marriage fell under the authority of the church of each religious denomination. In the eighteenth and nineteenth centuries, the Russian government legislated on marriage and family by fixing the minimum marriageable age and authorizing mixed marriages. But such legislation generally ordinarily involved consultations with ecclesiastical authorities. The first restrictions on age at marriage were those imposed by the Canon Law. However, in 1774 the Russian government intervened directly and set the minimum marital age to 13 for females and 15 for males. That was not the only intervention. According to the Senate decree of 6 October 1830, the age at marriage for imperial subjects of Orthodox, Roman Catholic, Lutheran or Armenian Gregorian faith was raised to 16 years for women and 18 years for men, with an exception for the Caucasus population.¹⁰⁶ The same marriage age considerations were duplicated in the Charter of the Evangelical Lutheran Church in Russia, adopted in 1832.¹⁰⁷ People under 22 years old were underage, and therefore needed parental or guardians' approval to marry.¹⁰⁸

The October Senate decree applied to the colonists as well.¹⁰⁹ The main requirements defined by both the Russian Evangelical Lutheran and the Roman Catholic Churches for marriage were communion and confirmation. In the 1830s the clergy were instructed not to marry youngsters unless their exams on the Catechism and the Gospels had been successfully passed.¹¹⁰ These rules were strictly monitored, but are obviously not sufficient to accurately describe the actual matrimonial practices. For example, between 1815 and

¹⁰⁵ Lundh, "Remarriages in Sweden," 423–424.

¹⁰⁶ "Svod zakonov grazhdanskikh. Book 1. O pravakh i obiazannostiakh semeistvennykh. Section 1. O souiuzie brachnom," in *SZRI*, vol. 10, part 1 (St. Petersburg, 1900), 7 (§ 63).

¹⁰⁷ Unlike the Charter of Evangelical Lutheran Church in Russia (1832), the Charter of Roman Catholic Church in Russia (1857) did not deal with the areas of marital and family law regulated by Canon Law. On the history, establishment and the legal position of the Roman Catholic and Evangelical Lutheran Churches in the Russian empire, their official recognition, institutionalization, and relations with the Russian state, see Dunn, *The Catholic Church and Russia*, 1–71; Litsenberger, *Katoliki i liuterane v Rossii*; Litsenberger, *Evangelicheskoi-liuteranskaia tserkov'* etcetera.

¹⁰⁸ "Kniga 2. O upravlenii dukhovnykh del khristian protestantskogo ispovedaniia. Section 1. Ustav Evangelicheskoi-Liuteranskoj Tserkri [1857]," in *Nemtsy v istorii Rossii*, 298–299.

¹⁰⁹ DAOO, f. 630, op. 1, spr. 32 (Tsirkuliar o zapreshchenii brakosochetaniia pri vozraste zhenikha mladshe 18 let, nevesty – 16 let [1831]), ark. 1.

¹¹⁰ Litsenberger, "Problema npravstvennosti," 214.

1861, the average age at first marriage in three rural villages near Moscow fluctuated between 20 years and 22.9 years for males, and 19.3 years and 20.7 years for females, depending on the period, and on parental consent.¹¹¹ Russian marriage legislation also applied restrictions to marriage at an old age. After 1850, marriages after the age of 80 resulted in annulment.¹¹²

Marriage age had been among the considerations of the Russian government when deploying a marriage regime in respect to the colonists. In the official documents, the rhetoric about marriage age and farm partition was connected to colonist thrift and the profitability of their farms. According to the Instruction for the Internal Order of 1801, the colonists were not allowed to divide their farms without the Guardianship Office's permission. Basically, this restriction was directed at newly married colonist couples who intended to start their own farm. From the official point of view, the restriction on dividing the farmstead would positively stimulate the younger generation, motivating them to work hard in order to marry and set up a new farm. The colonist district mayor was to look after the division of farmland and colonist household formation so that it would "contribute to public convenience, preventing the colonist farms from decline."¹¹³ Colonists' intention to partition a farmstead was to be submitted in writing to the regional guardianship offices by the district mayor, with the enclosed permission from the couple's parents or relatives, and an evaluation of whether there was sufficient land, tools and cattle for the prospective farm.¹¹⁴

Government signals on these matters could be ambiguous. Minister of the Interior Viktor Kochubei's prescription to Samuel Kontenius, the head of the colonial administration, in September 1804 on the distribution of loans to colonist families for house-building and accommodation had a certain connotation of slyness. At the beginning of this document, the minister expressed his concern about any restrictions on colonist marriages and household formations, since, he claimed, these might be perceived as "a violation of colonists' freedom of worship and an interference in the religious domain."¹¹⁵ The minister went on to sketch out and foretell the potential

¹¹¹ Avdeev et al., "Peasant Marriage," 731, 733–735.

¹¹² "Svod zakonov grazhdanskikh. Book 1. Section 1. O soiuzе brachnom," in *SZRI*, vol. 10, part 1 (St. Petersburg, 1900), 4 (§ 37).

¹¹³ "Instruktsiia [16 May 1801]," in *Nemtsy v istorii Rossii*, 122.

¹¹⁴ *Ibid.*

¹¹⁵ "Predpisanie V. P. Kochubeia S. Kh. Konteniusu o vydache ssudy na postroiku domov i obzavedenie semeinym kolonistam [20 September, 1804]," in *Pis'ma gertsoga*, 236. This document, which is of a great importance for the colonists and their household formation,

hardships to be faced by a newly married couple consisting of young wife and husband in running a farm due to the lack of both workers and experience. Therefore, according to Kochubei, putting limits on the *intentions* of colonists to marry in order to obtain a state loan for house-building and accommodation would prevent young couples from ruin, and thus was a worthy resolution of the authorities. The minister judged that the colonists' motivation to marry was simply to get state loans for new farms. In his words, only colonist families promising to be economically sufficient should be given state loans. Kochubei claimed that already married couples as well as those young people willing to marry but not capable of keeping a certain number of workers, should live with their parents, relatives or other householders and run the farm jointly. At the same time, young couples should put all their efforts into building up and extending their own farm (*khoziaistvo*) and then, with time, and without needing state loans, they could establish their own household (*domovodstvo*).

Justifying and legitimizing his own prescription, the minister gave an assurance that the implementation and adherence to such a "strict order, common for peasantry in all countries" would save costs for the State Treasury, and would prevent young and inexperienced people from incurring losses while increasing the profit of the farms in a region.¹¹⁶ The minister justified age restrictions as a way of saving costs for the State Treasury from eventual losses, and young colonists from bankruptcy. However, no specific marriage age was mentioned. A possible tension between the colonists and the Russian government could arise from the fundamental questions of the household formation system. Roman Catholic and Lutheran colonists were accustomed to a simple household system, whereas the Russian government encouraged joint households, particularly due to the common instability of most of the colonist economies at that time.¹¹⁷

Through Viktor Kochubei's prescription, the Guardianship Office received the right to deny colonist petitions to marry if, in its eyes, the future union and household seemed unreliable and doubtful from an economic point of view. Basically, he provided a local colonial administration with *carte*

was not included in the Complete Collection of Laws of the Russian Empire. It rested in collections of the State Archives of Dnipropetrovs'k Region of Ukraine.

¹¹⁶ "Predpisanie V. P. Kochubeia S. Kh. Konteniusu [20 September, 1804]," in *Pis'ma gertsoga*, 236.

¹¹⁷ John Hajnal, "Two Kinds of Preindustrial Household Formation System," *Population and Development Review*, vol. 8, no. 3 (1982): 449–494.

blanche to allow marriages at their own discretion. Reflecting personalized autocracy and arbitrary officialdom, new marriages became dependent on the clemency of the authorities. Obtaining marriage permission became an uncertain and tricky process. In 1804, Emmanuel Richelieu suggested that Samuel Kontenius should specify the minimum marriage age for males as 23 years and 17 years for females.¹¹⁸ The manipulation of rights and liberties was a foundation of regional administrative policy and a characteristic behaviour of imperial officials, who coined the imperial policy towards groups of subjects in the borderlands. It is thus conceivable that marriage age was discussed depending on the circumstances in every single new case brought to the attention of the authorities, where economic reliability, profitability and colonist thrift were crucial parameters. Thereby, economic assets and a reputation for thrift and diligence became the main parameters of marriage eligibility.

4.5. Concluding Discussion

Colonists were assigned a crucial mission in the colonization project: to repopulate the steppe territory and promote the economic development of the region, and by those means to facilitate the integration of the Northern Black Sea steppe with the rest of the empire. This was in exchange for land possession, and other rights and attributes granted by the Russian rulers.

Along with universal preconditions for colonist marriage such as age and kinship considerations, the free will of the couple and parental approval, particular demands pertained to the colonist rank. Taking the common marriage rules of the Roman Catholic and Protestant confessions in the Russian empire as a starting point, the marriage eligibility of the colonists was additionally specified, conditioned and routinized in accordance with their legal status and the imperial social system. Particularizing assumptions regarding the marriage formation of the colonists were specified by the colonist rank, assigned rights, obligations and attributes, and certain financial obligations to the Russian state. Thus, the legal marriage regime constructed by the Russian government in respect to the colonists of the Northern Black Sea steppe was an amalgam of marital orders introduced by imperial law, the charters of the “foreign” Christian confessions (communality) and legal decisions, which particularly addressed people of the colonist rank (particularity). The crystallization of the marriage regime

¹¹⁸ Letter №7 [26 July 1804], in *Pis'ma gertsoga*, 42.

coincided with the fixing and equation of some colonists' taxation, which demonstrated the changes in the economy of the colonization project.

To a major extent, the marriage eligibility of the colonists was determined by their positioning within the imperial estate system. Legal restrictions on marriage formation and its bureaucratization were economically grounded, and subordinated to the colonization tasks and imperial politics in the region. Extending control over marriage formation (and therefore household formation) and involving the colonial authorities in its regulation were meant to secure the economic interests of the state. The introduced restrictions were an additional instrument to economically motivate the colonists, to stimulate them to increase the profitability of their farms. These restrictions would also guarantee the reimbursement of the treasury's funds spent on the colonist settlements. On the other hand, the introduction of the marriage order also signified the integration of the colonists in the Russian imperial social landscape, the legal recognition of this group of new subjects, and their tightening bonds with the polity. With the consequent specification of the colonists' civil rights and legal standing, they became increasingly locked within their own social rank.

The legal restrictions on marriage imposed by the Russian government particularly targeted colonist women who intended to marry non-colonist men. The imperial lawmaker held the view that these women would have to leave the colonists' ranks after marriage and join their husband's estate. In such cases the mandatory repayment of the state debt became a condition for permitting the marriage.

Obtaining marriage permission from the colonial administration of the Russian government was a bureaucratic procedure preceding the actual wedding. Usually, the overseer initiated the examination of whether the given couple met the requirements. Firstly, there was a check of whether both partners belonged to the colonist rank, and thus were subordinated to the colonial administration. Then their marital civil statuses were examined to prevent bigamy. The age and economic conditions of the parties were considered as well. In cases of cross-border marriages and marriages between colonists from different colonies, the respective colonist society's approval to accept a partner of its resident into its society as a result of marriage was needed. The professional skills of the intended partner willing to join the colonist rank or to move to another colony due to marriage could influence the decision of the colonist village assembly. When all requirements were finally met by the couple, the permission was issued by the colonial administration and submitted to the clergy. The religious authority was also

supposed to check the age and kinship requirements, as well as the voluntariness of the marriage and the religious affiliation, and then made three announcements in church before the actual wedding ceremony.

Several scholars warn that focusing only on the imperial legislation is not enough when studying and comprehending the complexities of the social system of the Russian empire and its legal regime. Published sources may create a distorted vision of the actual legal practice in place. Legal acts do not provide insights into the backstage manoeuvrings of the colonization project either. Such complexities may instead be untangled by examining the actual practices on the ground. Alison Smith points to these complications when examining the eighteenth century legal practices, caused by the Complete Collection of Laws due to its incompleteness. As Mikhail Speranskii,¹¹⁹ the head of the commission charged with compiling the collection, noted in his introduction to the project, all personal and temporary acts were excluded on the grounds of being specific legal decisions that failed to have the force of general law. A look at the actual administrative practices of local legal institutions (such as the Guardianship Office/ Trustees Committee) during the eighteenth and nineteenth centuries shows that at times they considered as mandatory the decisions, prescriptions and other legal acts, that do not appear in the Complete Collection of Laws.¹²⁰

To my mind, the nature of the Russian legal culture has to be considered when untangling the legal practices of the Guardianship Office/ Trustees Committee. None of the legal acts regulating colonist marriage – Viktor Kochubei's prescription of 20 September 1804, the Decree of 1816, and the Proposal of the Ministry of the Interior of 12 December 1824 – appeared in the Complete Collection of Laws.¹²¹ The very existence of these legal acts important to the colonists was revealed in the files of the regional archives. The official acts aiming at regulating colonist marriage were in the form of proposal (*predlozhenie*), prescription (*predpisanie*), or decree (*predstavlenie*), but they certainly were enforced by the Guardianship Office in their orders to the religious servitors and the clerks.

In this chapter, I have argued that the marriage of colonists came to be regarded not only as a social institution to maintain good morals and channel

¹¹⁹ Mikhail Speranskii (1772–1839) was a Russian reformist during the reign of Alexander I, to whom he was a close advisor. Speranskii is usually referred to as the father of Russian liberalism.

¹²⁰ Smith, *For the Common Good*, 61.

¹²¹ The common inaccuracy of the colonial paperwork in terms of chronology, spelling, and references to the legal acts should not be overestimated in this regard.

sexual expression, but primarily as the bedrock of economic sufficiency, safeguarding the success of colonization and the welfare of the Northern Black Sea region. The Russian government's regulations on colonists' cross-border marriages were legitimized by the concern about colonists' economy and solvency, and the viability of their households, while also aiming at securing the repayment of colonists' debts to the State Treasury and imperial rule in the non-Russian borderland.

In the next chapter, I examine the contact zone between the imperial legislation regarding the marriage of the colonists and everyday practices and experiences on the ground, and the eventual outcomes. My guiding question in the next chapter is: How did the marriage regime actually operate in practice?

CHAPTER 5

Locking in By Locking Out: Marriage and Border Crossing

In this chapter, attention is mainly devoted to cross-border marriages, marriages between colonists with non-colonists, and the ways and outcomes of their accommodation within both the legal order and the social system. How did the legal restrictions on marriage formation deployed by the Russian government in the first decades of the nineteenth century operate in practice, in a variety of situations? How were cross-border marriages handled on the local level of the colony?

In contrast to the previous chapter focusing on legal frameworks and norms, this chapter traces and examines practices in concrete cases. Considering the nature of Russian autocratic legality, here I discuss how the deployed marriage regime functioned on the ground, in respect to the actors/agents it targeted (colonists and colonist societies), and addressed (religious servitors and colonial clerks). By marriage practices I mean concrete life situations regarding the marriage procedure among the colonists, and the rhetoric and rituals associated with it.

To find the answers to the questions in the chapter and to facilitate interpretation, I analyse the marriage practices of the colonists using several samples: (re)marriage between colonists; marriage between a colonist male and a non-colonist female; marriage of a colonist female and a non-colonist male; and marriage of a colonist female and a non-colonist male, with the renunciation of the colonist status. Sometimes these colonists belonged to the same colony, sometimes to different ones. Chosen cases illustrate how (non)actions in respect to the marriages normalized, confronted and challenged the social boundaries of the colonist status and estate affiliation as a basic principle of imperial governance. Religious denomination (*konfessiiia*), family and marital status (widows, bachelors and spinsters), professional occupation, and gender, are cross-cutting categories for my analysis.

This chapter is built on an in-depth analysis of around 51 archival files, both individual and collective cases, varying in size from a couple of pages to several hundred.¹ Although substantively representative and typical, these documents were chosen and prioritized because they articulate some internal tensions, or dissimilar representations and interpretations articulated by different actors on certain subjects, and did not contain just basic facts and brief reports about cross-border marriages. The cases in focus evolved from life situations when things went wrong, when silence was broken and some mediation occurred.

Inspired by Norman Fairclough, my analysis in this chapter is sensitive to language, to the extent the kind of the used sources allows. The fragmentariness and typical uniformity of the documents puts limits on the textual analysis. Indirect reporting, free indirect reporting and narrative report of speech are typical genres of the colonial paperwork. Many documents in the files are marked as copies. In most files, the originals of the documents are missing, thus the relationship between the report and the original cannot be traced. The documented evidence on marriage formations is mainly in the form of summaries of the official decisions taken by the authorities based on colonists' petitions and requests, and conveyed in the reports of the colonial overseers. A common individual file on a marriage petition encompasses a number of reports of the clerks along the colonial vertical power. The remarriages of widows and widowers constitute a considerable part of the colonial archive. The colonial authorities were especially concerned with how these marriages affected debt repayment, child custody, and the division of property.

5.1. Marriages of the Colonists

Arbitrariness, Status Quo and the Confirmation of Power

Regina Steigmann, newly arrived from a village in Württemberg, was allowed by the Trustees Committee to stay temporarily in a colony for half a year. In January 1824, she and Barbara Kussmaul married Bergdorf colonists Jacob Kurler and Sebastian Scheufele. The ceremony was conducted in Odessa by Karl Augustus Böttiger, Superintendent of the Evangelical Lutheran Churches in Southern Russia and a Pastor of Odessa. Bypassing the overseer

¹ The files about the enrolments of the colonists and the transfers of the farms as a result of (re)marriages are the most numerous in number of pages.

and the Glückstal district board, the Bergdorf village board had willfully issued marriage permits to both couples. Because of this, the Odessa Office for Foreign Settlers (henceforth Odessa Office) asked the Trustees Committee to punish publicly the village mayor and the two *bürgermeisters* for granting marriage permissions without the consent of the district board and overseer. The punishment was 25 lashes each and their dismissal from office.²

Shortly afterwards, overseer Andrei Weismann petitioned the Odessa Office to replace the corporal punishments of these office-holders with a fine payable to “charitable institutions” considering, as a clerk argued, their merits, efficient service and contribution to the welfare of Bergdorf colony. On 17 January 1825, Aleksander Lanov, the clerk of the Odessa Office, appealed to the Trustees Committee:

[...] Now the overseer and titular advisor Weismann conveys that the above-mentioned colonists [means *schulze* Leicht and the two *bürgermeisters* M. Schaufler and Gottlieb Schmidt] deserve to be punished for the misdemeanour they have perpetrated, although among these men mayor Leicht, being of honest behaviour and since his entry into the office of *schulze*, has been so zealous in his service and has led the squalid colony into a better state. By his prudence and diligence, he gives hope that the colony will be brought into an even better condition. Therefore, because of his tireless work, well-known to Weismann, he asks the administrative heads to replace the corporal punishment of the mayors with a fine. One of them, mayor Schaufler, is 60 years old.³

Eventually the Trustees Committee let them keep their posts and replaced their corporal punishment with fines. Pastor Karl Böttiger was strictly warned to follow procedure and not marry colonists without the colonial administration’s initial authorization.⁴ By breaking the norms of the marriage regime, the Bergdorf village clerks had abused the chain of authority and exceeded its powers. Yet, due to the overseer’s intercession and the clerks’ seemingly zealous service, their punishment was mediated and softened by the Trustees Committee. This was a clear deviation from the letter of the law, and an acknowledgement of mitigating factors. Yet, if we take seriously Weismann’s claim about the clerks’ professional accomplishments as leaders

² DAOO, f. 6, op. 1, spr. 1663 (O brakakh kolonistov bez vedoma kolonial’nogo nachal’stva [1824–1826], arkk. 1–11 ob.

³ The translation was made with some editing. DAOO, f. 6, op. 1, spr. 1663, arkk. 12–13.

⁴ DAOO, f. 6, op. 1, spr. 1663, arkk. 16–17 ob.

of the Bergdorf colony, the outcome of the case might be seen as a sort of compromise.

The next case suggests a different course of action from the trustees. In 1842, colonist Thomas Ohswald applied to the Sarata district board several times for permission to marry a Großliebental colonist female, so that she and their future children would be admitted to the Sarata colony. However, the Sarata colonist society denied his request, claiming that they had no room for outsiders in their colony having at that time 40 males and 40 females of marriage age. Moreover, the Sarata village assembly had strongly admonished Thomas because after the completion of his artisan studies in Odessa he wished to marry a local colonist female from Sarata. In this case, the Trustees Committee clarified:

...colonist Thomas Ohswald possesses an integral right to choose a future spouse according to his own will and marry a woman who likewise freely expresses her will and consent to marry him. He may also choose a spouse not solely from among colonist females, but from other estates as well.⁵

The Trustees Committee found no legal grounds to turn down Thomas's request and regarded the village assembly's rejection as unjustified. The Trustees Committee instructed the Sarata district board to let Thomas Ohswald follow his inclination and marry a Großliebental colonist female if no objections were raised from the clergy, and also to enlist his wife and future children in Sarata colony. In May 1843, the Trustees Committee insisted peremptorily on Thomas Ohswald's marriage with a Großliebental colonist female, emphasizing that Sarata colonist society had no powers to forbid colonists to marry according to their own will.⁶

Thomas Ohswald's case shows a contest of power in questions regarding colonists' marriage and choice of spouses. In contrast to the case of the Bergdorf colonists, here the Trustees Committee stuck to the letter of the law, implying that they had the primary responsibility and power to decide on colonists' marriageability. They were not prepared to take heed of the rationale of the Sarata village assembly: that a number of young colonists of marriageable age of both sexes were waiting for the opportunity to marry and establish new households, thus making them unwilling to accept a colonist's marriage to an "outsider."

⁵ DAOO, f. 6, op. 1, spr. 6868 (O dovoľenii kolonistu Tomasu Osval'du vstúpit' v brak [1843]), arkk. 7-9.

⁶ DAOO, f. 6, op. 1, spr. 6868, arkk. 7-9, 13.

The Trustees Committee appeared as an embodiment of the personalized autocracy and arbitrary officialdom, an agency aiming at being not only a decision-making and last-word instance in marriage permission routine, but also the main agency in questions of amnesty. However, the Trustees Committee was consistent in demanding the final say in matrimonial matters. Only in the first case did they show some leniency, perhaps because they needed reliable officials at the village level. The analysis also illustrates the differing and even conflicting visions on marriage of the village board, the district board, and the Trustees Committee.

Is Poverty a Vice?

On 25 October 1821, the Ekaterinoslav Office for Foreign Settlers (henceforth Ekaterinoslav Office) approached the Trustees Committee with a request to instruct the spiritual authorities to punish Pastor Benjamin Zehling for marrying colonists without permission from the colonial authorities. The Ekaterinoslav Office's senior member Andrei Fadeev reported to the Trustees Committee about the colonists Wilms and Sperling on three separate matters: first, the lack of official authorization for their marriage; second, on Wilms's enrolment into Sperling's family in Prischib colony with a prescription to both to make a living from labour wages until they were able to start their own farm; and third, on the transfer of widow Sperling's responsibility for tax payments and duties to the new joint family of Wilms – Sperling.

The background was as follows. In January 1821, widower Cornelius Wilms, who came from Prussia in 1818, enlisted in the Chortitza colonies, and asked the Ekaterinoslav Office for permission to marry widow Sperling from the Molotschna colonies. Considering the request, the Ekaterinoslav Office discovered that Wilms had eight underage children and no property, whereas widow Sperling had four underage children and made a living by working for wages. In his report, Fadeev also brought up the fact that due to inadequate farming, in 1813 the Sperling family was dispossessed of their farm and “sent to prosperous masters on earnings until amending.” After the usual grace period, widow Sperling had to pay progressively both taxes and the family's state debt of 392 roubles and 97 kopecks. Because of Wilms's and Sperling's large families and economic troubles, Wilms's request to marry Sperling was denied:

Ekaterinoslav Office explained to Wilms the obstacles to the marriage. And having urged that the fusion of these two so numerous families would only worsen their chances of subsistence, it refused to satisfy his request.⁷

Fadeev underlined that despite the Ekaterinoslav Office's prohibition, Lutheran Pastor Benjamin Zehling still married Sperling and Wilms. He also pointed out that the colonial paperwork proved that ecclesiastical authorities repeatedly instructed the clergy in the colonies not to marry colonists without the colonial authorities' affirmation that there were no obstacles to the marriage. According to Fadeev, Zehling should not have trusted Wilms, but should rather have become suspicious when Wilms tried to convince Zehling to perform the marriage. Fadeev continued:

...considering Wilms's and Sperling's poverty, Wilms's intention to marry widow Sperling and the subsequent fusion of their numerous families already signified a groundlessness, which should have awoken the pastor's distrust.⁸

Finally, Fadeev requested the Trustees Committee to contact the ecclesiastical authorities to initiate Pastor Zehling's punishment and to reaffirm to all religious servitors in the colonies that they should follow the regulated procedure on marriage permissions. Concerning the colonist Wilms, the Ekaterinoslav Office asked the Trustees Committee to authorize the marriage, to enrol Wilms in Sperling's family in Prischib colony, instructing them to make a living from waged work until they were able to start their own farm, and to transmit widow Sperling's responsibility for tax payments and duties to the joint family of Sperling-Wilms. Fadeev enclosed Cornelius Wilms's explanation and Pastor Zehling's statement in its own report and sent it to the Trustees Committee for resolution.

In his explanation, colonist Cornelius Wilms claimed that Zehling had not shown him any written document (*pismo*) proving that everyone wishing to marry must have certified permission from the colonial authorities. Wilms pointed out:

The same day, when he [meaning the pastor] preached in the Chortitza meeting house, knowing that the decision from the Office [*Kontora*] was

⁷ DAOO, f. 6, op. 1, spr. 1480 (O nesovershenii brakov bez vedoma mestnogo kolonistskogo nachal'stva, o nakazanii pastora Tsilinga za sei protivnyi postanovleniui postupok, tut zhe i o koloniste Vil'mse [1821]), ark. 2.

⁸ DAOO, f. 6, op. 1, spr. 1480, arkk. 3-3 ob.

needed, I was neither ready for the wedding ceremony nor had I talked about it with my fiancée.⁹

Then, according to Wilms, he went to the pastor and “not using any seduction, in contrast to what he [meaning the pastor] claimed [*ne upotrebliaia obol'shcheniia kak on govorit*]” told Zehling in private that the Ekaterinoslav Office had refused him permission to marry. Wilms then asked the pastor if he could still marry widow Sperling and, according to the colonist, the pastor agreed. Wilms claimed that neither his fiancée nor either of the witnesses knew about this agreement. Wilms averred that neither he nor his fiancée were at all ready for a wedding. The same day the pastor, according to Wilms, simply conducted the wedding ceremony.¹⁰

In a statement to the Ekaterinoslav Office dated 21 May 1821, Zehling explained why he had married Wilms and Sperling without the Ekaterinoslav Office's permission. The pastor pointed out that on the eve of his planned visit to Chortitza colonies, he had notified the colonists, in case any of them wanted to get married, to obtain permissions from the Ekaterinoslav Office in advance. According to Zehling, on his arrival in the colonies, Wilms expressed his intention to marry widow Sperling. On the pastor's question about the Ekaterinoslav Office's permission, Wilms explained that he had been waiting for the permission to be delivered by post and asked if he could conclude the marriage prior to receiving it. In his response, thereto, Zehling reminded Wilms about the state debt of his bride, but the colonist assured the pastor of being a prompt payer. Not being persuaded by Wilms's arguments, the pastor still hesitated to conduct the wedding. Then, according to Zehling, Wilms's relatives started begging him to conclude the marriage, assuring him that Wilms was economically well prepared for marriage, and that he would deliver the Ekaterinoslav Office's permission to Zehling as soon as he had received it.¹¹ According to the pastor's version, when trying to persuade him, Wilms's relatives emphasized that “it would be even more burdensome for Wilms to go to Molotschna [colony] only for a wedding ceremony” (probably meaning the pastor's next destination).¹² Finally the pastor gave in and married the couple. In his explanation to the Ekaterinoslav Office, Zehling admitted his mistake and promised not to henceforth marry anybody without the authorities' permission.

⁹ DAOO, f. 6, op. 1, spr. 1480, ark. 5.

¹⁰ DAOO, f. 6, op. 1, spr. 1480, arkk. 5–6 ob.

¹¹ DAOO, f. 6, op. 1, spr. 1480, arkk. 7–8 ob.

¹² DAOO, f. 6, op. 1, spr. 1480, ark. 8.

In a resolution of 18 November 1821, the Trustees Committee classified Zehling's action as inappropriate and resolved to ask Karl Böttiger to reprimand Zehling and to forbid him to marry colonists without the colonial authorities' permission. Based on Andrei Fadeev's interpretation of the events, the Trustees Committee duly sent a notification to Böttiger on 1 December 1821 requesting him to order Zehling not to conclude marriages henceforth without the local colonial authorities' permission, and to punish Zehling for his arbitrariness (*samoupravstvo*) "in order to prevent similar disorders and difficulties in the future."¹³ The Trustees Committee also asked Böttiger to admonish the Lutheran clergy for not following the law. Eventually Zehling received a reprimand, while Cornelius Wilms was enrolled in Sperling's household in Prischib colony. After a couple of years, Zehling was replaced and removed from the colonies due to numerous complaints from the colonists.¹⁴

Andrei Fadeev, colonist Cornelius Wilms, and Pastor Zehling provided different narratives of the same event. In the eyes of the Ekaterinoslav Office and particularly Andrei Fadeev, the main obstacle to marriage in this case was the poor economic condition of both parties. From the colonial administration's point of view, the fusion of two families through marriage, with several underage children and only two adults of working age, might actually worsen the economic plight of the new family constellation. While evaluating Zehling's violation of the marriage regulations, Fadeev criticized the pastor for not being suspicious enough about the couple due to their poverty, as if economic considerations were among the ecclesiastical requirements for marriage. Andrei Fadeev's report to the Trustees Committee is both informative and judgemental. His interpretation is the hegemonic one. On behalf of the Ekaterinoslav Office, Fadeev asked the Trustees Committee for its verdict regarding the economic consequences of the Wilms-Sperling marriage and to endorse the punishment of the pastor by the ecclesiastical authorities.

According to Cornelius Wilms's explanation, he had confessed openly to the pastor that the Ekaterinoslav Office had refused him marriage permission, and then just asked if pastor could marry him to his fiancée anyway. In his explanation, Wilms emphasized the suddenness of the wedding ceremony and claimed that the pastor was very quick to perform it. Having no

¹³ DAOO, f. 6, op. 1, spr. 1480, arkk. 11–13.

¹⁴ DAOO, f. 6, op. 1, spr. 1672 (Po otnosheniiu superintendanta Bettigera o pemešchenii pastora Tselinga iz molochanskikh v shvedskie kolonii, a na mesto ego, v molochanskie kolonii, – pastora Felia [1824–1827]). The reference is to the archival description of the file, since the file itself is lost.

legal grounds to conclude the marriage, Zehling recognized his mistake and acknowledged that he had basically shown weakness and had succumbed to the persuasions of Wilms's relatives. According to Zehling, Wilms and his relatives assured him that the missing marriage permission from the colonial authorities was just a matter of a delivery delay.

Whatever the true incidents in this case, there was nothing the Trustees Committee could do but to accept the marriage of the couple, who, in its opinion, were not really eligible to form a union. Sperling–Wilms's case might indicate intended or unintended disinformation and delusion and its instrumentalization by the colonist Cornelius Wilms and pastor Zehling. While there were official restrictions on colonists' marriage, at the local level there was still some room for negotiation between colonists and clergy that undermined the colonial authorities' stance on the economic viability of colonist families. The case also suggests the role of the personal factor when circumventing the formal legal procedure. Pastor Zehling chose to disregard the marriage regulations, but not without consequences to himself.

Despite similarities in circumstances, the case of Johann Albrecht and Rosina Kelm points to a different procedure. In September 1835, widower Johann Albrecht expressed his wish to the Klöstitz district board to marry the widow Rosina Kelm from Tarutino colony. Rosina had two underage children and no farm. The colonist society, as well as the district board, accepted Rosina Kelm's enlistment into the colony, whereas her children were to remain enlisted in Tarutino colony. The Trustees Committee approved the marriage, provided that, according to the standard statement, there was no objection from the clergy. Since the widow Rosina Kelm and her underage children were now to be enlisted in different colonies, official carers for the children had to be appointed from among the residents of the Tarutino colony.¹⁵ The case of widower Johann Albrecht and widow Rosina Kelm did not lead to the same considerations by the authorities regarding the economic viability of the future union. Possibly, Johann Albrecht had more material assets and a better reputation than Cornelius Wilms, something that may have assured official approval of his marriage with Rosina Kelm.

Marriage Regime and Religious Denomination

The Civil Law Code (*Svod zakonov grazhdanskikh*) regarding family rights and obligations regulated the imperial subjects' rights to enter marriage.

¹⁵ DAOO, f. 6, op. 1, spr. 3790 (O brakosochetanii kolonista uchastka №13 Ioganna Al'brekhtha s vdovoiu kolonii Tarutino Rozinoiu Kel'm [1835]).

These regulations embodied both universal considerations on marriage, and collective particularities, determined, for example, by the subject's religious denomination (*konfessiiia*), but also state-assigned rights and privileges.¹⁶ When an individual wanted to marry someone belonging to another faith, it was critical for the law to establish how the intersection of two marriage regimes could be achieved and whether marriages of this type should be allowed. Reflecting the denominationally clustered imperial society, the civil and marriage law addressed the problematic, diverse, and numerous interfaces between people of different faiths.¹⁷

Marriage between people belonging to different denominations could become a very problematic issue. Colonists Johann Rayser's and Elisabeth Lyck's application for a marriage permission developed into a conflict between congregations, and shook the consensus between the religious and secular authorities, the Trustees Committee, and the colonist boards on the question of colonist marriage. According to the colonial overseer's report to the Trustees Committee in July 1840, the young colonist Elisabeth Lyck from Mirau colony, having received parental approval, wished to marry colonist Johann Rayser from Neustuttgart colony. Shortly before, Johann Rayser had changed his denomination from "Pietist" to the "Evangelical Lutheran faith." Elisabeth Lyck was also a Lutheran. However, the Berdiansk district board refused to certify this marriage without giving any legal reason, in the words of the overseer, apart from the fact that Johann Rayser had adopted the Lutheran faith. Moreover, the Berdiansk district board had compelled Johann Rayser to abandon his farm, leave Neustuttgart colony and instead settle with the Lutheran community. In this situation, the overseer required the Berdiansk district board to supply Johann Rayser with a marriage permission certificate. Reluctant to issue such a certificate, the Berdiansk district board reported to the overseer that there would have been no obstacles to the marriage if only the colonist community of Neustuttgart had accepted Johann Rayser in "their estate" (*v svoe soslovie*). They had not done so, mainly because he had changed his confession. Due to these denominational differences, the "separatist" Neustuttgart colonist community had not permitted this marriage.

Acting on a colonial clerk's report, on 5 September 1840, the Trustees Committee put an end to the dispute. Referring to the law, the Trustees

¹⁶ "Svod zakonov grazhdanskikh. Book 1. Section 1. O soiuze brachnom," in *SZRI*, vol. 10, part 1 (St. Petersburg, 1900), 1–13.

¹⁷ Vladimir Shein, "K istorii voprosa o smeshannykh brakakh," *Zhurnal ministerstva iustitsii*, no. 3 (1907): 231–273; Burbank, "An Imperial Rights Regime," 407–409.

Committee stressed that marriages between people of different faiths were not prohibited, and should not cause any change in their place of residence or the deprivation of their farms. Consequently, the Berdiansk district board was prohibited from compelling Johann Rayser to leave Neustuttgart colony. The Trustees Committee permitted the marriage between Johann Rayser and Elisabeth Lyck on the condition that the Lutheran clergy had no objections to it.¹⁸

The Berdiansk colonist district, comprising several settlements, was founded in 1822 by so-called “separatists” from Württemberg, who had been travelling towards Georgia. Following Alexander’s order, they had halted on their way to the Caucasus and instead settled down to the north of the town of Berdiansk on the Azov Sea. In 1830, new immigrants received lands and established another colony under the name Neustuttgart. Subsequently the whole Berdiansk colonist district grew into a “separatist centre.” In the nineteenth century discourse, “separatists” were common designations for smaller Christian denominations like Baptists, Adventists, and Pietists, who were not recognized by the Evangelical Lutheran Church of Russia. Lutheran pastors struggled to spread the influence of the church to the “separatist” colonies and parishioners until the end of the nineteenth century, when the “separatist” colonies were officially subordinated to the Russian Evangelical Lutheran Church. The Trustees Committee’s point was evidently that these congregational disputes must not interfere with the colonists’ marriage prospects. Thus, the Trustees Committee, confronting the Berdiansk district board, interfered and confirmed the legal order and, by doing this, supported the colonists in question.

A case with a similar outcome occurred a few years later. In May 1843, Samuel Meske, a Lutheran and colonist of Alt-Arzis, sent a petition to the Trustees Committee. He asked for support and permission to marry colonist daughter Sofia Lefrank from Sulz colony. In his petition, Samuel Meske outlined the gist of the matter. Belonging to the Lutheran faith, he had secured an agreement from his future spouse Sofia Lefrank, a Catholic that their future children of both sexes were to be baptized according to the Lutheran faith. According to Samuel Meske, having followed the secular marriage procedure, the couple obtained a certificate on marriage approval (*brachnoe svidetel'stvo*) from their overseer dated 15 January 1841, and submitted it to the local Catholic priest. Priest Johannes Gartz agreed to

¹⁸ DAOO, f. 6, op. 1, spr. 5299 (O perechislenii kolonistov, peredache khoziaistv i brakosochetanii po Ekaterinoslavskomu vodvoreniiu [1839–1842]), arkk. 124–125.

marry them and made three wedding announcements in the local church. On the eve of the ceremony, however, the priest unexpectedly refused to marry the couple until they had agreed to baptize their future female children in the Roman Catholic Church and their male children in the Evangelical Lutheran Church. Samuel Meske strongly disagreed, arguing that Alt-Arzis was a Lutheran colony and that in accordance with the Civil Law Code, children's religion depended on parental decision. Samuel Meske asked the Trustees Committee for a final resolution of the matter.¹⁹

Meske's petition instigated correspondence and a hot dispute between the Roman Catholic and Evangelical Lutheran religious authorities on the one side and the Trustees Committee on the other. Mainly, the dispute focused on interpretations of Senate decrees on interfaith marriages between Lutheran and Catholic parishioners and their applicability to the colonists.²⁰ In the correspondence with the Trustees Committee, the Roman Catholic *Canonicus* Rafael Musnizky fully supported the action of Priest Gartz. The inter-confessional strife for parishioners clearly became the bottom line in this case.

Odessa Lutheran Pastor Karl Fletnitzer approached the Trustees Committee on 14 June 1841, asking to take Meske and his bride "under his own protection" and marry them in the Evangelical Lutheran Church, if the Priest Gartz refused to marry them.²¹ Generally, children born in mixed Lutheran-Catholic marriages had to be baptized: sons in the father's faith, and daughters in the mother's faith, if not stipulated otherwise in an earlier nuptial agreement. Samuel Meske claimed to have a special agreement with his future wife regarding the Lutheran faith of their future children, the one that alienated Priest Gartz. Marriages between Lutherans and Roman Catholics were conducted by the religious servitor of the bride's confession. As imperial law stipulated, if a Roman Catholic priest would not agree to bless a marriage, then the clergy of another denomination could do it.²²

¹⁹ DAOO, f. 6, op. 1, spr. 5825 (O pros'be kolonista Bessarabskogo vodvoreniiia kolonii Starogo Arsisa Samiuelia Meske o dozvolennii emu vstupit' v zakonnyi brak s devitseiu Sofieiu, i chto sviashchennik katolicheskoi tserkvi otkazyvaetsia venchat' [1840–1841]), ark. 1.

²⁰ DAOO, f. 6, op. 1, spr. 5825, arkk. 2–4.

²¹ DAOO, f. 6, op. 1, spr. 5825, ark. 10.

²² "Svod zakonov grazhdanskikh. Book 1. Section 1. O soiuzie brachnom," in *SZRI*, vol. 10, part 1 (St. Petersburg, 1900), 6–8. The legal considerations on mixed Lutheran-Catholic marriages were particularly spelled out for the imperial provinces of Vilna, Vitebsk, Volyn', Grodno, Kyiv, Minsk, Kovno, Mogilev and Podolia, which earlier were under the Polish rule, see "Traktat vechnyi mezhdu Vserossiiskoiu imperieiu i Rech'iu Pospolitoiu Pol'skoiu [13 February 1768]," in *PSZRI*, vol. 18 (1767–1769) (St. Petersburg, 1830), 456–

In June 1841, the Trustees Committee agreed with Fletnitzer's suggestion and ordered Rafael Musnizky to send all required documents i.e. the certificate confirming Samuel Meske's marriage approval and Gartz's certificate on three wedding announcements in the Roman Catholic Church back to the Trustees Committee. These documents were to be submitted to Fletnitzer in order to conclude the marriage between Samuel Meske and Sofia Lefrank in the Lutheran church.²³

Despite official recognition of the interfaith intermarriages, the colonists still faced certain complications. The last case also revealed that the religious authorities' debate on interfaith marriages of the colonists was overshadowed by the Trustees Committee's arbitration and "competent" interpretation of the civil law regarding interfaith marriages. From an imperial perspective, all marriages attained legal force through their regulation by religious authorities recognized and empowered by the law. Occasionally, colonists turned to the Trustees Committee to force religious authorities to follow secular rules and/or to push the circumstances in a more favourable direction. But in some situations, colonists and clergy cooperated with each other to challenge and eventually undermine the secular power on matrimonial issues, confronting the imperial regulations and the marriage regime.

As these cases suggest, colonists, clerks, religious servitors, and local communities negotiated the legal considerations regarding colonist marriage. The Trustees Committee, possessing the judiciary functions and the prerogative of interpreting the law, in some instances did not follow the letter of law unconditionally. In the case of the Bergdorf village officials' punishment, the decision to apply leniency was made at the discretion of the trustees, not according to law. In the cases of Johann Rayser and Elisabeth Lyck, and Samuel Meske and Sofia Lefrank, the Trustees Committee is clearly represented as a final-word instance and enforcer of the law. The Trustees Committee, contrary to the local society, supported Thomas Ohswald. However, in the case of Wilms – Sperling, it was too late to reassert the law. Ignoring the official marriage regime, pastor Zehling married Cornelius Wilms and widow Sperling. Their marriage was irreversible. Situational factors, conflicting interests and open interpretations of the law clearly played a role in actual marriage practices. The actions of the Trustees Committee might also be seen as pragmatic in the sense that they prioritized

457 (§10); "Vysochaishe utverzhdennoe mnenie Gosudarstvennogo Soveta. O brakakh lits raznykh ver v vozvrashchennykh ot Pol'shi Guberniiakh [30 September 1830]," in *PSZRI*, vol. 5 (1830), part 2 (St. Petersburg, 1831), 89.

²³ DAOO, f. 6, op. 1, spr. 5825, arkk. 11–12.

stable, taxpaying households and abstained from prohibiting viable marriages due to denominational disputes. Therefore, trustees interfered when, in their eyes, clergy or the local community blocked a marriage for a reason irrelevant to the marriage regime.

It Is Not a Subject of Civil Hearing!

Like the cases discussed above, the case of Joseph Lansk demonstrates the connection between the institutions of marriage and religious denomination. However, in this case it was not a matter of conflicts between different “foreign” denominations; rather the core issue was probably concerned the Orthodox primacy. A section of the Civil Law Code was devoted to regulating marriages between Orthodox and various non-Orthodox Christians, and ensuring the primacy of the Orthodox faith in these unions.

In May 1832, the Beresan district board met the request of Joseph Lansk, a colonist of Rohrbach colony and permitted him to marry a colonist daughter Salome Kraft from the same colony. The permission certificate was handed to Joseph. However, by November 1832, the Rohrbach village board reported, the couple had not yet married, due to the local pastor’s refusal to conduct the ceremony. Joseph Lansk again approached the district board with a marriage request. The report from the Odessa Office to the Trustees Committee clarified that Joseph Lansk was an illegitimate child of the widow Eva Liebig, born in 1811. His father was the Pole Johann Lansk, who at that time was in Eva’s service. The pastor, who was in Rohrbach at that time, had refused to introduce the newly born Joseph into the “Evangelical faith.” Instead, the child was baptized by an Orthodox priest, with the permission of the father. Later he was confirmed in the “Evangelical faith.”²⁴ The Odessa Office provided the Trustees Committee with its understanding of the matter and asked for further guidance concerning the case. Joseph Lansk, despite his Lutheran confirmation, an act that should not have been allowed by the pastor, belonged to the “Greek Russian faith.” Therefore, he had to be married in the Orthodox church.²⁵ The outcome of this confusion unfortunately remains unknown.

²⁴ DAOO, f. 6, op. 1, spr. 2739 (Po doneseniiu Odesskoi Kontory inostrannykh poselentsev o kolonistakh Dregere i Lanske, zhelaiushchikh sochetat’sia brakom s kolonistkami Marieiu Gauzer i Solomeeiu Kraft [1832]), arkk. 4–4ob.

²⁵ DAOO, f. 6, op. 1, spr. 2739, ark. 7.

Through the whole file, Joseph Lansk appears as a colonist. According to imperial law, he was born out of wedlock, to an unmarried woman. He had the surname of his father, meaning that Johann Lansk had recognized his paternity. Joseph Lansk appears to have inherited his mother's social status, which usually happened when a child was illegitimate and/or the father was unknown. At the time of Johann's birth, his father Joseph Lansk had no social status within the empire. He was a foreign subject in the service of a colonist widow. The question of Joseph's original faith came to the surface only on the eve of his wedding and then turned into a problem. Probably, when a local pastor refused to baptize the newly born Joseph in 1811, the Orthodox priest was the only available option for the parents. Yet he later practiced Lutheranism, he was regarded as an Orthodox due to his baptism, and apostasy was forbidden by law.

The provisions of the 1721 decree of Peter I about mixed marriages of the Orthodox believers with other Christians safeguarded the Orthodox primacy. Children born in such marriages would be baptized and raised according to the rules of the Orthodox confession. Only in the Grand Duchy of Finland were these rules not applied. In the Baltic region, they were officially introduced in 1832, in the Kingdom of Poland in 1836. Accordingly, if Joseph was considered to be Orthodox, he should have been married in an Orthodox church and by an Orthodox priest.²⁶ Moreover his future children must also be Orthodox, a condition that may have hindered his marriage with the colonist daughter Salome Kraft. No records were found in the colonial archive showing whether the couple eventually married.

5.2. Gates to Recognition: Marriages of Colonist Females and Non-Colonist Males

Marriages in pre-modern and modern times were especially fragile because of high mortality: a considerable proportion of marriages sooner or later ended due to the death of one of the spouses. The widowed person lost some of the material assets (property and income) and social support (social network and status) the marriage had brought, as well as potential help with

²⁶ “Poslanie Sviateishogo Sinoda k pravoslavnym. O bezprepiatstvennom im vstuplenii v brak s inovertsami [18 August 1721],” in *PSZRI*, vol. 6 (1720–1722) (St. Petersburg, 1830), 413–419. The imperial legislation on mixed marriages in the Russian empire, as well as the practices of its implementation in the Baltic region and the Polish lands during the end of the eighteenth and nineteenth century are brilliantly examined by Paul Werth, see Werth, “Empire, Religious Freedom,” 296–331.

household chores and child-raising that marriage had provided. Remarriage was only one strategy a widow or a widower could choose after bereavement.²⁷ Alternatives and possibilities depended on factors such as the person's gender, age, wealth, and socioeconomic status, as well as the presence of underage children in the household, the occupational and retirement options, and the attitude of the local community.²⁸ The more difficulties the widow(er) faced in household work, the more motivated he/she was to remarry. Marriage meant a secure and relatively cost-effective way of achieving the adequate household size required for farm work and household tasks. Since rural families were based on the balancing of traditional gender roles, if one adult was missing from the work structure, he or she needed to be replaced immediately.²⁹

In the colonists' everyday lives, premature deaths meant a disaster for most family unions and remarriage became a highly relevant option, both for a widow(er) and single persons. According to the patriarchal paradigm and in colonization rhetoric, single women and widows were seen as quite problematic in terms of their economic efficiency, and were also particularly prone to become morally corrupted. Widows were specifically targeted by the Instruction for the Internal Order of 1801. The district mayor was supposed to take care of widows and orphans in his district, report about them to the Guardianship Office, arrange overseers for them who were to report twice a year, through the *beisitzer*, about their "behaviour" and "assiduity," as well as the success or failure of their farms.³⁰ In the eyes of the colonial authorities, remarriages were favourable for securing state interests and the colonization project, but also beneficial for morality in the colonies.

In principle, therefore, the colonial authorities took a positive view on the remarriages of colonist widows. After more than a year of protraction, in November 1804, the marriage between the "Austrian deserter" Joseph Schneider and Josephstal colonist widow Elisabeth Bleich was permitted. The Guardianship Office based its positive decision on Elisabeth's widowhood and the willingness of the Josephstal colonist society to accept Joseph Schneider as a member.³¹ However, marriages between colonist widows and "outsider" males were not always readily recognized by the authorities. In

²⁷ Martin Dribe et al., "Widowhood Strategies in Preindustrial Society," *Journal of Interdisciplinary History* 38 (2007): 207–232.

²⁸ Lundh, "Remarriages in Sweden," 426–430.

²⁹ Pakot and Öri, "Marriage Systems and Remarriage," 119–120.

³⁰ "Instruksia [16 May 1801]," in *Nemtsy v istorii Rossii*, 122 (§ 29).

³¹ DADO, f. 134, op. 1, spr. 118 (Delo o brakosochetanii avstrijskogo dezertira Iozefa Shneidera s kolonistkoju Bleikhovoiu [1804]).

April 1819, Gottlieb Drebe from Bohemia asked the colonial authorities to allow him to be given a colonist status. The Peterstal colonist society duly accepted him as a new member of their community. However, Ivan Inzov,³² the Chief Trustee of the colonists, refused Drebe's enlistment in Peterstal colony, giving the following reason:

... since residency in the colonies is permitted only to passport holders, he must choose another way of life due to the lack of passport.³³

In his explanation to Inzov, Gottlieb Drebe claimed he had lost his passport on his way from Peterstal to Lustdorf. However, when communicating with the Liebental district board, Drebe explained his lack of passport differently: he claimed that he had handed it over to the former district board mayor Britner. It also became known that by the time of petition, Gottlieb Drebe was married to the colonist widow Catharina Nessel. According to Catharina Nessel's testimony, after cohabiting since 1806 with Gottlieb Drebe, in 1810 they were married by a "Russian" priest who, in the presence of two colonist witnesses, wedded them in Liakhova village near Rastadt colony.³⁴ The persistent lack of clergy at the beginning of the nineteenth century led this couple to approach the "Russian," probably Orthodox, priest.

The bureaucratization of colonist marriage and the deployment of the marriage regime took place in the second and third decades of the nineteenth century, when state debt, the number of children, the availability of property, and the general economic condition of the colonist farms became decisive matters for the colonial authority when granting approvals of marriages and cross-border marriages of the colonists. But by 1810, the time of the marriage of Gottlieb Drebe and the widow Catharina Nessel, the marriage regime had not yet come into full force. Still, they had to notify the colonial authorities about their intention to marry and await formal approval. If Catharina had underage children from her previous marriage, additional commitments by Gottlieb Drebe would be required in order to obtain this approval.

On 29 April 1819, the colonial inspector notified Gottlieb Drebe about Inzov's decision and the prohibition against living in a colony without a passport. Drebe promised to accept this ruling under pain of a fine. This case

³² During 1818–1844, Ivan Inzov was the head of the Trustees Committee for Foreign Settlers in the Southern Region of Russia, and in 1822–1823 New Russia's general-governor. He was also lieutenant-general of Bessarabia.

³³ DAOO, f. 252, op. 1, spr. 193 (O kolonistke Katerine Nessel', vyshedshei v zamuzhestvo za inostrantsa Drebe [1819]), ark. 1.

³⁴ DAOO, f. 252, op. 1, spr. 193, arkk. 6–9.

started from Drebe's petition to be granted the colonist status, but evolved into a case about Catharina Nessel's marriage with the "foreigner" Drebe, where Catharina appeared as a respondent. It remains unknown how the couple dealt with Drebe's lack of legal grounds to reside in the colony. Catharina Nessel had no farm, but still she and her four children (of unknown age and paternity) were charged with a debt of 228 roubles. After marriage, this debt would be Drebe's responsibility, since cross-border marriages most frequently resulted in shifting the female's debt and payment obligation to the non-colonist male.³⁵

The case was problematic enough from a legal point of view. Catharina and Gottlieb were married, yet Gottlieb was officially prohibited from living in the colony due to his lack of a passport. There were two legal ways out of this situation: on Drebe's side, obtaining a passport, on Catharina's side, to be expelled from the colony. The latter option would require the repayment of the state debt associated with the status of the colonists. There was no mention of Gottlieb Drebe's assets, reputation, or proficiency in the paperwork. Maybe this was the real problem and not the lack of a passport.

Compared to Gottlieb Drebe, Johannes Stöcker's assets and reputation as a professional were clearly mentioned in the case about his request for legal registration and marriage in Hoffnungstal colony. Originally from Württemberg, in 1826 Stöcker settled as a carpenter in Hoffnungstal colony. In September 1831, he petitioned Ivan Inzov for permission to stay in Russia permanently, to be registered as a colonist of Hoffnungstal and to marry the widow Rosina Wallenmeier, whom he assisted in house-building with his own workforce and assets. The main obstacle, from the Trustees Committee's point of view, was the fact that Stöcker had come to Russia neither on the passport of the Russian embassy, nor to settle as colonist, but "to improve his craft." According to the rules on admission to the ranks of the colonists, Stöcker's enrolment should have been refused if not for the mitigating circumstances. Stöcker had renounced his Württemberg nationality, and had also been reimbursed for the costs incurred for Rosina's house-building through receiving funding for resettlement. Finally, the Hoffnungstal society were keen to admit Stöcker as a member due to his "engagement in carpentry which is of necessity to village life." On 31 May 1832, Stöcker was officially permitted to be enrolled into the "colonist class" of Hoffnungstal colony after taking an oath of allegiance to the Russian tsar. According to the Ministry of

³⁵ DAOO, f. 6, op. 1, spr. 4153 (O vzyskanii kazennogo dolga s kolonistskoi docheri Sabiny Nol'd kolonii Geidel'berg po sluchaiu vykhoda v zamuzhestvo za postoronnego cheloveka [1836]).

the Interior and the Trustees Committee's instructions, Johannes Stöcker was to be enrolled as a colonist from 1833. By then he could also marry Rosina Wallenmeier.³⁶

In the case of Johannes Stöcker and Rosina Wallenmeier, the marriage permission was preceded by circumlocution and extensive correspondence between different institutions concerning Stöcker's naturalization and enrolment as a colonist. It took more than a year for Stöcker to be eventually admitted to the colony and subsequently marry his fiancée. In the eyes of the authorities, Johannes Stöcker was a reliable and economically valuable resident of Hoffnungstal colony whose craftsmanship would benefit the local society. Renouncing his former statehood was also essential for the admission process. In the end, Stöcker's personal merits took precedence over the formal admission rules for immigrants aspiring to become colonists.

In the 1830s, government-sponsored group immigration was completely abandoned. Considering the shortage of available land and the condition of the colonists, further immigration took place on different conditions. From now on, migrant families, their expediency and eligibility, were personally evaluated by the Minister of the Interior. It was within the Minister's power to allow foreign craftsmen deemed useful for the colonies to be granted the colonist status at their own expense, if they were approved by the local colonist societies.³⁷ Reflecting autocratic legality, Johannes Stöcker and Rosina Wallenmeier's case suggests the weight of personalized power and situational pragmatic factors in the admission process of colonists. Fulfilling the emperor's will meant exercising legality in autocratic Russia. The so-called "extraordinary circumstances," like colonist society enthusiasm about a would-be member, in this case due to Stöcker's economic reliability and professional merits, could ensure a positive outcome.

Those who remarried and those who married for the first time all operated in the same marriage market. In some cases, remarriage served upward social mobility. The need for a surviving spouse to remarry, in order to secure the economy of the household, in turn gave a single person the chance to achieve social recognition through marriage.³⁸

³⁶ DAOO, f. 6, op. 1, spr. 2695 (Po pros'be viurtembergskogo poddannogo Iogannesa Shtekera o dozvolonii emu poselitsia v kolonii Gofnungstal' i vstuplenii v brak s tamoshneiu kolonistkoiu Rozinoiu Valenmaier [1830–1832]).

³⁷ "Vysochaishe utverzhdennoe polozhenie Komiteta Ministrov [31 May 1832]," in *PSZRI*, vol. 7 (1832) (St. Petersburg, 1833), 345.

³⁸ Lundh, "Remarriages in Sweden," 426–430.

In January 1832, the Klöstitz district board and the Bessarabian Office asked the Trustees Committee to grant a single male foreigner, Gottfried Müller, the colonist status in Sarata colony. The Klöstitz district board based its request on the following arguments. First, on his arrival in the colony in 1829, the local society had admitted Gottfried Müller due to his professional skills as a craftsman and a miller, and because he showed “exemplary behaviour.”³⁹ Second, by that time he had already given up his “Württemberg nationality.” Third, Müller had a severance certificate (*uvol’nitel’nyi sertifikat*) from Württemberg allowing him to emigrate to Russia, a certificate that was accepted by the Trustees Committee in September 1831. Seemingly, all required documents were in order and Müller had relatively good prospects of being granted the colonist status. Nonetheless, in this case guided by the admission rules that gave preference to family units, the Trustees Committee underlined Müller’s bachelorhood as an obstacle for admission to the colony “unless some colonist family will accept him.”⁴⁰

However, legal grounds for Müller’s settlement and enrolment into the colonists emerged, but in another colony. Müller petitioned to the authorities to be included among the colonists of Beresan colony due to his intention to marry the widow Eva Rosina Domris, since “she is not able to run her farm herself.”⁴¹ The local society of Beresan gladly agreed to admit him as a member. As soon as Müller enrolled among the Beresan colonists, he would marry Eva Rosina and, most importantly, help in running her farm. In March 1832, the Trustees Committee duly permitted the Bessarabian Office to enrol Müller as a colonist of Beresan colony.⁴²

It is unlikely that Gottfried Müller would have been granted the colonist status and stayed permanently in the colony without marrying a widow and having the prospect of running her farm. First, he was single, and second, he did not have any funding or the necessary property equalling 300 gulden. In this case, the family, marital status, and profession of the applicant became more important than the availability of funding. Due to the assumed risk that Eva Rosina Domris’s farm would deteriorate, Müller’s request to obtain colonist status was granted. At this point, the marriage was justified by the

³⁹ Being a person of “exemplary behaviour” meant enjoying a good reputation among the fellow colonists, and not having been convicted for drunkenness or fighting. In the eyes of the authorities and colonist societies, a person of “exemplary behaviour” was inevitably a good farmer and a reliable tax payer.

⁴⁰ DAOO, f. 6, op. 1, spr. 2691 (O prichislenii kolonistov i perechislenii iz odnoi kolonii v druguiu po Bessarabskomu vodvoreniiu [1832–1833]), arkk. 1–3.

⁴¹ DAOO, f. 6, op. 1, spr. 2691, ark. 5.

⁴² DAOO, f. 6, op. 1, spr. 2691, arkk. 6–9 ob.

supposed urgent need to prevent the inefficient running and decline of the widow's farm. In these terms, the union's expediency was unquestionable. Another point is that only colonists were allowed to run colonist farms. If an outsider male was not granted the colonist status, he was not eligible to run his wife's farm, no matter the circumstances – like the decline of the household or the presence of underage children. In such a case, guardians would be appointed to run the widow's farm.⁴³ Following the imperial legal order, to allow the “foreigners,” who *per se* lacked loyalty to the state and commonality with the other colonists, to run colonist farms would have been a threat to the social order.

In the 1820s and 30s, despite the changes in the immigration policy and admission requirements to the colonist status, and the inclination to accept solely family units, in practice, things looked differently. Marriage with a colonist widow frequently but not always served as a green light for a male foreigner. It opened the door to colonist status and the Russian social system in exchange for the male party's engagement in farm improvement and other contributions to the colonist society's welfare.

Matrilocal residence occurred not only because of marriages between colonist widows and foreigners, as in Gottfried Müller's case. Former colonist Conrad Schmidt from Podolia province, having married colonist daughter Barbara Schauer from Lutheran Neudorf colony, asked to be readmitted to the colonist status and enrolled in the family of Friedrich Schauer, his father-in-law. The Neudorf colonist society and Friedrich Schauer himself accepted Conrad Schmidt in “its class” and family respectively. The official decision was to enroll Conrad Schmidt to Neudorf colony and Friedrich Schauer's family, and to readmit him to the colonist status from 1844. It should be noted that Conrad Schmidt's petition to marry and be readmitted to the colonist status was made between 1841 and 1844, with the personal involvement of the Minister of State Domains. A factor not in his favour was probably the rather long time he had spent outside the colonist status. Conrad Schmidt gave up the colonist status with his parents in 1832 and had resided in Prince Wittgenstein's manor in Podolia province. He owned no land, but on the other hand, seems not to have been in debt. Despite the time-lag, the case was not that complicated from a legal point of view: Conrad Schmidt was a Russian subject and a former colonist, and both the colonist

⁴³ DAOO, f. 6, op. 1, spr. 5375 (Po pros'be inostrantsa Liudviga Tsimmera, prozhivaiushchego v kolonii Tifenbrun, o nedopushchenii tamoshnim mestnym nachal'stvom upravliat' khoziaistvom zheny ego, mennonistki Magdaleny Minikh [1838–1841]).

society and his father-in-law accepted him into the “class of the colonists” and family respectively.⁴⁴

The ability of the prospective husband to take immediate charge of running the farm seems to have been a vital factor for the colonial administration, as can be seen in the following case. Neuburg colonist Georg Fritz intended to marry the widow Louise Neufer from Alexanderhilf, and run her farm. However, the fact that Georg Fritz temporarily ran another farm that belonged to his stepson Heinrich Heinbuch became a major obstacle to the marriage. Heinrich Heinbuch, aged 19, was the legal successor to this farm but, due to his immaturity, could not run it himself at that time. Before reaching maturity, the management of Heinrich Heinbuch’s farm had to be supervised by appointed guardians. It took quite some time before “trustworthy” guardians could be appointed replacing Georg Fritz, and the farm was legally transferred to Heinrich Heinbuch. In early February 1827, overseer Weismann called the Odessa Office to issue permission for the farm transfer and marriage as soon as possible, so that Georg Fritz and Louise Neufer could marry before Lent. Georg Fritz was eventually provided with a marriage certificate in May 1827.⁴⁵ Remarrying, Louise Neufer would lose her legal position as head of the household in favour of Georg Fritz. Before the actual wedding, Georg Fritz had to settle his previous obligations since he could not run two farms simultaneously. The case of Georg Fritz and Louise Neufer indicates that certain obligations, like the custody of colonist property, could be situational grounds for marriage delays.

The analysis indicates two conditions when the matrilineal residence of a married couple took place: firstly, when a colonist male did not own a farm, and secondly, when the male was a foreigner and therefore not socially recognized and/or economically established in the Russian empire. The latter option was usually connected to marriages with widows.

The examination of marriages between foreign males and colonist females, particularly widows, suggests that the particular financial and civil requirements in the immigration policy and admission rules concerning applicants to the colonist rank were at times mitigated by a person’s professional expertise, expected economic potential, and “exemplary behaviour.” Marriage with a colonist female and naturalization legally integrated the

⁴⁴ DAOO, f. 6, op. 1, spr. 5870 (O zhelanii zhivushchego v imenii kniazia Vitgenshteina Konrada Shmidta vstupit’ v brak s kolonistkoiu Barbaroiu Shauer i byt’ prichislennym v koloniiu Neidorf [1841–1845]).

⁴⁵ DAOO, f. 252, op. 1, spr. 609 (O brakakh i peredache khoziaistv po Libental’skomu okругu [1827]), arkh. 15–25.

foreign male into the imperial estate system and the respective legal regime. The colonist society's opinion represented by the village assembly also played an important part in the admission of foreign males to the colonist status. Thinking in terms of what benefits the prospective newcomer would bring to the colony, the village assembly in its assessments was largely guided by the character of the applicant, his/her reputation and professional skills. But it was not within its competence to make any judgements regarding marriage eligibility as such.

Marriages between foreign males and colonist females, discussed in this section, also illustrate the paternalist and instrumentalist conceptions of law that predominated within the state bureaucracy. Autocratic legality engendered a broad discretion in imperial immigration politics and free interpretation of the rules on admission into the colonist rank, when conjuncture, the personal merits of the applicant and other interests became decisive. It left an option for colonists, village assemblies, village and district boards, as well as the trustees to push forward their own interests and considerations. Unions of people of different social backgrounds, in practice, indeed challenged the estate system, imperial governance, and its fundamental principle that people belonged to collectives and should follow respective legal orders.

Marriage could, but did not necessarily, transform social status. According to the laws, as Alison Smith notes, men shared their higher status with the women they married, but women could not do the same.⁴⁶ She also argues that marriage never changed a man's estate status, but it could change a woman's.⁴⁷ I suggest that through marriage with a colonist female, a man could and did gain a place within the larger society of the Russian empire, allowing him both to be seen and heard by the state. However, a male applicant had to be able to offer something in return: his assets and/or professional skills. Marriage meant an opportunity for male foreigners to attain a legal position within the Russian empire, but also to obtain a new social and national identity.

⁴⁶ Smith, *For the Common Good*, 26–27.

⁴⁷ Smith, "The Shifting Place," 4.

5.3. Changing Social Identity: Marriages between Colonist Females and Non-Colonist Males

Alison Smith suggests that among Russian peasants and city dwellers, women's social mobility was more tolerable than men's. Since women were not required to perform military duties or subject to the soul tax, village and town communities had less interest in restricting their mobility. Basically, the barriers to movement for women were lower than those for men because the legal obligations that tied them to particular societies were fewer.⁴⁸ In Central Russia, for example, before the Emancipation of 1861, the ban on "outside" marriage was especially strict for male serfs, since females joining their husband's household contributed to the estate's wealth.⁴⁹ As the research on peasant marriages in rural villages near Moscow proves, before the Emancipation, males could seek a wife outside the estate if they were unable to find one within it, but the possibility for marital migration outside the estate was limited for females. On the other hand, a female was free to move around between villages belonging to the same estate.⁵⁰ What was the pattern in respect to the colonist females who decided to change their social belonging through marriage?

A closer look at the social mobility of colonist females, both maidens and widows, through marriage, adds a new perspective to the subject. Officially not desirable but still tolerable, cross-border marriages provided legal grounds for colonists' social mobility. They created legal grounds for the outsider to acquire, and for the insider to give up the colonist status. Still, some conditions had to be met. A colonist woman giving up the colonist status through marriage with a male "under another jurisdiction" and a female acquiring the colonist status through marriage with a colonist male – these were common paths for some women to change their social belonging and cross social boundaries.⁵¹

In agrarian societies, a great deal of a person's social identity was given. In the colonial paperwork, the marital/familial status of registered females is explicitly indicated in such designations as "wife of," "mother of," or "widow of." Unmarried females were designated as "daughter of," "sister of," "niece

⁴⁸ Smith, *For the Common Good*, 21.

⁴⁹ Avdeev et al., "Peasant Marriage," 726.

⁵⁰ Avdeev et al., "Peasant Marriage," 728.

⁵¹ DAOO, f. 6, op. 3, spr. 17393 (O kolonistakh, vybyvshykh iz kolonistskogo zvaniia posredstvom zamuzhestva s litsami drugogo vedomstva i o zhenshchinakh drugogo vedomstva, postupivshykh v kolonistskoe zvanie posredstvom brakov s kolonistami [1855]).

of,” and “granddaughter of.” These designations possess certain legal connotations. So-called “colonist daughters,” basically maidens/unmarried females, lacked any legal competence in the communication with the authorities regarding marriage permissions. In such cases, it was a “colonist father” or official custodian who negotiated with the authorities on the maiden’s behalf.

Colonist Maidens and Social Mobility

For many colonist maidens, state debt and insolvency became significant restraining factors to marriage. According to the Trustees Committee’s prescription on February 1825 (henceforth the February Prescription of 1825), based on the Ministry of the Interior’s Proposal of 12 December 1824, indebted colonist widows and daughters were prohibited from marrying non-colonists and giving up the colonist status unless their share of debt was repaid by themselves or somebody else.⁵²

A colonist female’s marriage with a non-colonist male was officially perceived as a pretext for the female’s transfer into the male’s estate. Colonist status was above all understood as a network of obligations. Every colonist female (and likewise for males) was locked in her social status, and could be released from the colonist status and gain admission into a new estate society only when her debt was repaid.⁵³ The cases of Margaretha Fischer, Magdalena Roth, Sophia Gross, Regina Warther and Rosina Schwarz, for example, followed similar and rather simple procedures: the repayment of the state debt was *the key* to giving up the colonist status. In autumn 1829, having repaid her debt, Margaretha Fischer was expelled from the colonists of Rashtadt colony “on the occasion of her marriage with the stranger [*postoronni chelovek*]-foreigner Theodor Maurer.”⁵⁴ In October 1831, the Kherson Treasury Chamber recovered a debt from another colonist maiden, Magdalena Roth. She was excluded from Landau, “due to her intention to marry provincial secretary and overseer Alexander Esterberg.”⁵⁵ At the beginning of 1831, the Kherson Treasury Chamber received 154,38 roubles,

⁵² DAOO, f. 6, op. 1, spr. 1910 (O vstuplenii kolonistki Shefer v zakonnyi brak s inostrantsem Vil’gel’mom Germanom, ne podlezhazhchim kolonistskomu vedomstvu [1826], arkk. 1–4.

⁵³ DAOO, f. 6, op. 1, spr. 2459; DAOO, f. 6, op. 1, spr. 4153, ark. 2; DAOO, f. 6, op. 1, spr. 6878 (O brake Ioganna Bekera s Marieiu Mints i o vyzyskanii s nee kazennogo dolga [1843]); DAOO, f. 6, op. 2, spr. 12760.

⁵⁴ DAOO, f. 6, op. 1, spr. 2459, arkk. 1.

⁵⁵ DAOO, f. 6, op. 1, spr. 2459, ark. 7–7 ob.

Sophia Gross's share of the family debt, due to her intention to marry the "foreigner" Johann Gager. Having paid the debt, Sophia Gross was officially separated from the colonists of Peterstal, "as she proceeded through marriage to another jurisdiction [*kak postupivshaia cherez brak v drugoe vedomstvo*]." ⁵⁶ As soon as money was received by the respective treasury chamber and the Trustees Committee was notified about it, these colonist women were officially released from the status of colonist.

In 1847, Regina Warther repaid her food money debt to the Odessa Treasury Department and changed her social belonging as a result of her marriage to Odessa city resident Christian Sipple. ⁵⁷ The same year, Rosina Schwarz, Lutheran, aged 22, engaged to the "foreigner" Rudolf von Varzebe, a Prussian subject, repaid eight roubles and 18 kopecks of food money. Addressing the Trustees Committee with a request to decide about Rosina's exclusion from the status of the colonists, the Liebental district board enclosed the receipt of her payment and "a severance act" of Lustdorf colonist society dated 20 January 1847. Rosina Schwarz was freed. ⁵⁸ The same procedure was used when Barbara Därzapf from Franzfeld colony intended to marry Adolph Christjanow, a "foreigner" and an Ottoman subject. When notifying the Odessa Treasury Department about Barbara's repayment of her food money to the amount of four roubles and 46 ¼ kopecks in silver, on 10 September 1849, the Liebental district mayor Krauz and district beisitzer began their report with a reference to the paragraphs of the Digest of Laws. ⁵⁹ This was unusual in the official paperwork. On 8 October 1849, the Liebental district board reported that Franzfeld society by its decision had excluded Barbara from its community. ⁶⁰ In a similar manner, "colonist daughter" Christina Eckert was given such a document in March 1835, which permitted her to marry Heinrich Friedrich, an Odessa craft colonist, and to give up the colonist status. ⁶¹ When a woman's colonist debt was repaid and the colonist society had issued a freeing agreement, she was officially released from the colonist status, "due to moving under another authority [*vedomstvo*] because

⁵⁶ DAOO, f. 6, op. 1, spr. 2459, arkk. 8–9ob.

⁵⁷ DAOO, f. 6, op. 2, spr. 9338 (O brake Klein-Libental'skoi kolonistki Reginy Varter s odesskim meshchaninom Khristianom Sipple [1847]).

⁵⁸ DAOO, f. 6, op. 2, spr. 9303 (Ob iskliuchenii iz kolonistskogo zvania Liustdorfskoi kolonistki Roziny Shvarts, iziavivshei zhelanie vyiti zamuzh za inostrantsa Rudol'fa von Varzele [1847]), arkk. 3–4, 5–6.

⁵⁹ DAOO, f. 6, op. 2, spr. 12760, arkk. 5–6.

⁶⁰ DAOO, f. 6, op. 2, spr. 12760, arkk. 3–4, 7–8ob.

⁶¹ DAOO, f. 6, op. 1, spr. 3764, ark. 2.

of marriage.”⁶² Freeing agreements signified that all obligations associated with the membership in a colonist society had been fulfilled and the freeing of the member would not affect negatively the public order of the colony or cause any trouble for the local society.

Only in a couple of the examined cases was the colonist maiden’s ability to marry not restrained by a state debt. Friederika Hefle, a colonist of Waterloo, intended to marry Andrean Belon, a Württemberg subject, and had no debts to repay. Karl Hefle, Friederika’s father, who had arrived in 1832 with his family and settled in the colony of Waterloo, did not receive any loans from the state. The Beresan district board reported on 18 April 1847 that Friederika had left her colonist status due to her marriage with a “stranger.”⁶³ In her case, the consent of the colonist society was enough.

But not all followed the letter of the law and the required procedure, and willingly repaid their state debt when intending to marry a non-colonist male. On 26 February 1836, the colonial overseer Khariton Pelekh informed the Trustees Committee about colonist Sabina Nold, who had unlawfully left Heidelberg colony and resided now in the city of Simferopol in Crimea. Without the colonist authority’s permission, in August 1835 she had married Franz Gaffner, who had previously been excluded from the colonist status. The marriage certificate had been issued by Abbot Milot. The Trustees Committee decided not to deport her from Simferopol, but let her stay there with her husband. After the share of her revocable and irrevocable debts was calculated (101,9 roubles and 26,87 roubles respectively), she was obliged either to repay the debt by herself or have it repaid for her. A note about his wife’s debt was inserted in Franz Gaffner’s passport, thus he also became indebted. Until the debt was repaid, they would not be legally admitted to another estate or allowed to leave Russia.⁶⁴

The relatives of a colonist maiden who intended to marry a non-colonist could choose to repay her part of the state debt. This was the case for Magdalena Schäfer. According to titular councillor and colonial overseer Weismann’s report, dated 6 November 1826, to the Trustees Committee, Wilhelm Herrmann, a Prussian subject and Odessa city resident, wanted to marry Magdalena Schäfer, daughter of Kandel colonist Joseph Schäfer. This marriage was blocked until Magdalena’s share of the family debt of 1,080 roubles 54 kopecks was repaid to the State Treasury. As soon as the debt was

⁶² DAOO, f. 6, op. 1, spr. 2459, arkk. 1, 5–9, 10–11.

⁶³ DAOO, f. 6, op. 2, spr. 9289 (O brake kolonistki kolonii Vaterloo Frederiki Gefle s viurtembergskopoddanym Andreanom Belonom [1847]), arkk. 1–3, 4, 6–6 ob., 8.

⁶⁴ DAOO, f. 6, op. 1, spr. 4153, arkk. 1–11 ob.

repaid, Magdalena Schäfer would be provided with a freeing agreement or so-called “a severance act” (*uvolnitel’nyi dokument*) issued by the local society and obligatory for her enrolment in a new estate. It would bring her closer to marrying Herrmann. When Weismann notified Joseph Schäfer about this demand, he informed the authorities that her relatives could not repay Magdalena’s debt at that time. However, “convinced about daughter’s happiness” with Wilhelm Herrmann, Joseph Schäfer promised to repay Magdalena’s debt with a warranty signed by three Kandel colonists. The warranty seemed reliable and further marriage delays became groundless.

At the same time, the Odessa Office asked the Trustees Committee to consider the obstacles facing young colonist females willing to marry, since they were frequently charged with substantial debts that could hardly be repaid at once. By its appeal the Odessa Office aimed at legitimizing a colonist society’s warranty as a practice in cases when a maiden did not have enough economic assets to repay her debt. In November 1826, the Trustees Committee asked the Kandel colonist society to vouch for Joseph Schäfer in the repayment of his daughter’s share of debt (*kazennyi dolg*). If the Kandel colonist society would provide the Trustees Committee with such guarantees, then the permission for marriage would be granted.⁶⁵ Unfortunately, the outcome of this particular case remains unclear. Still, the case of Wilhelm Herrmann and Magdalena Schäfer highlights the consensual interaction of the regional and central colonial administrations on behalf of the colonists.

A letter of acceptance was needed to become a member of a new social group. In the case of Magdalena Schäfer, it was the Odessa townspersons’ society that was supposed to evaluate “the character” of Schäfer, and in the case of a positive decision, to supply her with an acceptance agreement. Alison Smith claims that gaining admission into a new estate society was far more straightforward than gaining severance. Local societies still had their concerns about what problems and benefits new members might bring them, but the prospect of gaining a new taxpayer was easier to accept than the prospect of losing one.⁶⁶

Estate membership was perhaps above all associated with obligations between the members of the society, between societies and their members, and between subjects and the state. Being outside an estate meant being excluded from imperial rights, but also being free from outstanding duties. Formally, the imperial legal order did not envisage situations involving a lack

⁶⁵ DAOO, f. 6, op. 1, spr. 1910, arkk. 1–4 ob.

⁶⁶ Smith, *For the Common Good*, 105, 108.

of affiliation to any social group. However, it happened in practice. In the long run this kind of situation was unfavourable for the individual, making it difficult to engage in a variety of social and economic relations. Unattached women, old and young, and widows, childless or not, were often seen as possible financial burdens, and as social and moral disruptors. These women were particularly encouraged to form legal marriages, yet with consideration of the economic grounds for future unions and state debt. Echoing the principle of mutual responsibility (*krugovaia poruka*) among Russian peasants, the collective responsibility for taxes and the colonist debt was also common for colonists, regardless of gender. Only during the era of the Great Reforms was there a general shift from the conception of taxes as something mediated by collectives, like town and village societies, to something assessed on an individual basis.⁶⁷

Negotiating Social Identity: Widows and Remarriages

The remarriages of widows were under the special supervision of the colonial authority. On 19 April 1847, staff captain Karl Stempel, the overseer of Mariupol and Berdiansk colonist districts, notified the Trustees Committee about Elisabeth Lang's petition regarding marriage, asking for a decision. According to Stempel's report, at the beginning of 1847 colonist widow Elisabeth Lang from Kampenau colony approached the Mariupol colonist district board about marrying Samuel Karp, a Prussian subject, who resided in Mariupol colonies with the permission of the Ekaterinoslav city governor. Both district and village boards found no obstacles to this marriage, nor to keeping officially Elisabeth's three underage children Elisabeth, aged 7, Katharina, aged 3, Peter, aged 2, from her first marriage with Johann Lang, in Kampenau colony within the status of the colonists. Two colonist guardians, Jacob Bäcker and Andreas Heidling, guaranteed the custody of the three underage children and the tax payment for Elisabeth's dead husband until the new revision.⁶⁸

Having become acquainted with the case through the overseer's report, in May 1847, the Trustees Committee instructed the overseer to set up certain conditions for permitting the marriage conclusion of the widow Lang and the foreigner Karp. Since "the guardians of her children and the guarantors of tax payment for her dead husband might also die and Lang's successors are

⁶⁷ Smith, *For the Common Good*, 105, 138.

⁶⁸ DAOO, f. 6, op. 2, spr. 9381 (O brake kolonistki kolonii Kampenau vdovy Elizavety Lang s Samiuelem Krap [1847], arkk. 1–2).

too young to fulfil the commitment,” the Trustees Committee insisted on proofs from the colonist society and the Mariupol district board of the sufficiency of Lang’s property for paying taxes for her dead husband until the new revision. Otherwise the colonist society had to take a communal responsibility for this payment.⁶⁹ Eventually, on 22 June 1847, the Kampenau colonist society took communal responsibility for Johann Lang’s tax payment: all 30 household heads signed a written engagement (*podpiska*) that guaranteed solvency.⁷⁰ At the end of September 1847, the Trustees Committee permitted Elisabeth Lang to marry the “foreigner” Karp if her share of revocable and irrevocable debts were repaid and there was no objection from the religious authority.

Unmarried females in pre-industrial Europe were regarded as legally incompetent and under the guardianship of their fathers. When a female married, her husband became the new guardian and head of the household. As a widow, a female became legally competent for the first time in her life, and could be a household head. By entering a new marriage, she would once again become legally incompetent and the land and other property she possessed would be put at the disposal of her new husband.

In the case discussed above, Elisabeth Lang approached the authorities and asked for marriage permission. At this point, her legal competence originated from her civil status as a widow, but her legal relation to the colonial authority also derived from her colonist status. Not being a Russian subject, and lacking a legal bond to the imperial polity, Lang’s future husband appeared as an outsider in this case, despite his maleness. The same procedure took place in respect to Carolina Johann, a widow from Grunau colony, who in 1847 wished to marry a “foreign” widower, Johann Gottlieb Gönning from Prussia. He resided in the colonies of the Mariupol district with the permission of the Ekaterinoslav city governor. Carolina had five underage children from her previous marriage, who were supposed to retain their colonist status.⁷¹ Also in 1847, the Trustees Committee reminded the Mariupol district board that the colonists of the Mariupol enclave, founded in the early 1820s, except for the two colonies of Ludwigstal and Elisabethdorf had no revocable debts. The Trustees Committee ordered the repayment of only the irrevocable debts from the colonist females intending to marry non-

⁶⁹ DAOO, f. 6, op. 2, spr. 9381, ark. 5.

⁷⁰ DAOO, f. 6, op. 2, spr. 9381, arkk. 8–9.

⁷¹ DAOO, f. 6, op. 2, spr. 9423 (Po predstavleniiu smotritelii Shtempelia o brake kolonistki kolonii Grunau vdovy Karoliny Iogann s inostrantsem Iogannom Gotlibom Geningom [1847]).

colonists.⁷² Both Elisabeth Lang and Carolina Johann acted as legal persons in their communication with the authorities. In both cases, the women wished to change their social belonging, whereas their underage children were supposed to officially retain the colonist status.

In June 1847, the widow Katharina Schlegel officially expressed her wish to marry Peter Wirrich, an Odessa city resident. Having learned about her marital status, age, the size of her debt, and her place of immigration, the Trustees Committee instructed the Liebental district board to obtain the Großliebental village assembly's approval of Katharina Schlegel's severance from their "estate," and, most importantly, to confirm the willingness of the Großliebental village assembly to take her two underage sons and daughter under the patronage of the local society. Finally, in September 1847, the Großliebenthal colonist society agreed to give patronage to Katharina Schlegel's children. The requirements were therefore met and the marriage was approved.⁷³ It remains unclear whether Katharina Schlegel possessed a colonist farmstead or not.

The patronage of the colonist society was a crucial requirement in cases when the mother of underage children intended to change her social belonging by marrying a male from another estate. While ex-colonist females changed their social belonging through marriage, their children retained the colonist status under the patronage of guardians chosen from the colonist village until they were 17 years old. According to the Civil Law Code, at the age of 17 a person received the right to manage her/his real property; however, all financial dealings still had to be authorized by the guardians. Full maturity came at the age of 21, meaning full ownership of property and the freedom to enter commitments.⁷⁴ A colonist woman's change of social belonging did not, however, automatically result in the same change for her underage children. This was probably due to the financial obligations associated with the colonist status, particularly the debts of the colonists that were equally imposed and calculated on all members of the farm regardless of age. Following this logic, presumably, if an ex-colonist female wanted her underage children to join her in her "new estate," then her children's debt

⁷² DAOO, f. 6, op. 2, spr. 9370 (O brake kolonista kolonii Eikhval'd Frantsa Sukhano s prusskopoddannoiu Genriettoiu Vil'gel'minoiu Liubitovskoiu [1847]).

⁷³ DAOO, f. 6, op. 2, spr. 9453 (Delo po predstavleniiu Libental'skogo okruzhnogo prikaza o brake groslibental'skoi kolonistki vdovy Kateriny Shlegel' s odesskim meshchaninom Petrom Viurikhom [1847]).

⁷⁴ "Svod zakonov grazhdanskikh. Book 1. O pravakh i obiazannostiakh semeistvennykh. Section 3. O opeke i popechitel'stve v poriadke semeinom," in *SZRI*, vol. 10, part 1 (St. Petersburg, 1900), 21.

first had to be repaid. For most colonists, this was a heavy cost. Colonist societies could, on the other hand, make use of these circumstances and include these adolescents in the workforce.

Through marriage, people could gain many regulated rights associated with it: inheritance, family support, property, and so on. Records on property and farm transitions as a result of colonist marriages are extensive in the colonial archive.⁷⁵

If a childless farm-owning colonist widow wanted to marry a non-colonist male, other colonists would manage and take over the guardianship of the farm. The Trustees Committee permitted the remarriage of Barbara Max, a childless colonist widow, to Johann Schmidt, a non-colonist male and county clerk, only if Barbara Max promised in writing to sell her farm to other colonists within a year, “otherwise the county board would manage [the farm] as it sees fit.”⁷⁶ In the meantime, Barbara Max’s property was under the supervision of three trustworthy guardians chosen from among the colonist community. According to imperial legislation, land was assigned to the colony at settlement, thus the colonist community possessed the land in its entirety. The colonist plots could be inherited, transmitted, and sold within the community, but not subdivided or sold to outsiders.

The Trustees Committee justified its conditions and outsider’s exclusion from colonist farm management with the following argumentation:

A person of extraneous department [*postoronnee vedomstvo*] might avoid public service obligations and violate regulations that would lead to disorder in society.⁷⁷

The Trustees Committee intended to preserve “order” in Großliebental colony while at the same time it permitted Max’s marriage with Schmidt. Barbara Max consequently changed her social belonging through marriage. If Johann Schmidt instead had been admitted to the colonist status, Barbara Max would not have been forced to sell the property. Freeing her from the colonist status required not only the selling off of Barbara Max’s farm but also repaying her food money debt. Max’s and Schmidt’s case indicates that

⁷⁵ See for example: DAOO, f. 6, op. 1, spr. 3764; DAOO, f. 6, op. 1, spr. 5299 (O perechislenii kolonistov, peredache khoziaistv i brakosochetanii po Ekaterinoslavskomu vodvoreniiu [1839–1842]); DAOO, f. 252, op. 1, spr. 46 (O zhenit’bakh i peredache khoziaistv po Libental’skomu okrugu [1816–1819]).

⁷⁶ DAOO, f. 6, op. 1, spr. 2853 (O zhelanii kolonistki kolonii Bol’shoi Libental’ vdovy Barbary Maks vstupit’ v brak s inostrantsem Iogannom Shmittom s peredacheiu eiu posemu sluchaiu khoziaistva [1833–1834]).

⁷⁷ DAOO, f. 6, op. 1, spr. 2853, arkk. 12–13.

a colonist females' change of estate affiliation through marriage could lead to the forced sale of property. Due to the sale procedure of the farm, the wedding of Barbara Max and Johann Schmidt was delayed for almost a year.

The analysed cases also suggest that the colonist society's patronage of underage children and/or the warranty of the state debt repayment were the key conditions for colonist widows intending to change their social belonging through marriage with non-colonists

“Poverty-stricken Orphan” vis-à-vis District Board Mayor

In May 1830, Josephstal colonist Barbara Weisgerber complained to Mikhail Vorontsov, the New Russian and Bessarabian governor-general, about a district mayor for not giving her permission to reside freely in Odessa and marry Egor Sveshnikov, resident of the Crimean town of Akkerman. Barbara Weisgerber began her petition by pointing out that as an orphan since 1821 she had lived in Odessa with the district mayor's permission, and had been employed as a domestic servant. Having reached maturity and wishing to marry Egor Sveshnikov, she asked the district mayor to provide her with a written marriage permit. However, the district mayor declined her request, and also refused to grant her a permit for free residence in Odessa which she had hitherto obtained. Instead he requested her to pay 261 roubles 50 kopeks of duties in order, according to Weisgerber, to receive permission to marry and reside in Odessa. She claimed that, when she asked the authorities for permission to marry Egor Sveshnikov, her legal residence in Odessa was questioned:

[...] I feel extremely offended and guiltlessly harassed because, firstly, I cannot earn enough for my daily food anywhere without a ticket, and secondly, I am prevented to marry without legal reasons. [...] Having lived in Russia from an early age and known about marriage practices among different people and religions, I have never heard about fees to be collected prior to the marriage, if not for the fact that I am pregnant by Egor Sveshnikov and that is the reason for hindering me from marrying him. I venture to put myself under the patronage of your Excellency [Mikhail Vorontsov], asking you to protect me, a poverty-stricken orphan, from this unlawful harassment, to provide me with permission to reside in Odessa legally before marrying, and to save me from these illegal demands of 261 roubles 50 kopecks.⁷⁸

⁷⁸ DAOO, f. 252, op. 1, spr. 758 (O kolonistke kolonii Iosefstal' Barbare Veisgerber, vedushchuiu zazornuiu zhizn' [1830]), arkk. 2 ob.-3.

The petition ended with Barbara's appeal to count Vorontsov to issue a "merciful and protective resolution."⁷⁹

Barbara Weisgerber's case was clearly not within the Odessa governor-general's jurisdiction; therefore, Mikhail Vorontsov sent it to the Odessa Office for Foreign Settlers, which, in its turn, redirected Barbara's petition to the Liebental district mayor and obliged him to provide a response with detailed clarifications.

District mayor Stolz's explanation was based on several arguments. Firstly, referring to the Josephstal village board, he argued that Barbara had been living in Odessa for the last six years but had only received a one-year passport to reside there legally. Stolz emphasized that Barbara Weisgerber therefore had lived in Odessa for a long time without a valid residence permit. Secondly, according to Stolz, Barbara claimed that she wished to marry Egor Sveshnikov only after the Odessa Office's issued instruction, dated 5 May 1830, to send her under arrest to the district board due to her "bad behaviour" and pregnancy, with a subsequent placement in Josephstal colony. Barbara expressed her intention to marry Egor Sveshnikov, Stolz insists, when she was captured in Odessa and sent to the district board. According to the district mayor, under such circumstances it was impossible to provide her with a ticket for further residence in Odessa. Thirdly, Stolz pointed out that when Barbara expressed her wish to marry Egor Sveshnikov, who had made her pregnant, he had informed her about the consequences. Namely, by marrying the non-colonist Sveshnikov she would change her social belonging, be expelled from the colonist status and therefore, according to the law, would be liable to repay her share of state debt. The sum of her family's debt was 1,046 roubles, and the part to be repaid by her constituted 261 roubles 50 kopecks. According to Stolz, he informed Barbara Weisgerber about the procedure when marrying non-colonists in accordance with the Trustees Committee's prescription on indebted colonist females. Stolz also accused Barbara Weisgerber of false pregnancy, since he had not known about it and her intention to marry until she was deported to Josephstal colony. He also called Barbara Weisgerber's petition a "plexus of lies":

Because she dared to burden such a high-ranking person [meaning Mikhail Vorontsov] with her shameful lies, and her bad behaviour, that caused so many difficulties for her superiors, I ask the authorities to punish Barbara Weisgerber deservedly. I also ask those in charge to punish her for the fact

⁷⁹ DAOO, f. 252, op. 1, spr. 758, ark. 3. Because of Barbara's illiteracy, the petition was composed by Odessa city merchant Grigorii Vashchenko on 19 May 1830 in Odessa.

that she, according to the Josephstal village board, had broken the prescription of the authorities and escaped to Odessa some weeks ago, without any permission. She is there now.⁸⁰

In September 1830, the Odessa city mayor notified the Odessa Office about Barbara entering the Odessa city hospital for treatment. Soon it became known that she had died following childbirth.

From the first lines of the petition to Vorontsov, Barbara stressed explicitly her orphanhood and service from an early age in Odessa. Her petition is quite emotional, with tones of victimization. It is overloaded by certain expressions that were supposed to convey in words Barbara's experience of "extreme offence" and "guiltless harassment," caused by the prohibition to marry and earn her daily food. Barbara also portrays herself as "an innocent," "poverty-stricken orphan," who simply asked for justice and protection from harassment. The injustice of the authorities is a main theme in Barbara's petition. Stolz's response to Barbara's petition is contra-argumentative and incriminatory, aiming to convince the authorities of Barbara's lies and undermine her credibility. Stolz's explanation is well-structured, though not deprived of moralizing either. By referring to the chain of her illegal escapes to Odessa, bad behaviour and illegal pregnancy, Stolz depicted Barbara as deceitful person, unworthy of trust. Aiming at undermining the allegation of injustice, expressed in Barbara's petition, Stolz was judgemental in his response and called for the authorities to punish her. Stolz openly named Barbara a liar. The analysis of Barbara Weisgerber's petition and Stolz's explanation revealed two conflicting interpretations of events. The very existence of Barbara's petition of such a confrontational and critical character in the colonial archive is worth emphasizing.

The case also shows that it was possible to some extent to evade control and live outside the colony. Also, the question remains of whether marriage became an issue when Barbara was being forced to return to the colony – or whether her "illegal" residence in Odessa came up when she needed marriage permission.

Post Factum Negotiations

In May 1822, with the Bessarabian Office's permission, colonist widow Juliana Skibinska went to Kishinev to buy wheat. While there, she married the Pole Gregory Cherninski, who had no permission to reside in the Russian

⁸⁰ DAOO, f. 252, op. 1, spr. 758, arkk. 6–7.

empire. Lukas Duminski, a Catholic priest, conducted the wedding and issued a marriage certificate to Skibinska. Soon after, she approached the district board requiring “a certificate for her and her husband proving her separation from the colonist rank.”⁸¹ Without hesitation, the district board refused. In a similar case shortly afterwards, at the Bessarabian Office’s authorization, Khristina Zaher, a colonist daughter from Katzbach colony, went to Kishinev for waged work in the autumn of 1823. Without telling her parents or the colonial authorities, she was married to Schiller, a “foreigner” shoemaker, by the same priest Duminski.⁸²

Both cases highlight Priest Duminski’s violation of the governmental Decree of 1816, instructing the religious servitors to perform weddings between colonists and outsiders only after the colonial authorities’ formal approval. In Skibinska’s case, Franciszek Borgia Mackiewicz, the Roman Catholic bishop, explained the priest’s violation of the circular by his new appointment as a Roman Catholic priest of Kishinev and therefore his unawareness of the rules regarding colonist marriages. In a correspondence with the Trustees Committee, Mackiewicz admitted his own ignorance regarding the regulations imposed by the Russian government on colonist marriages, stressing that if he had known about these instructions himself, he would have warned Duminski.⁸³ Shortly afterwards Duminski was replaced by another priest. These cases problematize the role of the religious servitors in the functioning of the marriage regime, which is further discussed in the last section of this chapter.

The documented evidence about Juliana Skibinska and Khristina Zaher suggests a certain similarity between the two cases. Both of them went to Kishinev for business and/or to get married. The official origin of the files hardly indicates the true motives behind their trip. Whatever their actual motives were, both refrained from gaining approval from colonist administrators to marry foreigners. Juliana Skibinska, however, obtained a marriage certificate from the priest and personally engaged in communication with a district board about the revocation of her colonist status. The consequences of these two cases unfortunately remain unknown.

Everyone in the empire was supposed to belong to social categories, which meant being legally recognized. Marriage with a foreigner, an outsider, a

⁸¹ DAOO, f. 6, op. 1, spr. 1600 (Po raportu Bessarabskoi Kontory o vospreshchenii sviashchennikam rimsko-katolicheskogo ispovedaniia sovershat’ braki bez dozvoleniia mestnogo kolonial’nogo nachal’sтва [1822–1826]), arkk. 1–2 ob.

⁸² DAOO, f. 6, op. 1, spr. 1600, ark. 16.

⁸³ DAOO, f. 6, op. 1, spr. 1600, ark. 8.

non-colonist, occasionally changed a colonist woman's social belonging. The imperial legal regime assumed that both spouses belonged to the same social group. Compared to enserfed Russian peasant males for whom the ban on outside marriage was especially strict, it was colonist females, who, in cases of marrying outside their status, were targeted by the official regulations about repayment of state debts and the bureaucratic procedure connected with it.

5.4. Bringing Immediate Benefits: Marriages of Colonist Males with Non-Colonist Females

For peasants, marriage was a union that served to protect and enlarge the family property. Therefore, a farmer's widow or a widowed farmer was a good match in the marriage market, for both never married and young people. Within the peasant group, widowers should have been more attractive marriage partners than widows, because compensation to the direct heirs in case of remarriage was less expensive for them. In general, a widower could therefore bring more property with him into the new marriage than a widow could.⁸⁴

In 1827, Worms colonist Johann Barret, a widower, wished to marry Rosina Kress. She had immigrated to Russia with her brothers and sister in 1817, and by 1827 she was enlisted in Peterstal colony but not enrolled in "the class of colonists."⁸⁵ An examination of the bride and groom revealed that Rosina Kress owed a debt. Finding no obstacles to marriage as far as the colonial authorities were concerned, the Odessa Office issued a marriage certificate to be handed to Barret for its further submission to the clergy. Johann Barret agreed to vouch for Rosina's debt and eventually the couple were married.⁸⁶

In October 1835, widower colonist Georg Adam Ehresman residing in Fershampenuz colony wished to marry Carolina Friederika Brändle, who originated from Württemberg and resided in Sarata colony. A maid in Georg Idler's household, Carolina Friederika Brändle, immigrated from a village in Cannstatt, Württemberg, to the Russian empire in September 1833. The

⁸⁴ Lundh, "Remarriages in Sweden," 433; Lundh, "Remarriage, Gender," 374–380, 399–403.

⁸⁵ DAOO, f. 252, op. 1, spr. 613 (O dozvolenii vormskomu kolonistu Iogannu Baretu s vykhodkoiu Rozinoiu Kres, pribyvshiu v 1817 g. sochetatsia brakom, i o prichislenii ee k semeistvu oznachennogo kolonista Bareta [1827–1830]), arkk. 2–3.

⁸⁶ DAOO, f. 252, op. 1, spr. 613.

overseer found no obstacles to the marriage. The Fershampenuaz colonist community agreed to admit her among its members, and the required documents (a certificate from the colonist society and her passport) were submitted to the Bessarabian Office for further consideration. At the beginning of November 1835, the Bessarabian Office permitted the marriage with the standard notation “if the clergy do not have any objection to it.”⁸⁷ In 1827, the same procedure took place in the case of Großliebental widower Martin Stoller who was permitted to marry Katharina Kemmerle, aged 22.⁸⁸ In July 1847, the Trustees Committee similarly allowed the marriage between Catholic Johann Zarecki, a colonist widower of Tiegenort colony, and “foreigner” Anna Sznitkowska originating from Prussia.⁸⁹ The unions of these colonist widowers, Johann Barret, Johann Zarecki, Georg Adam Ehresman, with non-colonist maidens from abroad were approved by the colonial authorities without any complications.

This seems to have been the general pattern. Mannheim colonist tailor Franz Peter Mosser, resident of Odessa city, wanted to marry non-colonist Sophia Sawatzky, originating from Yaroslavl province. After a three-month wait, in May 1834, the Trustees Committee permitted the marriage. According to the colonial authorities there were no obstacles to the marriage. Franz Mosser could marry Sophia if the spiritual authority found no obstacles.⁹⁰

Widower Joseph Zerr, aged 44, approached the matter of marriage seriously. He wanted to acquire marriage permission and be wed before Lent. In 1827, he asked for permission to marry Barbara Märdian, aged 23, who had resided since 1822 with her parents in Frantzfeld colony. However, she did not have the colonist status. The Odessa Office concluded that although the father, Valentine Märdian, and his family did not have the colonist status yet, in its opinion there were no obstacles to a marriage between Joseph Zerr and Barbara Märdian,

⁸⁷ DAOO, f. 6, op. 1, spr. 3809 (O vstuplenii v brak fershampenuazskogo kolonista Georga Adama Ersmans s inostrankoiu Karolinoiu Brendle [1835]).

⁸⁸ DAOO, f. 252, op. 1, spr. 641 (O zhelanii bol'sheliebental'skogo kolonista Martina Shtolera vstupit' v brak s vykhodkoiu Katerinoiu Kemmerle [1827]).

⁸⁹ DAOO, f. 6, op. 2, spr. 9477 (O brake kolonista kolonii Tigenort vdovtsa Ioganna Zaretskogo s inostrankoiu prusskopoddannoiu Annoiu Shnitkovskoiu [1847]).

⁹⁰ DAOO, f. 6, op.1, spr. 3104 (O vydache razresheniia na vstuplenie v brak kolonistu kolonii Mangeim Frantsu Mozeru s devitseiu Sofieiu [1834]).

...since the existing regulations refer to those cases when a stranger, who does not belong to the colonist class enters a marriage with a colonist daughter or colonist widow and the payment of the share of female's debt is required.⁹¹

Although the decision to permit the marriage of Zerr and Märdian was taken in the middle of January, Zerr had to contact the Odessa Office in early February again with a request to grant him the certificate as soon as possible due to the approaching Lent. A similar decision was taken concerning Großliebental colonist Georg Weissenburger and his bride Elisabeth Mayer.⁹²

In 1847, the Kleinliebental colonist society issued “a letter of acceptance” (*priemnyi list*) to Maria Schlechter, welcoming her as a member of their society on the condition that she married fellow colonist Karl Warther. The Trustees Committee also agreed to the marriage.⁹³ In 1847, a similar procedure took place in respect to Katharina Kowska and Henriette Wilhelmina Lubitowska, Roman Catholics and former Prussian subjects, who married Albert Maier from Klostendorf colony (the Swedish district) and Franz Suhano from Eichwald colony (near the city of Mariupol).⁹⁴ Interestingly, in 1841, Karl Warther asked for one-year temporary passport to go to Constantinople in order to receive extra training in his craft. Having no debts and being in possession of the colonist society's agreement (*poruchitel'stvo*), he received a positive response from the authorities.⁹⁵

⁹¹ DAOO, f. 252, op. 1, spr. 609, ark. 4.

⁹² DAOO, f. 252, op. 1, spr. 609, arkk. 8–13.

⁹³ DAOO, f. 6, op. 2, spr. 9344 (O brake Klein-Libental'skogo kolonista Karla Vartera s Mariei Shlikhter [1847]), ark. 6.

⁹⁴ DAOO, f. 6, op. 2, spr. 9321 (O dozvolenii Klostendorfskomu kolonistu Al'bertu Maieru vstupit' v zakonnyi brak s prusskopoddannoiu devitseiu Katerinoiu Kovskoiu [1847]); DAOO, f. 6, op. 2, spr. 9370.

⁹⁵ DAOO, f. 6, op. 1, spr. 5764 (O vydache kolonistam srochnykh zagranichnykh pasportov [1840–1843]).

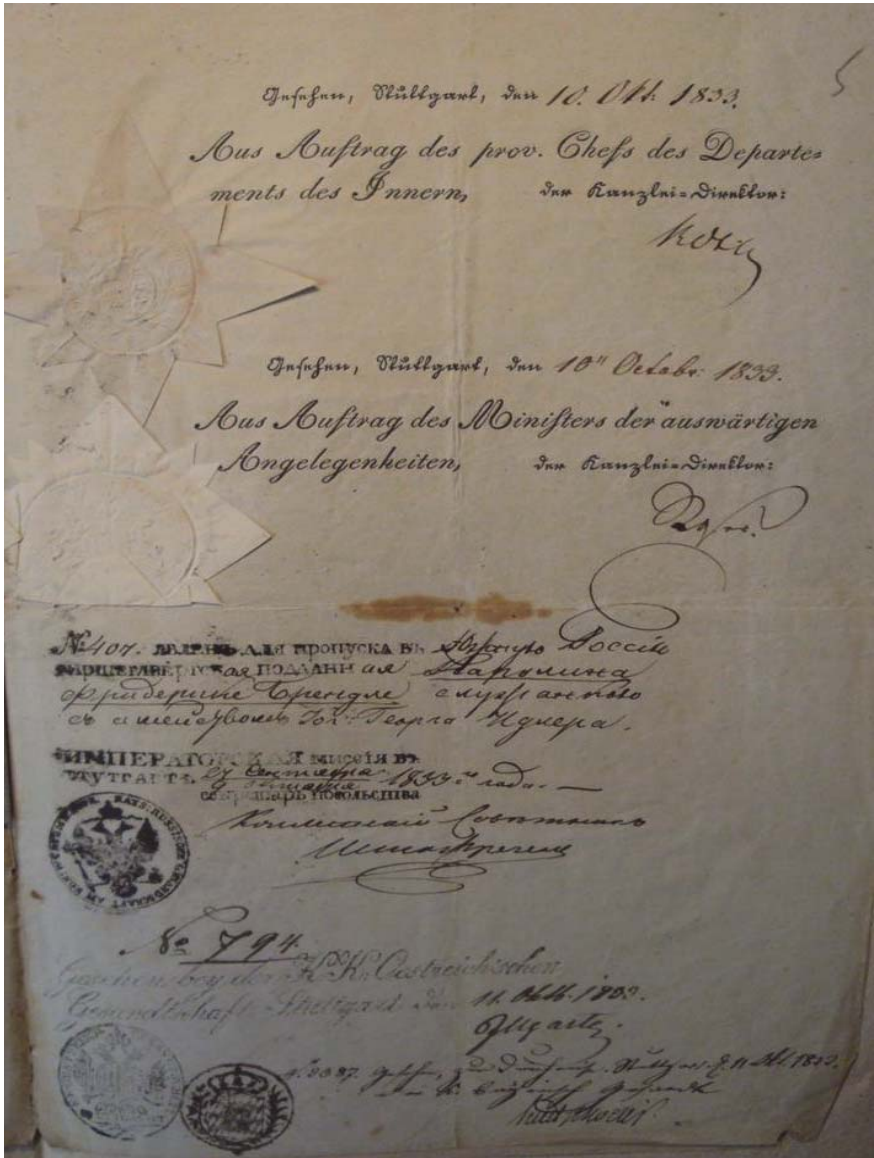


Figure 5. Carolina Friederika Brändle’s passport, as a maid in Georg Idler’s household, for travelling to Southern Russia, 10 October 1833.⁹⁶

Not only colonists, but also people who had obtained colonist status lived in the colonies. There were also foreign subjects who legally resided and enlisted

⁹⁶ DAOO, f. 6, op. 1, spr. 3809, ark. 5.

in colonies, but without having the colonist status. They were maids, tradesmen, servants, craftsmen, and carpenters. Some of them came to the empire based on temporary permits, usually on business, and were supposed to stay only for a limited time. In the analysed cases women were also labelled “foreigners,” unless they had given up their native citizenship. For young unmarried females, marriage with a colonist male/widower resulted in attaining a place within the imperial social system, adopting the new social identity of colonist with respective rights and obligations, and, finally, establishing a relation to the polity. Marriages between colonist males and daughters of “foreigners” (*doch' inostrantsa*) were usually viewed positively, promising to bring immediate benefits.⁹⁷ As the analysis of the above cases suggests, the assessment of these couples by the colonial authorities met comparatively few bureaucratic hurdles. By adding to the farm workforce and reducing its colonist debt, a female joining her colonist husband's household was perceived as contributing to the collective wealth.

5.5. Reconciliation or Reclamation: Religious Servitors and the Marriage Regime

In this subchapter, I am concerned with the following questions: What was the role of the clergy in the (non-)affirmation and (non-)implementation of the colonist marriage regime in practice? What were their (non-)actions and (non-)reactions in practice in respect to the legal restrictions on colonist marriage sanctioned by the Russian government?

In Russia, the imperial centre's power to enforce the law as it stood was informally limited by local circumstances. In the view of Nancy Kollmann, Russia's combination of centralizing power and flexible strategies of governance in the borderlands was an example of early modern practice.⁹⁸ I would argue that the professional activity of the clergy in the colonies was often oriented towards problem-solving and crisis management, and also determined by the specific situations and persons involved. It was an activity, when in concrete life circumstances, legal regulations and canons were overshadowed by pragmatic and very subjective choices.

⁹⁷ DAOO, f. 6, op. 1, spr. 5299 (O perechislenii kolonistov, peredache khoziaistv i brakosochetanii po Ekaterinoslavskomu vodvoreniiu [1842]), arkk. 122, 132, 136, 141, 190.

⁹⁸ Nancy Kollmann, *Crime and Punishment in Early Modern Russia* (Cambridge: Cambridge University Press, 2012), 416.

In Chapter 3, I argued that during the most of the time under investigation, the Russian government and the Evangelical Lutheran and Roman Catholic ecclesiastical authorities failed to provide the Lutheran and Catholic parishes of the Black Sea region with the required number of clergymen that could meet the needs of the people. This problem, situationally fixed, but certainly not solved, created tensions in the everyday lives of the colonists. The fiasco of the clergymen recruitment policy into the Black Sea colonies was due to a number of reasons, which were difficult either to prevent or foresee. The practices regarding colonist marriages reveal a number of actors, who appeared to challenge, if not confront, the legal restrictions on colonist marriage and question the emerging marriage regime. These agents were village assemblies, clergy, and also the colonists themselves.

The clergy's disregard of legal marriage rules, whether intentional or not, was frequently grounded in pragmatism and problem-solving. For several reasons, discussed in previous chapters, clergymen did not live in the colonies permanently and visited each colony only a few times per year. When arriving at a colony, clergymen aimed to be as efficient as possible, and intended to perform as many weddings as demanded. Wanting to reduce the risk of illegitimacy, they were strongly inclined not to leave the engaged couple waiting until the next pastoral visit. Sometimes this meant disregarding governmental prescriptions, and marrying colonists without previous authorization from the colonial administration. Even if the violation of the regulations came to the attention of the colonial authorities, which was not always the case, the severest punishment a clergyman might receive was a reprimand. In Wilms and Sperling's case recounted earlier, disregarding the marriage regulations cost pastor Zehling a reprimand. In November 1821, the Ekaterinoslav Office asked the Superintendent Karl Augustus Böttiger to punish Zehling for not having followed the official prescriptions on colonist marriages. Wanting to avoid similar difficulties in the future, the Ekaterinoslav Office asked Böttiger to give Zehling a strict reprimand because of his "self-rule in the current case and his actions, carried out against superior [*nachalstvennyye*] regulations."⁹⁹ On 1 December 1821, Böttiger reported back to the Ekaterinoslav Office about the strict reprimand imposed on Zehling.¹⁰⁰

The Charter of the Evangelical Lutheran Church envisaged a variety of sanctions for Lutheran pastors found guilty of arbitrariness or abuse of

⁹⁹ DAOO, f. 6, op. 1, spr. 1480, arkk. 9–10 ob.

¹⁰⁰ DAOO, f. 6, op. 1, spr. 1480, ark. 13.

authority in the field of marriage. If a Lutheran clergyman concluded a marriage that was invalid according to law, he would be defrocked and imprisoned for one to two years. If the offence happened once, and by mistake, a clergyman was severely reprimanded, if it happened a second time he was defrocked. In cases of bigamy due to a clergyman's mistake, he would first receive a severe reprimand, the second time a penalty from 50 to 200 roubles, and if it happened a third time, he would be defrocked. In cases when a Lutheran clergyman dissolved marriages or blessed the separation "from bed and board," without the permission of the high ecclesiastical authorities, he was reprimanded, removed from office, or defrocked.¹⁰¹ However, actual practice is hard to establish. No documentary evidence regarding clergy dismissals directly due to the violation of secular regulations on colonist marriage was found in the colonial archive.

Pastor Karl Böttiger became a centre of sensation due to his cashiering and trial in the Justice Collegium in 1828. The legal proceedings revealed numerous complaints from Odessa parishioners against Böttiger, and about his "seductive life" (*soblaznitel'naia zhizn'*) and "reprehensible actions" (*predosuditel'nye postupki*). Eventually, he was removed from office and replaced by Karl Fletnitzer.¹⁰²

Imperial officials did not always catch out the clergy when they disregarded the marriage regulations. The scale of violations was significantly greater than that actually documented. The possibilities to punish errant religious servitors afterwards were also limited to administrative sanctions. After all, clergy were too valuable and too few. In the eyes of the trustees and government, the clergy were one of the three pillars, together with the village assembly and the village and district board mayors, who maintained the social order in the colonies. According to this perception, the dismissal or absence of clergy would cause even more trouble and delays for the colonist societies when conducting their rites and life cycle practices. Still, the obstruction of law by clergy brought consequences.

In 1823, Catholic Priest Lukas Duminski performed two weddings between female colonists and foreigners, disregarding the governmental Decree of 1816 prescribing that new marriages needed first to be authorized by the colonial administration. As a result he received a warning from the

¹⁰¹ "Kniga 2. Section 1. Ustav Evangelicheskoi-Liuteranskoi Tserkri [1857]," in *Nemtsy v istorii Rossii*, 329–330.

¹⁰² DAOO, f. 6, op. 1, spr. 2236 (Ob udalenii ot dolzhnosti superintendenta evangelicheskikh tserkvei Bettigera s predaniem sudu [1828]); DAOO, f. 630, op. 1, spr. 14. (Delo o smeshchenii s dolzhnosti superintendenta Bettigera [1828]).

spiritual authorities. When in 1823 the Trustees Committee approached the Roman Catholic Bishop Franciszek Borgia Mackiewicz (1815–1842) with a request to punish Lukas Duminski for his violation of the regulations, he revealed his own unawareness of the offence. In a correspondence with the Trustees Committee on the marriage conclusion procedure in March 1823, Mackiewicz agreed with the marriage regulations introduced by the government and stressed that he found them “fair, because their respective authorities know exactly about the estate and dignity of each of the colonists.”¹⁰³

There are two possible interpretations of Mackiewicz’s claimed unawareness, which, for the bishop, became an excuse for not having followed the legal act. It is possible that the Bishop of Kamianets-Podilsky, who had been appointed in 1815, in 1823 still did not know about the governmental Decree of 1816. His ignorance may have been due to the complexity of autocratic legality, the vastness, incoherence and disparity of the legal acts, and also the communication difficulties between different imperial agencies. On the other hand, the bishop may have known quite well about the decree and the legal restrictions on colonist marriage, but chose to obstruct these tacitly by tolerating priests’ violations in certain cases. The latter interpretation also suggests the existence of a smouldering and subtle struggle for dominance between secular and spiritual authorities, particularly the Roman Catholic Church, over the family and sexual lives of the colonists.

Religious servitors were supposed to enjoy freedom in their office only within the limits established by the imperial legislation. For instance, during the short period between 1828 and 1833, Lutheran pastors were entrusted with the remarriage procedures of the colonists. On 7 August 1828, the Committee of the Ministers’ regulation (henceforth Regulation of 1828) entered force, providing pastors with the right to allow colonists to enter a second marriage, but only after at least six months of mourning. The intention was to release the colonists from fees in cases of dispensation, and to save them from having to personally petition the Consistory for permission to remarry. It allowed colonists to submit their petitions, authorized by the village board, to the local pastor, who, after notifying the Consistory, would permit them to remarry. This regulation, however, instructed pastors on their personal responsibility to avoid “temptations” when issuing such permissions, particularly in doubtful cases when a widow asked for a shortening of the mourning period. All these measures embodied in the

¹⁰³ DAOO, f. 6, op. 1, spr. 1600, ark. 8.

regulation were only temporary in nature, in force only prior to the publication of the Charter of the Evangelical Lutheran Church in Russia in 1833.¹⁰⁴

Remarriages were crucial not only for individuals, but also for the colonist societies. A remarriage prevented the potential economic losses associated with an incomplete family unit. Remarriages were therefore often arranged with a minimum of delay. For example, the mourning period in eighteenth- and nineteenth-century Sweden was generally quite short: one year for widows and six months for widowers. The main concern was to delay remarriage until it was ascertained that the widow was not pregnant with a child fathered by her late husband.¹⁰⁵ It is problematic to evaluate the influence of the Regulation of 1828 on the marriage practices of the colonists, and its application and operation in practice, since, in their reports and official correspondence with other agencies and agents in power, the clergy rarely referred to the legal guidelines.

While the official correspondence of high-level secular and religious authorities show at least superficial consensus regarding the marriage regime for the colonists, the case material on the marriage practices on the ground reveals that the clergy could sometimes act differently. Numerous notifications, strict prohibitions, dismissals, penalties and warnings that illegal marriages might be annulled did not prevent frequent violations of the governmental Decree of 1816, both by religious servitors and by colonists.¹⁰⁶ The clergy's violations against the colonist marriage regime indicate the important role of personal and situational factors in the actual implementation of the marriage regime. There is no firm evidence indicating the actual motives of the clergy when disregarding the marriage regulations for the colonists. However, the impression is still that clerics were frequently driven by a need to handle problems on the ground and meet the requests of their parishioners. Obstruction could have been another driving force, especially in the case of the Roman Catholic clergy, who were known for their oppositional stance towards the Russian government. However, the clergy's disobedience took the form merely of instances of deviation, and was not a

¹⁰⁴ “Vysochaishe utverzhdennoe polozhenie Komiteta Ministrov, obiavlennoe sostoiashchim v dolzhnosti Glavnoupravliaiushchego dukhovnymi delami inostrannykh ispovedanii stats-sekretarem Bludovym Ministru Iustitsii. O predostavlenii prava pastoram, razreshat' kolonistam vstuplenie vo vtoroi brak, ne prezhd, kak po proshestvii shesti nedel' so vremeni vdovstva [7 August 1828],” in *PSZRI*, vol. 3 (1828) (St. Petersburg, 1830), 763.

¹⁰⁵ Lundh, “Remarriage, Gender,” 374.

¹⁰⁶ For example, see DAOO, f. 6, op. 1, spr. 1600, arkk. 16, 21.

uniform practice. The analysed cases emanate from exceptional situations, when certain clerics did not follow the official regulations.

5.6. (Non) Marriage Regime and Love Affairs of the Colonists

The colonial archive contains a large number of records on voluntary sexual relations among the colonists, relations that at that time were defined as illegal. There are also cases of claimed rapes, and dishonoured and deflowered maidens, who, according to the original language, were deceived, tempted and abandoned. These matters usually involved colonist men, sometimes married or widowed, but also males who did not have the colonist status (merchants and state peasants) or who were foreign subjects. Female foreign subjects also occasionally claimed that they had been insulted after having had sexual relations with colonist males. Young women sometimes filed a complaint when a betrothal was broken and marriage had not followed after consummation. In 1859, for example, this happened in the case of Charlotte Dell and Conrad Hagen, Lutheran colonists of Mariupol colonist district.¹⁰⁷

These cases were not primarily about marriage as such, but rather about the recognition of the child begotten out of wedlock, its material support and custody. It was also a matter of restoring the woman's reputation, which could be achieved if the colonist male acknowledged the relationship and took responsibility. Usually the women themselves framed the petition asking for justice.¹⁰⁸ The bulk of evidence does not directly relate to the marriage regime as such. However, it sheds some light on the institution of marriage in a region under colonization.

Some sexual relations, however, tended to question the marriage regime, as in the incomplete cases of widow Warter and widower Braun. In January 1822, priest Ignats Lindl approached the Odessa Office regarding the cases of the widow of Georg Warter, who had begotten a child with her farm worker Gadell

¹⁰⁷ DAOO, f. 6, op. 4, spr. 20011 (O bludnodeianii kolonista Konrada Gageny s devitseiu Sharlottoiu Dell' i ob otkaze ego ko vstupleniiu s neiu v brak posle sdellanomu k onomu dogovoru [1860]). Both the names Conrad and Christian appeared in the Russian language and German language sources.

¹⁰⁸ Among many files, see DAOO, f. 6, op. 1, spr. 5025 (Po prosheniiu viurtembergskopoddannoi devitsy Kristiny, Fedorovoi docheri, Bek na kolonista kolonii Vorms Iakoba Maera za iznasilovanie ee, ot kotorogo ona zaberemenela [1839–1842]); DAOO, f. 6, op. 2, spr. 12497 (Po prosheniiu docheri Tilia devitsy Susanny na kuptsa Pontia Sokhranti za lishenie ee nevinnosti [1849]).

and colonist widower Peter Braun from Sulz colony who had illegally begotten children with his female servant. Lindl requested the authorities either to allow them to marry or to have them separated.¹⁰⁹ In May 1822, the Beresan district board reported to the Odessa Office, that the decision was to separate widow Warter and farm worker Gadell, until he was given the colonist status. Widower Peter Braun from Sulz, who had had intercourse with his female servant, was given permission, at his own request, to marry her.¹¹⁰ The legalization of these unions seemed desirable and favourable to all parties involved: the clergy, the colonial authorities, the colonist community and the colonists in question. In colonization realities, establishing fully functioning households, morally and economically, was particularly important.

The marriages of the Roman Catholic colonists were the ones most disturbed by illegal love affairs. In contrast to Lutherans, infidelity was not grounds for divorce among Roman Catholics. Still, infidelity was treated seriously. Thomas Majewski, the Jamburg priest from 1801 to 1817, in collaboration with an overseer Dalke seems to have been quite efficient in revealing the illegal sexual relations among the colonists, particularly during the period 1812–1813. A real drama was staged around Johann Tauberger, a married man and a *schulze* of Klostendorf colony in the Swedish district. He was involved in a virtual chain of misdeeds against other colonist wives: forced sexual intercourse and violent sex. He also “insulted the honour” of Majewski. Eventually Tauberger was punished and dismissed from office.¹¹¹

In the cases of Thomas Masser and Joseph Lacher, further discussed below, the institution of marriage remained intact despite the illegal relationships of a spouse. Usually the guilty party was penalized by the church, but sometimes was sentenced to corporal punishment. The marriage nevertheless continued. Thomas Masser, a married man, Roman Catholic and a colonist of Rastadt, had an affair with the maiden Elisabeth Winkler. Elisabeth gave a birth to a child. During the investigation, Masser acknowledged his sexual relationship with Elisabeth. While he by no means rejected the child, Thomas asserted, he still asked for a doctor’s affirmation of his paternity since the child had been born 15 days earlier than expected. Two midwives testified that giving birth somewhat earlier than expected was a

¹⁰⁹ DAOO, f. 252, op. 1, spr. 400 (Kasatel’no izoblichennykh v preliubodeianii koloniste Iozefe Reikherte, zhene Georga Vartera i vdovtse Petere Braune [1821–1822]), ark. 7.

¹¹⁰ DAOO, f. 252, op. 1, spr. 400, arkk. 11–11 ob.

¹¹¹ DAOO, f. 6, op. 1, spr. 613 (O khudykh postupkakh kolonista derevni Klostendorf Iogana Tovbergera i zheny ego Barbary [1812–1813]); DAOO, f. 6, op. 1, spr. 617 (Po prosheniuiu patera Maevskogo o raspushchennoi zhizni klostendorfskogo shvedskogo kolonista Taubergera s zhenoiu Antona Vebera [1812–1813]).

common and natural thing, but this was obviously not enough for Masser. Instead he wanted to have the opinion of Remhild, a staff physician of the Odessa Office, because of his “fear of disagreement with his wife.”¹¹² Finally, in July 1821, the physician confirmed that giving a birth a little earlier or later than expected was completely natural. After these proceedings, the case was sent by the Beresan district board to the local parish priests for the imposition of church penance on both parties for impermissible sexual relations.¹¹³

A similar case concerns Joseph Lacher, a colonist of Kandel colony, a married man and the father of five children, who had been having “impermissible relations” (*nepozvolitel’naia sviaz*) with the widow Marianna Borschnek from Josephstal colony for quite some time. As a result of their affair, two children were born, one of which later died. During the proceedings concerning adultery in September 1830, Lacher admitted his illegal relationship with the widow. He also acknowledged paternity of the surviving child and promised to support the child until 14 years of age by paying 20 roubles annually. What is interesting in this case and the ensuing proceedings is the delineation of secular and ecclesiastical powers. The Kutschurgan and the Liebental district boards were mainly preoccupied with the material side of the case, whereas the ecclesiastical authorities, Rafail Musnizky, decided about the penance for the wrongdoers. In October 1831, Rafail Musnizky decided to subject Joseph Lacher to a two-week penance in the church of Selz, whereas Marianna received a one-week penance in the church of Mannheim. Musnizky notified the Odessa Office about his decision, which in its turn instructed the respective district boards to send both offenders to the priests of Selz and Mannheim for their punishments.¹¹⁴

The adulterers Joseph Reichert and Klara Philipp were instead publicly punished by “rough music.” On 25 September 1821, with the help of “young people” (*molodye liudi*), Joseph Reichert and Klara Philipp, wife of Landau colonist Georg Philipp, were caught having sexual intercourse.¹¹⁵ In contrast to the compromising attitude of the local colonist community of Heidelberg to the voluntary sexual intercourse of Maria and Casper Herring, discussed in the next chapter, here it was fellow colonists who exposed and mocked the offenders.

¹¹² DAOO, f. 252, op. 1, spr. 338 (O nezakonnoprizhitom ditiatse nezamuzhneiu kolonistkoiu Elisavetoiu Vinklerovoiu s rashtadtskim kolonistom Tomasom Masserom [1821]), arkk. 3–3 ob.

¹¹³ DAOO, f. 252, op. 1, spr. 338, arkk. 11, 12–15.

¹¹⁴ DAOO, f. 252, op. 1, spr. 856 (O preliubodeianii kandel’skogo kolonista Iozefa Lakhera s iozefstal’skoiu kolonistkoiu, vdovoju Borshnek [1830–1831]), arkk. 1–13 ob.

¹¹⁵ DAOO, f. 252, op. 1, spr. 400, ark. 5.

As noted by David Ransel, historians have faced certain problems when measuring illegitimacy in the Russian empire, since for the period before 1860s data are too scattered and unreliable to allow any firm conclusions about the level and trends of illegitimacy to be drawn.¹¹⁶ Further research is needed to explore how sexual relations of colonists with non-colonists, and foreign subjects were treated and accommodated within the Russian legal order and in administrative practice, when love affairs crossed over the defined social and national borders.

5.7. Concluding Discussion

Intermarriages generally challenged imperial governance based on socially and denominationally clustered society, and established boundaries between different social groups. Despite the initial official reluctance, marriages between colonists and non-colonists, however, became common. It became more practical to find ways to legalize and regulate cross-border marriages of the colonists and deal with the ensuing implications, rather than banning them without actual measures to uphold this prohibition. The logic of social mobility of the (non)colonists through marriage has certain similarities to the general logic of the social mobility of Russian peasants and city dwellers, examined by Alison K. Smith. There were, in relative terms, lower barriers for a new member coming in, than for one wanting to leave.

In this chapter, I have illustrated how the social boundaries of the colonist status interacted in practice with the colonist marriage regime. In contrast to Smith's claim about the legal perception of women as merely appendages to men, and the absence of legislation on women's social status and estate membership until the 1880s,¹¹⁷ my examination of the selected individual cases shows a different pattern regarding colonist females. Marriages between colonists and non-colonists became legally recognized and regulated in the 1820s by the Ministry of the Interior. The regulations mainly addressed the colonist females aiming to marry non-colonist males, resulting in a change of their social belonging. In the eyes of the imperial legislators, if a colonist female, due to marriage with a non-colonist, intended to give up the colonist status and join her would-be husband in another estate or leave the Russian empire, all her debts associated with the colonist status had to be repaid to the State Treasury before the marriage. For the colonists this could

¹¹⁶ David L. Ransel, "Problems in Measuring Illegitimacy in Prerevolutionary Russia," *Journal of Social History*, vol. 16, no. 2 (1982): 111–127.

¹¹⁷ Smith, "The Shifting Place," 8.

prove to be a difficult requirement to meet, and weddings were therefore sometimes delayed. Colonist women were particularly targeted by these cross-border marriage regulations.

Colonist females could and did negotiate their social identities and even share their social status with a “foreign” male who, through marriage, gained a position within the imperial social and legal order. In the examined cases, the widows Elisabeth Lang, Carolina Johann, Katharina Schlegel, Barbara Max, Juliana Skibinska and the maiden Barbara Weisgerber negotiated their social identity with the colonial administration. Such an emancipatory situation is connected to the issue of duties, regardless of gender. Colonist females were equal to colonist males in their financial obligations to the state. The colonist debt was imposed on all members of the household, irrespective of age and gender; it was also proportionally recalculated with the subsequent family growth. In respect to colonist females, the meaning and function of social affiliation as connected to obligation was not alien, as it might have been for other groups of peasants and city dwellers, as Smith points out. For colonist females, the association of their colonist status with obligations, social identity, belonging, and way of life, was the same as for colonist males.

Apart from her ability to repay the state debt, a colonist woman’s property and underage children, who required guardianship, were important reasons for delayed or blocked cross-border marriages. These issues usually called for supplementary legal commitments. A widow’s altered estate affiliation due to remarriage with a non-colonist entailed a number of operations: the sale of her colonist farm to other members of her colony, and the appointment of guardians for her underage children (if any) among the colonist community. These requirements were grounded in the imperative that only colonists could run colonist farms and possess colonist land, and children were not required to change their estate affiliation automatically due to their mothers’ altered social position. Cross-border marriages, for both males and females, were preceded by a bureaucratic procedure associated with the change of social status. Following Smith’s input on social mobility in imperial Russia, my examination has shown that when colonist women wished to alter their social status through marriage, they were met with the necessity to repay the colonist debt, and/or the requirement to find guardians for underage children who remained in the colony. These constituted special features that derived from their social status as colonists and the politics of colonization. Viewed as promising to bring immediate benefits to the farmsteads and colonist societies, marriages between colonist males and non-colonist maidens, however, met relatively few bureaucratic hurdles.

Smith claims that only single women – primarily widows and unmarried women – could petition on their own behalf to leave their previous estate and enter a new one, while men were allowed to do so regardless of marital status.¹¹⁸ This point is also relevant to present inquiry. However, legal status was an equally important factor. If a man had the status of an “outsider” (*postoronniiii chelovek*) or “foreigner” (*inostranets*), and lacked a formal relation to a polity, it was the colonist woman/widow who petitioned the authorities for permission to marry. In the case of unmarried colonist females, it was usually her father or legal custodian who communicated with the authorities.

Reflecting the autocratic socio-political order and differentiated governance, colonist status assured a special legal standing to its bearers in relation to the central and regional colonial administrations of the Russian government. The intersection of gender and social belonging is essential to determining the colonist’s legal status when addressing the colonial authorities for marriage permission. When obtaining a marriage permit, males possessed legal subjectivity, petitioned the authorities and received official responses. In such cases, following the patriarchal framework, maleness ensured a legal personality for the colonist petitioner. In cases of cross-border marriages, marriages between colonists and “foreigners”/ “outsiders,” the colonist person, whether female or male, petitioned for marriage permission. Having the colonist status, the legal relation to the polity and the existence of a colonist farm took precedence over gender and ensured the legal status. Matrilocality was common not only in the cross-border marriages of widows with foreigners, but also in cases of economic insolvency of the male partner. For foreigners, marriage with colonist females usually brought social recognition and incorporation into the Russian estate system and a relation to the polity.

In this chapter, I have problematized the connection between admission requirements to the colonist status, on the one hand, and the considerations of economic expediency and the logic of the marriage regime, on the other. The examination of marriages between foreign males and colonist females, mostly widows, suggests that the particular requirements in the admission rules concerning applicants to the colonist rank, as well as the formalities of admission process were, in exceptional cases, mitigated by the male’s professional expertise and/or financial assets, and the prospect of having a functional household. This of course was not possible without the approval

¹¹⁸ Smith, “The Shifting Place,” 2.

of the village assembly of a colony. These cases concerned colonist widows with deteriorating farms or other economic complications. In such situations, male “foreigners,” such as Johannes Stöcker and Gottfried Müller, were discoursed as the savers of the colonist farms, which justified their enrolment into the colonies.

Legal restrictions on colonist marriage provided the colonial authorities and clergy with a framework for how to approach and administer colonist marriages for the “benefit of the colonists and the state.” These were at times compromised and violated, but not without legal consequences. The Guardianship Office/Trustees Committee found themselves in a tricky position, having to interpret supposedly incontrovertible autocratic law. When doing so, they were at times overwhelmed by the responsibility of evaluating individual cases, of considering and representing local interests, and at the same time promoting state interests. New happenings and life situations could always bring new kinds of evidence that made decision-making or interpretations of law rather arbitrary. Escapes and secret marriages were among the colonists’ strategies to negotiate and confront the legal restrictions on colonist marriage, undermining the official marriage regime. Claimed ignorance, misunderstanding the legislation, and insubordination were common tactics for clerks, religious servitors and colonists. The analysis of cases has shown that the marriage regime was negotiated and reclaimed by a number of actors. I have highlighted sometimes different, sometimes conflicting interests and visions of the clerks, clergy, colonist individuals, village and district boards and local societies regarding colonist marriage. However, the Trustees Committee consistently appeared as an embodiment of the personalized autocracy and arbitrary officialdom, an agency demanding the final say in matrimonial matters.

The uneven imperial legal order left options for individuals and local societies to put forward their respective interests. Conflicts between individuals, clergy and local communities at times pushed the regional authorities to enhance their control over the population, confirming their power. This happened in the cases of Johann Rayser and Elisabeth Lyck, Samuel Meske and Sofia Lefrank, when imperial interests and economic feasibility overshadowed the denominational disputes of marriage requirements. Marriages among the colonists were on the crossroads of different, and sometimes conflicting, interests – state, group, and personal ones. In this chapter, I have shown that the legal marriage regime deployed by the Russian government in respect to the colonists was in certain situations disregarded due to these conflicting interests. Personal status, economic efficiency, debt

solvency and the owning of property determined the marriage requirements and practices for the colonists.

Sometimes, the conflicting interests led to situations that the colonial administration and autocratic legality found difficult to handle. Economic sustainability as a requirement for allowing remarriages was a main consideration for the trustees, as the cases of widower Cornelius Wilms and widow Sperling, and widower Johann Albrecht and the widow Rozina Kelm suggest. When violation of the legal order occurred, and colonists were married by clergy without the colonial authority's approval, as in the cases of Regine Steigmann, Barbara Kussmaul and Jacob Kurle and Sebastian Scheufele, not much could be done *post factum*. Concluded marriages could not be annulled. It was primarily the religious servitors who had to pay the price for violating the regulations by receiving reprimands or warnings.

Due to the subordination of the Russian Catholic and Evangelical Lutheran Churches to the state, the church's power over its parishioners was tenuous. In practice, however, as the evidence suggests, the clergy remained decisive in questions regarding colonist marriage, family and sexuality. With the intention of preventing or, at least, minimizing illegitimacy, and/or driven by other motives, priests and pastors sometimes married colonists in disregard of the regulations. The role of the clergy in the functioning and implementation of the marriage regime was crucial. Religious servitors sometimes obstructed the secular legal prescriptions, and sometimes ignored or openly violated them, due to unawareness, inexperience, or driven by the intention to confirm their power within the realm of marriage. Some of them may have been aware of the lacunae of colonial vertical power and exploited them deliberately. Whether guided by pragmatism and problem-solving, or by their own personal visions and interests, the clergy sometimes cooperated with colonists in certain situations, confronting and negotiating the colonist marriage regime. The clergy clearly felt a need to legalize illegal relationships and avoid illegitimacy, matters made more complicated due to the prolonged absences of religious servitors. On the other hand, when conflicts of interest between the colonists and clergy arose at some point, the colonists, safeguarding their own interests, instead turned to the Guardianship Office/Trustees Committee for resolution and legal backing. The degree of loyalty of clergy to the colonization politics and state in the Black Sea region requires deeper consideration.

Colonists' and clerics' real or feigned ignorance about the legal administrative procedure regarding colonist marriage certainly undermined the marriage regime. The colonists also used different tricks, emotional

pressure and lies to manipulate and convince clerics to conduct marriages without the required authorization from the colonial administration. The bureaucratized process of obtaining marriage permission from the colonial administration, and situational delays and hindrances, increased the risk of illegal sexual relations and illegitimacy among the colonists. The frequent absence of clergy in the colonies, the almost unrestricted mobility of the population in a region in actual practice, and the ensuing loose social control, gave the colonists a certain room to manoeuvre within the private sphere.

Assigned the mission to cultivate the Northern Black Sea steppe, to legitimize the imperial rule in the region, and to integrate it with the rest of the Russian empire, at times, the colonists, religious servitors, and clerks negotiated imperial rule by their actual choices, reactions and (in)actions. They made their own histories, traces of which still rest in the regional archives of the Black Sea steppe.

CHAPTER 6

Conforming to the Norms, Struggling with Practices: Broken Marriages and Divorces among the Colonists

In this chapter I examine the colonists' marriage breakdowns in terms of desertion and divorce, through an analysis of how imperial law and practices actually functioned on the ground. The issue of adultery and extramarital sexual relations is viewed here in connection to the reasons or/and consequences of desertion and broken marital relationships. Marriage breakdowns in the Northern Black Sea steppe are studied through an in-depth microhistorical analysis of the personal files contained in the archive of the Russian colonial administration. The legal framework was, however, not stable. On the contrary, I would suggest that the boundaries of imperial law and the relationship between imperial law and local legal practices were constantly changing. The "contact zone" in the region under colonization between imperial law and autocratic legality on the one hand, and human experiences and happenings regarding broken marriages on the other, is my prime focus here.

Setting the German colonists in a broader perspective, this chapter first examines the imperial law regarding marriage dissolution among imperial subjects, the position of the Russian Orthodox Church regarding divorce, and finally how these matters were dealt with by the Roman Catholic and Evangelical Lutheran Churches of the Russian Empire. I also reconstruct the process of institutionalization of colonist divorce and its consequent bureaucratization. Through a micro-analysis of individual cases, I scrutinize the reasons for family disintegration and divorce articulated by the different actors involved. Finally, I explore in-depth the legal proceedings on family disintegration and marriage breakdowns, the role of different actors (colonial clerks, clergy, and village and board mayors, colonists), and how their standpoints were embedded and articulated in different narratives.¹

¹ The archival sources used in this chapter are the files labelled "On divorces of the colonists," "According to the overseer's report on the missing wife of the colonist," "At the request of a colonist on the expulsion of his wife for a joint residence," "On the

In some situations, one of the spouses acknowledged the dysfunctionality of the marriage, and asked for a divorce or separation, while in other cases a spouse complained about a marriage breakdown, or simply broke the marriage by desertion. However, most of the incidents were brought to the attention of the authorities by the colonists themselves. My point of departure is William Wagner's and Alison Smith's thesis postulating that relying solely on centralized and published compiled sources may create a distorted vision of actual legal practice in a certain place and time. In this regard, material in the regional archives has an exclusive value.²

One should keep in mind the way documenting the hearings and interrogations was conducted, either by colonial clerks or pen pushers on behalf of the colonists, or by clergy. As Natalie Z. Davis has noted, although some would assume "that the minute a learned agent of the state puts his hand on another's words, they are so remade and reshuffled that their original form is effaced," this was not always the case.³ However, when reading and analysing the paperwork from interrogations, one can follow the change of styles in the statements of the different participants involved. Written versions had to evoke the personal tone of oral testimonies in order to be credible. Considering the official character of the source material and difficulties connected to its analysis, I have strategically chosen to present and treat some of my material – the testimonies of the colonists, the reports of clergymen, colonial clerks and higher ecclesiastical authorities, as well as trustees – as narratives that consequently are used as the basis for my interpretation.

Narratives do not mirror the past.⁴ Imagination, pragmatic interests and personal positioning influence the way narrators choose to connect events and make them meaningful to others. Narrators interpret the past rather than reproduce it as it was. At this point, I am both interested in *what* was said and *how* it was said, the *told* and the *telling*. Thus, the narratives are analysed here both thematically and structurally. I treat narratives as a sort of report of

runaway wife of the colonist," "On finding of the wife of the colonist," "On the request of the colonist female to remarry," "Regarding the superintendent's request about sending him certificates on the divorces of different colonists and their wives," "On the priest's petition regarding the colonist's incapability of marital cohabitation with his wife" and etc.

² Smith, *For the Common Good*, 61; Wagner, *Marriage, Property, and Law*, 56–58.

³ Davis, *Fiction in the Archives*, 20–22.

⁴ I use Norman Fairclough's version of textual analysis, see Norman Fairclough, *Analyzing Discourse. Textual Analysis for Social Research* (London and New York: Routledge, 2003). About narrative and history-writing, from a vast literature, see Lennart Lundmark, "Berättande och verklighet i historieskrivningen," *Scandia*, vol. 56, no. 2 (1990), 127–138.

connected events, actual and imaginary, presented in a sequence of written words. To the extent the material allows, considering its authorship, my attention will be directed to the ways in which linguistic forms are used in various expressions and statements. My analysis in this chapter is sensitive to the kind and form of argumentation, the intrinsic logic and composition of texts, implications, the collective symbolism or figurativeness, metaphors, idioms, sayings, clichés, vocabulary, style, and references. I am particularly interested in the way language was used by the actors in order to validate and justify their version of the truth, and what rhetorical tools they employed in order to achieve their goals.

6.1. In the Orthodox Paradigm: Divorce of Roman Catholics and Lutherans in the Russian Empire

6.1.1. The Russian Orthodox Framework

The imperial Russian state and the Russian Orthodox Church proclaimed that the family constituted the foundation of the social and political order. The family served as a metaphor for political authority and social organization in general, with changes in the former believed to affect the latter. In the multi-ethnic and multi-confessional Russian empire, there were differentiated approaches to divorce and marriage dissolution among its subjects. While many European states had standardized laws on marriage and divorce, the Russian empire still permitted each confession to regulate its own marriages and divorces. Compared to some standardization and secularization of marriage and family law in Central and Western Europe due to the Enlightenment and Post-Reformation, in the case of imperial Russia, the regime set up a certain framework but allowed each confession, from the official Orthodox Church to the non-Christian faiths, to determine the grounds and procedures for marital dissolution. A variety of legal regimes concerning marriage and marital dissolutions therefore emerged.

In Sweden, for example, the religious unity based on the Lutheran Augsburg Confession was regarded as fundamental to the state. In the Russian empire, the rulers tolerated the existence of various religious regimes besides Russian Orthodoxy, at least up to the Great Reforms in the 1860s. Basically, the regime, but not all religious groups, recognized four grounds for marital dissolution: death of the spouse, legal divorce, annulment and separation.

In the eighteenth century, exile with hard labour as new grounds for divorce entered the legal arena. In 1720, Peter I issued a decree not directly permitting, but tolerating divorce on these grounds. Prior to this decree, neither *Nomokanon* (*the Kormchaia Book*),⁵ nor Russian legislation had granted divorce on these grounds. On the contrary, marriage was meant to last, and a wife was supposed to follow her husband to a new place of residence, or stay at home, keeping the marriage bonds with her exiled husband. This new decree, Marina Tsaturova notes, interfered with the previously autonomous sphere of church competence, since previously only the church could create new grounds for divorce. Being unprecedented, Peter's decree created a new situation: grounds for divorce emanating from the state, not the church.⁶ Gregory Freeze maintains that the institutional rebuilding of Orthodoxy during Peter I's reign represented a significant increase in ecclesiastical power. According to him, the important question was not whether the church had power but how it would exercise it.⁷ Paul Werth, on the other hand, is more inclined to regard the church as a part of the state apparatus.⁸

In terms of religious doctrine, the Russian Orthodox Church became more restrictive, especially in the wake of the French Revolution, according to ChaeRan Y. Freeze, when it embraced the doctrine of the indelibility or permanence of the marital sacrament. Although, in theory the Orthodox Church allowed divorce on a fairly broad set of legal grounds, in practice it made divorce all but impossible.⁹ Giving marriage a sacramental meaning, however, meant that the Russian Orthodox Church would not apply the contractual idea to matrimonial dissolutions. The sacrament itself was of

⁵ In the Church Slavonic language, the *Kormchaia Book* literally means "a pilot's book," referring to a Church Slavonic redaction of the Greek *Nomokanon*. It was a digest of church canons (Byzantine law) for conducting the administrative and judicial affairs of the church. It served as guidance for the church court of Orthodox Slavic countries. The earliest Slavic translation is believed to have been made in the second half of the 9th century. Over the centuries, many editions of this book were produced by churchmen and monks. The last edition of the *Kormchaia Book* was published in 1816. After 1816, the *Book of Rules* (*Kniga pravil*) replaced the *Kormchaia Book* in the Russian empire. The *Book of Rules* contains a collection of the local canons (rules) of the Russian Orthodox Church and old canons, adopted by Ecumenical councils.

⁶ Marina Tsaturova, "Prekrashchenie braka po russkomu semeinomu pravu 18 st.," *Vesnik Moskovskogo universiteta. Pravo* 5 (1990): 59–65, accessed August 25, 2015, <http://annales.info/rus/small/razvod18.htm>.

⁷ Freeze, "Bringing Order to the Russian Family," 719.

⁸ Werth, "The Institutionalization of Confessional Difference," 164.

⁹ Freeze, *Jewish Marriage*, 134–135; Wagner, *Marriage, Property and Law*, 71.

supreme importance and must be protected against abrogation.¹⁰ Marriages could be dissolved only under the most compelling circumstances. The Russian Orthodox Church limited the grounds for divorce to adultery supported by eyewitnesses, unaccountable absence of the spouse for over five years, exile to Siberia after a felony conviction, or long-standing sexual incapacity that had arisen before the marriage and could be evidenced by a medical examination.¹¹ Desertion involved long-lasting investigations and high costs.

During the nineteenth century, the Russian Orthodox Church policy became increasingly rigid and conservative on annulment and divorce. If the Orthodox Church was reluctant to dissolve questionable marriages, it was even more determined to prevent divorce and insisted on reconciliation no matter the circumstances. As a result, during the period 1836–1860, the Synod approved only 58 divorces per annum in the entire Russian empire. This divorce rate was extraordinarily low, especially if compared with the numbers of marriages contracted each year. For example, in 1841–1850, according to Freeze’s calculations, the Russian Orthodox Church approved 8.62 divorces per 10,000 marriages. In comparison, divorce rates among Protestants in Europe were considerably higher. Measured in divorces per 10,000 inhabitants, the rate in Belgium was nine hundred times higher in 1850, and in Saxony six hundred times higher during the period 1851–1855. During the period 1849–1860, nearly three thousand divorces were annually approved in Prussia, compared to the mere 58 granted in the Russian empire. Even Catholic France, where divorce was illegal, allowed 25 times more separations than the Russian empire did divorces in 1840.¹² In contrast to the Catholic countries, where annulments provided a *de facto* substitute for divorce, the Russian Orthodox Church granted very few annulments. According to Freeze’s estimation, the Russian Orthodox Church issued an annual average of just 32.8 annulments for the period 1836–1860. The church’s aversion to nullity is striking. Only when the marriage lacked

¹⁰ Freeze, “Bringing Order to the Russian Family,” 722.

¹¹ For Russian Orthodox Church policy on marriage and divorce, see Sergei Grigorovskii, ed., *Sbornik tserkovnykh i grazhdanskikh zakonov o brake i razvode, o detiakh vnebrachnykh, uzakonenii i usynovlenii i o metrisheskikh dokumentakh*, 12th ed. (St. Petersburg: Sinodal’naia Tipografiia, 1912), 188–269; Wagner, *Marriage, Property, and Law*, 67–69; Freeze, “Bringing Order to the Russian Family.”

¹² Freeze, “Bringing Order to the Russian Family,” 733–734.

sacramental validity, in cases of bigamy and fourth marriages, unconditionally prohibited by the Canon Law, did the church invariably order nullification.¹³

Medieval Church Law, summarized in the *Nomokanon*, was still in use in eighteenth-century Russia. The laws on marriage and divorce, however, were as complex as they were contradictory. As both church and state authorities realized, it was essential to devise a more precise and comprehensible set of rules. Muscovite and Russian law usually repeated the canons of *Nomokanon*, not referring to the source itself. Apart from the *Nomokanon*, the main source of law in the eighteenth century, there were the Synod's and monarchs' decrees, but also the Law Code of 1649.

Petrine times were characterized by more active law-making compared to the seventeenth century, which created chaos and confusion in the legal system and caused an urgent need for systematization and codification. Serious attempts were made in this direction by numerous legislative commissions during the reigns of all successors to the Russian throne after Peter I. Considering the absence of a full and uniform register of published law, it took almost a century of titanic work by many officials to collect the vast number of laws, dispersed in different archives across the extended empire. In the 1830s, a number of statutes for the non-Orthodox religions were produced: for the Muslims of Crimea (1831); for the Protestant churches (1832); for the religious affairs of Jews (1835); for the Armenian Gregorian denomination (1836); and for the Karaites (1837). The culmination of all this legislative production was the incorporation of most of the statutes mentioned above in the Digest of Laws of the Russian Empire in 1832. In the case of Catholicism, the papal administration insisted on ensuring that the laws of the Russian empire did not infringe on the canons and traditional rights of the Catholic Church. Eventually, after negotiations with Rome, in 1857 the Roman Catholics in the Russian empire received a statute as well. By 1857 most of the foreign confessions had been outfitted with institutions created and/or legitimized by the imperial state, while their religious provisions had in most cases been brought into conformity with the state's interests.¹⁴

Reflecting the autocratic socio-political order, the Digest of Laws defined family relations in terms of authority, obedience, filial duty, and paternalist

¹³ Freeze, "Bringing Order to the Russian Family," 724, 727.

¹⁴ The specific statutes or at least sets of laws were amalgamated in the third edition of the Digest of Laws, see Werth, "The Institutionalization of Confessional Difference," 156, 162, 163.

obligations. Imperial law granted husbands and parents specific powers to control the activities of their wives and children. Rather than protecting wives and children, the purpose of law was primarily to preserve social order and to enforce officially sanctioned religious and public morals.¹⁵ Marriage rights were defined differently depending on the religious denomination of the spouses. In questions concerning marriage dissolutions, Lutherans and Roman Catholics were to follow their respective church charters and/or Canon Law. The Civil Law Code banned marriages of imperial subjects from the Orthodox and Roman Catholic faiths with non-Christians. Protestant subjects were forbidden to marry pagans.¹⁶

6.1.2. Lutherans of the Empire and Divorce

Compared to the Russian Orthodox Church, the Protestant churches generally took a more liberal view of marriage dissolution and divorce. They did so primarily because they rejected the doctrine of the sacramentality and hence indelibility of marital vows.

The Swedish Church Law of 1686 remained entirely valid in Estonia and Livonia under the Russian supremacy, and also in all Lutheran colonies of the empire until the adoption of the Charter of the Evangelical Lutheran Church of the Russian Empire in 1832. The rulings of the consistories, the ordinances of provincial governments, the decrees of the Senate, and the tsar's decisions, quite specifically referred to the Clergy Privilege Act of 1675 and the Swedish Church Law of 1686 (*1686 års kyrkolag*) as the most important legal acts in this context. However, as Andres Andresen argues, in practice two important principles of the 1686 Church Law were significantly disrupted after the Nystad Treaty of 1710. Firstly, strict religious unity based on Old Lutheranism was undermined by the provision of the Nystad Treaty which explicitly granted full rights to the Russian Orthodox Church. Secondly, the subordination of the territorial churches to local authorities and town councils violated the rule of clerical church governance under the leadership of a bishop or a superintendent.¹⁷

Mia Korpiola argues that the Reformation did not bring any revolutionary changes in the field of matrimonial law in sixteenth-century Sweden, in

¹⁵ Wagner, *Marriage, Property, and Law*, 62–63.

¹⁶ For more about mixed marriages, see “Svod zakonov grazhdanskikh. Book 1. Section 1. O soiuzhe brachnom,” in *SZRI*, vol. 10, part 1 (St. Petersburg, 1900), 6–11.

¹⁷ Andres Andresen “Formal Stipulation and Practical Implementation of Religious Privileges in Estland, Livland, and Courland under Russian Supremacy: Researching the Core of Baltic Regional Identity,” *Ajalooline Ajakiri* ½ (2012): 47.

contrast to the introduction of Lutheranism when marriage lost its position as one of the seven sacraments, and the ecclesiastical jurisdiction and its absolute hegemony in matters related to marriage formation disappeared. Matrimonial jurisdiction belonged to the secular authority, and bishops exercised that jurisdiction only at the pleasure of the king. Even though Swedish ecclesiastical legislation only accepted adultery, impotence and malicious desertion as reasons for divorce, the ecclesiastical practice suggests more flexibility. During most of the seventeenth century, Swedish diocesan chapters continued to grant divorces on grounds not mentioned in the Swedish Church Ordinance (*Kyrkoordningen*) of 1571. The ecclesiastical wedding ceremony was made mandatory only in 1734, after the institutionalization of the Swedish Lutheran Church.¹⁸ As Malin Lennartsson's research reveals, in addition to adultery and malicious abandonment, divorce in seventeenth-century Sweden was granted for illness (permanent and long-lasting, involving sexual incapacity) and permanent discord.¹⁹ The Church Law of 1686 gives detailed advice on how such situations could be interpreted. Proof of intercourse with a third party before or after the engagement was an acceptable reason for divorce, but if sexual intercourse between the engaged or married partners had continued after the adultery became known to the offended spouse, the engagement or marriage could not be broken off. The Church Law mentions a time limit of seven years before claiming the rejection, but adds that it could be shortened depending on the circumstances. Kimmo Katajala underlines that it was not a divorce that was granted in these cases, but permission to remarry. Under Church Law, no one was obliged to be married to a person who was unable to fulfil his or her marital duty. Not only marriage, but also an engagement could also be dissolved due to incurable or contagious diseases such as leprosy, epilepsy or mental illness.²⁰

¹⁸ Mia Korpiola, "Lutheran Marriage Norms in Action: The Example of Post-Reformation Sweden, 1520–1600," in *Lutheran Reformation and the Law*, ed. Virpi Mäkinen (Leiden-Boston: Brill, 2006), 167–169.

¹⁹ Malin Lennartsson, *I säng och säte: relationer mellan kvinnor och män i 1600-talets Småland* (Lund: Lund University Press, 1999), 201–213.

²⁰ Kimmo Katajala, "'It's never good with you!' Broken Marriages and Divorces in the Eastern Borderlands of the Kingdom of Sweden in the 17th century" (Paper presented at the conference "Encountering the 'Other' – Understanding Oneself: Colonialism, Ethnic Diversity and Everyday Life in Early Modern Sweden and New Sweden," Lund, Sweden, November 8–10, 2013), accessed September 2, 2015, https://www.academia.edu/5221685/Divorces_in_the_Eastern_Borderlands_of_the_Kingdom_of_Sweden_in_the_17th_Century_Presentation_in_Lund_Sweden_8-10_November_2013.

From the early nineteenth century a series of institutional and legal reforms were carried out in the Russian empire. As part of this general effort, the Russian government showed an increasing interest in taking control over Lutheran ecclesiastical matters in the Baltic provinces and the entire empire, culminating with the issue of a new comprehensive law in December 1832, the Charter for the Evangelical Lutheran Church in the Russian empire. All the Baltic Lutheran territorial churches, as well as Lutheran congregations elsewhere in the empire, were merged into a new church organization. The Evangelical Lutheran Church of the Russian Empire comprised the consistorial districts of Estonia, Livonia, Ösel, Courland, St. Petersburg, Moscow, Riga, and Reval. In the respective consistories of the Baltic region, the local political elites retained their leading positions. All the consistorial districts were subordinated to the General Consistory in St. Petersburg, which itself was under the authority of the central state governance institutions. The Charter of 1832 profoundly reformed some institutional and legal basics of Lutheranism throughout the Russian empire, except for the Grand Duchy of Finland and the Kingdom of Poland. With the implementation of the new law, all preceding legal acts concerning the Evangelical Lutheran Church organization were invalidated. The new law consolidated all Lutheran congregations in the Russian empire into a new single church organization, the Evangelical Lutheran Church of the Russian Empire.²¹

Besides questions regarding cult and worship, the Charter of 1832 adopted, regulated and specified the norms of marriage family law for its parishioners. A part of the Charter is preoccupied with questions regarding marriage dissolution. It emphasizes the possibilities to dissolve legal marriage, based on “acceptable” grounds for divorce and “according to established judicial procedure.” While practice varied kaleidoscopically within Protestant Europe depending on denomination and country, the Russian Evangelical Lutheran Church recognized several grounds for divorce: adultery on the condition that the plaintiff was innocent; malicious abandonment for more than a year; disappearance of a spouse for five years or more; disinclination or inability to cohabit (sexual incapacity for at least three years); incurable and contagious disease; insanity; a debauched lifestyle; cruel treatment and behaviour that threatened the spouse’s life; judicially proved intention of a spouse to dishonour the other; and serious crimes

²¹ Andresen, “Formal Stipulation,” 52.

leading to the death penalty or exile (including “unnatural sins”).²² Interestingly enough, the “vicious behaviour” (*porochnoe povedenie*) of one of the spouses gave the offended spouse the right to ask for divorce. “Vicious behaviour” primarily meant drunkenness, debauchery and wastefulness. If this behaviour had occurred to such an extent that it threatened the economic prosperity of the farm, the suffering spouse could ask for divorce, but only if all remedial measures and exhortations of the clergy had been without effect.²³

Usually the consistory’s decision on divorce clearly stated the reasons, and if one of the parties was deemed guilty, which one and for what. It also stated which of the spouses, in cases of adultery and malicious abandonment, was deprived of the right to remarry, and which one should take care of the children and until what age.²⁴

Although Protestants had more liberal and multiple grounds for divorce in comparison to other denominations, they still placed the primary emphasis on the reconciliation of spouses and permitted divorce only in cases of irreversible breakdown. For instance, a husband had a right to demand divorce if he found out that his wife had been in impermissible relations with another male before their marriage, but only if at the time of petition, they did not have any children. The same applied to the wife; divorce was allowed only if she could prove in court with clear evidence that after the betrothal her husband had had impermissible relations with another female. Marriage could be terminated at the request of one of the spouses when there were obstacles to conceiving children. The concealment of a terminal illness, infertility, failure to fulfil marital duties without a valid reason, and willful obstruction to conceiving children (meaning contraception) were all accepted grounds for divorce.²⁵

Both plaintiff and defendant could advocate their own case in the consistory. Regardless of the circumstances, a personal formal petition was a precondition for the consistory to initiate a trial. When a divorce was finally

²² “Kniga 2. Section 1. Ustav Evangelicheskoi-Liuteranskoi Tserkri [1857],” in *Nemtsy v istorii Rossii*, 306.

²³ “Kniga 2. Section 1. Ustav Evangelicheskoi-Liuteranskoi Tserkri [1857],” in *Nemtsy v istorii Rossii*, 309; Vladimir Maksimov, comp., *Zakony o razvode pravoslavnogo i ne pravoslavnogo ispovedaniia i o razdel’nom zhitel’stve suprugov. S raziasneniiami Pravitel’stviushchego Senata i tsirkuliarnymi i separatnymi ukazami Sviateishogo Sinoda* (Moskva: Iurist, 1909), 231.

²⁴ Maksimov, *Zakony o razvode*, 233.

²⁵ “Kniga 2. Section 1. Ustav Evangelicheskoi-Liuteranskoi Tserkri [1857],” in *Nemtsy v istorii Rossii*, 307–309.

settled, a decree in a certain form was issued. The decree on divorce usually had to include the following parts: the reason for divorce; whether one of the spouses was recognized as guilty, which one and for what; which of the spouses was not allowed to remarry in the cases of adultery or malicious abandonment; which of the spouses should bring up all or some children of the marriage and until what age; which of the spouses should bear the costs for the maintenance and upbringing of the children. Marriage dissolutions were validated during a special ceremony conducted in the consistory in the presence of both spouses. Thus, both sides were provided with a testimony on marriage dissolution which was important in cases of remarriage.²⁶

6.1.3. Roman Catholics of the Empire and Divorce

The Roman Catholic Church had a very restrictive policy on marital dissolution. It based its notion of the “indelibility of marriage” on the fact that marriage was one of the seven sacraments. This dogma led the Roman Catholic Church to completely deny the possibility of divorce, even in cases of adultery. Spouses could petition for divorce, but they had hardly any chance of it being granted. If one spouse was seriously ill, and the other persisted in seeking divorce, then, following the Canon Law, a special committee comprising experts and physicians was called upon to investigate the legal grounds for divorce. The absence of a spouse for a long period was not a reason for divorce either. The conversion of one of the spouses to another faith, however, could become a legitimate reason for divorce. In the case of mixed Roman Catholic-Lutheran marriages, Russian law prescribed that questions regarding marriage dissolution be solved in the church of the spouse not seeking divorce. But the Russian Roman Catholic Church did not recognize that rule, Olga Litsenberger claims.²⁷

However, the Roman Catholic Church recognized annulment and separation. According to Canon Law, it was impossible to terminate a legally binding marriage. Only the death of a spouse could revoke the sacrament of marriage. The only form of legal divorce that was sanctioned by church jurisdiction was acknowledgement of the marriage’s invalidity: if it was illegal in the first place, it was annulled.²⁸ Also, the ecclesiastical court could declare a marriage invalid if, as Dalia Leinarte calls it, absolute and relative conditions

²⁶ For more details about special legal proceedings in divorce cases, see “Kniga 2. Section 1. Ustav Evangelicheskoi-Liuteranskoi Tserkri [1857],” in *Nemtsy v istorii Rossii*, 357–361.

²⁷ Litsenberger, “Problema nravstvennosti,” 214–216.

²⁸ For more details about marriage’s invalidity for Roman Catholics, see Maksimov, *Zakony o razvode*, 258–260.

for its formation had not been met. Absolute conditions included the marriage of a Catholic with a non-Christian, conversion to a different faith; entering a new marriage while a previous marriage was still legally binding (bigamy); joining a monastery or ordination into a priesthood; having committed a crime; and consanguinity or affinity. If the absolute conditions for marriage had not been met, a case for declaring a marriage invalid could be put forward not only by the spouses, but by any individual who had noted the violation of Canon Law. Accordingly, these cases were often raised on the initiative of priests. Marriages formed when the absolute conditions had been violated were annulled without exception.²⁹

The relative conditions for formation of a marriage included: having reached the proper age; not being hindered by impotency; and finally, that the marriage had been entered into willingly.³⁰ However, due to restrictions imposed by Canon Law, cases where the relative conditions for marriage had been met often did not serve as a foundation for the annulment of marriage. For example, a plaintiff seeking a full legal divorce on the grounds of her husband's impotency had to prove to the ecclesiastical court that the defendant had suffered from this physical impediment prior to marriage. A marriage entered against one's will could only be annulled if the plaintiff's physical and psychological condition precluded the conscious legitimating of the marriage, for instance, if at the moment of marriage, the bride or groom was in a heightened state of excitement and did not understand their actions. This had to be proven in court.³¹

Physical separation of the spouses from "bed and board" was practiced in cases when the union lacked the grounds to be terminated as invalid. It was sanctioned solely by spiritual authorities on the request of one of the parties and only in cases of adultery, cruel treatment, if one of the spouses had been subjected to trial and punishment for a crime, or if one spouse had coerced another to commit a crime. The separation was authorized for either a certain or unspecified time. The separation for an unspecified time period entailed all the consequences of divorce, but still formally preserved the union and prevented remarriage.³²

According to Canon Law, having formed a marriage, Roman Catholics had no recourse to annulment. The rural lifestyle of the colonists required both men's and women's labour to run a farm. So, with no chance for official

²⁹ Leinarte, "Cohabitation in Imperial Russia," 19.

³⁰ Maksimov, *Zakony o razvode*, 259.

³¹ Leinarte, "Cohabitation in Imperial Russia," 19.

³² Maksimov, *Zakony o razvode*, 259–260.

recognition of a divorce, new partners necessarily had to create new illegal partnerships. Illegitimacy in this context became unavoidable.

6.2. Institutionalization of the Colonist Divorce: Bureaucratization without Bureaucrats

How were divorces among the colonists legally acknowledged and institutionalized, and turned into a routine in the colonial administration? When reflecting on the legal grounds for divorce among the colonists, one should keep in mind the lack of systematized and codified legislation before the 1830s. This, to a great extent, points to a more general problem of legislative confusion, and not only in marriage and family legal proceedings. Multiple and often mismatched old and new legislative norms were commonly faced by officials and clergy all over the empire. Also, the problem of separation of powers between ecclesiastical and secular authorities, and also between different levels of spiritual authority (dioceses and spiritual boards), was an urgent matter during the whole eighteenth century, but still remained unresolved.³³

At the turn of the eighteenth and nineteenth centuries, the divorces and separations of the colonists as vital social practices did not come to the attention of imperial lawmakers, and were thus not particularly regulated by legal acts. As mentioned before, neither Catherine's nor Alexander's decrees specified any marriage and divorce routines for the colonists, except for emphasizing the unquestionable obedience of the colonists to the law of their church. The beginning of the nineteenth century was a time of legal recognition and accommodation of the colonists, as a group of imperial subjects within the imperial legal regime. And the construction of social categories in the Russian empire, as Jane Burbank and Alison Smith suggest, was never finished and remained an open-ended process. Situating on the crossroads of colonist status and the respective religious denomination, the German colonists' matrimonial and familial domains were also in a process of legal regulation.

³³ The increasing influence of the Russian Orthodox Church and the introduction of imperial legislation in the territories of the former Cossack Hetmanate, Zaporozhian Sich, and Crimean Khanate, and the contradictions between "old" rules and practices, and "new" norms became inevitable. In practice, as Iryna Petrenko exemplifies, in the eighteenth century, Kyiv Consistory not infrequently, continued to use old norms and customs, mainly because the new governmental orders did not cover the whole spectrum of social interactions, see Iryna Petrenko, "Polityka Rosiiskoi imperii shchodo shliubno-simeinykh vidnosyn ukrainsiv u 18 stolitti," *Istorychna pamiat'*, no. 32 (2015): 39–40.

Imperial laws often existed on paper rather than operating in a society. They barely fulfilled their function to cultivate and ensure the existence of adequate order, provide resolutions to conflicts, and regulate and facilitate human interactions and practices. Another thing is the instrumentalist view of law among those who exercised authority. In the pre-emancipation Russian empire, judicial practice was combined with state administration. The institutionalization of the principle of legality by separating judicial from administrative functions became particularly urgent after the Russian defeat in the Crimean War. Constraints on judicial interpretation and the lack of judicial independence further complicated the legal process in pre-emancipation Russia. Whether appointed or (nominally) elected, any member of a court could be dismissed by a superior administrative official or the emperor. As a rule, judicial decisions could not be recognized as general laws that were obligatory for all, or serve as the basis for final decisions in similar cases. In terms of practical matters, before the late 1850s, judicial decisions were not circulated internally among courts and other state agencies, published regularly, or discussed publicly.³⁴

The Senate report on 3 November 1808 was called to life by the divorce case of the Brauner couple from Novo-Saratov colony in St. Petersburg province and, is one of the very few acts on colonist marital matters that were included in the Complete Collection of Laws.³⁵ The colonist Brauner disagreed with the divorce verdict of the Justice Collegium and appealed to the Senate. That is how Brauner's divorce case became known to the Senate and led to a new law on colonist divorce.³⁶ In October 1806, the Justice Collegium found colonist male Brauner guilty and resolved to dissolve his marriage. According to the Justice Collegium's decision, Brauner's wife was given custody of their children, while Brauner was obliged to support her and the children from the income of his half of the farm. Brauner appealed to the Senate, but it merely confirmed the Justice Collegium's verdict.

Shortly afterwards, on 23 March 1807, Viktor Kochubei, the Minister of the Interior, complained to the Minister of Justice about the Justice Collegium and the divorce proceedings for the colonists. According to Kochubei,

³⁴ Wagner, *Marriage, Property, and Law*, 38.

³⁵ "Vysochaishe utverzhdennyi doklad Senata. O brakorazvodnykh delakh kolonistov [3 November 1808]," in *PSZRI*, vol. 30 (1808–1809) (St. Petersburg, 1830), 666–668.

³⁶ The Governing Senate (*Pravitel'stvuiushchii Senat*) was a legislative, judicial, and executive body of the Russian Monarchs, instituted by Peter the Great to replace the Boyar Duma, and lasted until the very end of the Russian empire.

...by providing wives with tickets for free residence and ruling that after divorces, ex-wives and children were to be kept by their former husbands, State Justice Collegium violated the ordinances concerning the colonists.³⁷

Kochubei asked the Minister of Justice to support his guidelines regarding divorces of the colonists of St. Petersburg province. Henceforth, no requests from the local colonists about divorce should be accepted by the Justice Collegium without a written certification from the respective colonist village board, clergy, and overseer. It became forbidden to provide colonist wives, asking for divorce, with a free residence permit without the colonist village board's knowledge and permission. The resolutions issued by the Justice Collegium in divorce lawsuits should not regulate and define colonist household maintenance that resulted from marriage dissolution. As Kochubei argued, except for matters pertaining to divorce *per se*, the Justice Collegium had no competence in other questions regarding colonists (“*po chasti kolonistskoi*”). All divorce-related matters such as residence of the former spouses, child custody, and property should be regulated by particular legal acts on colonists, introduced by the Russian government. The Minister of Justice informed the Justice Collegium about Kochubei's guidelines, which it agreed to follow.³⁸ Basically, this meant that the colonial overseers and village boards should become involved in the divorce procedure. The Senate reconsidered the Brauner divorce case in accordance with the regulations regarding the colonists, and after a year of supplementary examination the divorce gained momentum. In the wake of this case, the legal powers of the Justice Collegium on colonist divorce were restricted, while those of the colonial authorities were enhanced.

Specific formal requirements for colonist divorce were introduced in 1825, addressing Protestant clergymen. On 13 March 1825, the Senate prescribed to the Justice Collegium to introduce a rule for the clergy of all Protestant colonies in the Russian empire not to accept colonists' requests for divorce without written authorization from the village board, clerks and overseer. This ordinance had been issued:

...in order to prevent disorders in colonist families, whose naivety is not infrequently used by bad-intentioned people, inciting them to turn petty

³⁷ “Vysochaishe utverzhdennyi doklad Senata [3 November 1808],” in *PSZRI*, vol. 30 (1808–1809) (St. Petersburg, 1830), 667.

³⁸ “Vysochaishe utverzhdennyi doklad Senata [3 November 1808],” in *PSZRI*, vol. 30 (1808–1809) (St. Petersburg, 1830), 667.

disputes into divorce, and by those means damaging villagers' morality and economies.³⁹

In this ordinance, the lawmaker used the common rhetoric of colonist naivety, in a sense alluding to their immaturity, in contrast to the potential craftiness of the clergy. The introduction of new regulations, actually not favourable for the colonists, was justified, as usual, by the pure intentions of the secular authorities to save them from harm. From now on, colonist divorce was officially placed under the diarchy of clerks and clergy.

The Marriage Dissolution Procedure of the Colonists

Reading written sources intertextually, we reconstruct the processes and procedures retrospectively and grasp the way social practices should have been conducted and the way they were actually realized. Officials and clergy, at least those who were loyal enough to follow the prescriptions emanating from St. Petersburg, found it difficult to properly assess the marriage and divorce procedures clearly. The reasons for this were many: the adventurous ongoing colonization, the character of Russian autocratic legality, the biases of the imperial legal system with its plethora of non-systematized legal acts dispersed all over the expanding empire, and the communication clashes between different institutions. Apart from this, there were specific circumstances and factors, such as bribery, arbitrariness, and the patronage-client principle of imperial bureaucracy. Also, the close proximity between the local actors should be noted: there was neither a physical nor a symbolic distance between the colonists, clerks and clergy. All of them interacted in a variety of everyday situations. Overseers frequently lounged in colonist houses during their business trips to the colonies. Also, it should be emphasized that the cost of salaries for the clergy and colonial clerks was met by the colonists.

As the individual cases suggest, with time the divorce procedure became multistage and heavily bureaucratized. The first step was a formal request to the cleric, stating the specific reason for divorce (along with filing fees, a copy of the marriage certificate, and other relevant documents). Usually it was a cleric who compiled the divorce file and via colonial authorities sent it to the Justice Collegium/ St. Petersburg Evangelical Lutheran Consistory/ Mogilev

³⁹ "Senatskii, dannyi Upravliaiushchemu Ministerstvom Vnutrennikh Del. O neprinimanii ot kolonistov pros'b, otnositel'no razvodov, bez pis'mennykh svidetel'stv sel'skikh prikazov, pastоров i smotritelei [13 March 1825]," in *PSZRI*, vol. 40 (1825) (St. Petersburg, 1830), 161.

Roman Catholic Consistory.⁴⁰ The second stage was the formal exhortation for reconciliation, where the local priest or pastor implored both parties to become reconciled and terminate the proceeding. If the petitioner refused, then a hearing was scheduled and the investigation began. In the third stage, depositions of witnesses and neighbours were obtained, and petitioner's statements were protocoled by the village and district boards, in coordination with the local clergy and the overseer of the colony.⁴¹

The testimonies from the village assembly and village and district board mayors that there were no obstacles to divorcing the colonist couple were crucial to the Chief Trustee's judgement and verdict. As soon as the Chief Trustee had authorized a divorce, the file passed to the Consistory. At this point, the colonial phase of divorce procedure was over. Cases regarding marriage dissolutions were within the competence of district consistories. The consistories in St. Petersburg and Mogilev were the courts of the first instance where appeals could be lodged by Lutherans and Roman Catholics respectively. The Senate was a court of cassation. After the Consistory had decided a certain case, it was sent to the regional colonial administration for implementation.

The consent on the matter of marriage dissolution within the whole vertical structure of colonial administration, including the village mayor, the district board chairman, the Guardianship Office/Trustees Committee, but also local religious servitors and village assembly, became a central requirement put forward by the Russian government for obtaining divorce on the introduced pre-consistorial phase.

The colonial archive contains numerous complaints from parties involved in the procedure about undue procrastination in divorce suits. In July 1825, the Justice Collegium complained to the Trustees Committee about the delay in sending the necessary documents in the divorce proceedings regarding spouse Stein. According to the Justice Collegium's official letter on 9 July 1825, despite Karl Böttiger's demand to be provided with missing documents for completing a divorce case, the Ekaterinoslav Office had not complied.⁴²

⁴⁰ DADO, f. 134, op. 1, spr. 687, ark. 2.

⁴¹ DAOO, f. 6, op. 1, spr. 3129 (O razvode brakov kolonistov po resheniiam dukhovnoi vlasti [1834–1835]), arkk. 9–10; DAOO, f. 6, op. 1, spr. 3299 (O rastorzhenii s zhenoiu kolonista kolonii Rashtadt Iozefa Gaaga, s Sofiei, braka [1834–1837]; DAOO, f. 6, op. 1, spr. 4141 (O rastorzhenii brakov kolonistov v techenii 1836 goda [1836]), arkk. 8–10; DAOO, f. 6, op. 1, spr. 7217 (O razvode kolonista Geinrikha Klassena s zhenoiu ego, Annoiu Marieiu, urozhdennoi Klat [1843]).

⁴² DAOO, f. 6, op. 1, spr. 1813 (Po otnosheniiu Gosudarstvennoi Iustits-kollegii lifliandskikh i estliandskikh del o ponuzhdenii Ekaterinoslavskoi Kontory k skoreishemu

On 28 July 1825, Ivan Inzov, the Chief Trustee, instructed the Ekaterinoslav Office to send the missing documents to Böttiger and report to the Trustees Committee about “the reasons for the non-delivery of the documents until now.”⁴³

On 21 August 1825, the members of the Ekaterinoslav Office sent their response to the Trustees Committee with an explanation for the delay. The missing documents were as follows: a certificate (*svidetel'stvo*) on the spouse's confession; suit money; money for stamped paper; and a precise certification (*udostoverenie*) of Stein's wife's place of residence. The commissioner Franz Kirschner, as a chief manager of the Mariupol and Berdiansk colonist districts, was instructed to reclaim from Stein “written acts and money.” On 16 June 1825, Kirschner sent the Ekaterinoslav Office a certificate showing the spouses' religious denomination, certification of Christina Stein's location abroad and the suit money, six roubles. The money for stamped paper, 10 roubles, was not delivered. The officials pointed out that in order to avoid further delay, all documents were sent to Böttiger by that time including 10 roubles from the Ekaterinoslav Office's own finances to be compensated by Stein. In the Ekaterinoslav Office's response, the delay in sending the missing documents was explained in the following way:

The slowness of sending money was partly due to the slow postal traffic between the places of Kirschner's stay in the Mariupol and the Berdiansk district boards and the Ekaterinoslav Office, the remoteness from a postal city and most importantly, the difficulty of collecting money from the Prussian colonists because of their general poverty.⁴⁴

The lack of required documents caused delays in the Justice Collegium proceedings in divorce cases. On 3 February 1825, the Justice Collegium prescribed Böttiger to deliver some missing documents. Only six months later, in August 1825, did the members of the Ekaterinoslav Office report about sending the required documents to the Justice Collegium. Following the paperwork of this case, the missing documents were later sent to the Ekaterinoslav Office with the exception for money for stamped paper to be collected from the Stein couple. Judging from the dates of outgoing and

dostavleniiu k superintendantu Bettigeru svedenii po brakorazvodnomu delu kolonista Shteina [1825]), arkk.1–1 ob.

⁴³ DAOO, f. 6, op. 1, spr. 1813, ark. 2.

⁴⁴ DAOO, f. 6, op. 1, spr. 1813, ark. 5–7.

incoming correspondence in the paperwork, the argument about the shortcomings of postal traffic seems doubtful.⁴⁵ Preparing divorce protocols of four female petitioners, Katharina Herzog, Maria Buchtel, Katharina Wiehe and Maria Huhn, before sending to the Justice Collegium for verdict, on 24 October 1819, Superintendent Karl Böttiger asked the Odessa Office for Foreign Settlers to supply him immediately with, first, the marriage certificates of these colonists, and, second, with written confirmations stating that no obstacles to divorce had been raised by the colonial authorities. The documentary completion of these divorce cases had been conducted during November–December 1819, which still was a relatively short time, compared to other cases.⁴⁶ The bureaucratization of the divorce procedure, enshrined in legal acts, was not matched by an adequate number of clerks to implement and secure it. This disproportion clearly became problematic. The human resources of the village and district boards remained the same as before, but their controlling functions were stretched significantly while the amount of paperwork increased.

The physical separation of spouses from “bed and board” was quite common among the colonists. The procedure of getting permission to separate was similar to that of divorce. Separation from “bed and board” was essentially sanctioned by an ecclesiastical court order from the Justice Collegium (later Consistory), meaning that the spouses were legally to live apart, but were still married. Usually it was implemented when one partner was emotionally, verbally, or physically abusive. Furthermore, in cases where children were involved, an order of legal separation often made temporary arrangements for the care, custody, and financial support of the children. Some couples obtained a legal separation as an alternative to divorce. Obviously, legal separation did not automatically lead to divorce. The couple might reconcile, in which case they did not have to do anything in order to continue their marriage. If they did not reconcile and wished to proceed with the divorce, they had to petition for it explicitly.

Considering Grunau colonist Henrich Klassen’s “cruel treatment” (unclear what this meant) of his wife Anna Maria, in September 1845, the St. Petersburg Evangelical Lutheran Consistory agreed to Anna Maria Klassen’s

⁴⁵ The Justice Collegium’s official letter (*otnoshenie*) dated 9 July 1825 (sent from St. Petersburg), was registered as ingoing correspondence in the Trustees Committee (placed in Kishinev) on 20 July 1825. The Ekaterinoslav Office’s response dated 21 August 1825, was registered in the Trustees Committee on 2 September 1825.

⁴⁶ DAOO, f. 252, op. 1, spr. 233 (Po otnosheniiu superintendanta Bettigera o vysylke emu svidetel’stv na razvod raznykh kolonistov s ikh zhenami [1819–1820]), arkk. 2–17.

suit and approved the couple's separation from "bed and board" for six months. It was also decided to convey their children to Anna, and make Henrich financially responsible for the support of Anna and the children during the time of separation. When the Mariupol district board brought the consistorial order to Henrich Klassen's knowledge, he disagreed with the verdict, accused the investigation of illegality and asked for the case to be reconsidered. The case was indeed returned to the Trustees Committee for reconsideration, yet there are no indications of whether the initial verdict was altered.⁴⁷

The analysis of the colonial paperwork discloses a normative marriage dissolution procedure that comprised two phases. The first phase, the colonial one, as I label it, was conducted on the local and regional levels and consisted of several stages. It started from a suit for divorce and ended with the regional colonial authorities' resolution, approving the divorce from the "colonial side" (*po chasti kolonial'noi/kolonistskoi*). Here, economic considerations, the interests of the State Treasury, and the credibility and reputation of the colonists predetermined the outcome. Then, the file on divorce, composed and updated by the clergy, was sent through the Trustees Committee to the Justice Collegium or, later, the respective Consistory. The second phase, that I call the ecclesiastical one, began when the Consistory started its proceedings and ended with the sending of its resolution to the colonial administration for its notification and implementation. Here, the Consistory judged the case from an ecclesiastical perspective. Through the overseers and the district and village boards, the Consistory's verdict became known to the colonists.

At the beginning of the nineteenth century, the legal recognition of colonist divorce as social practice was established. Pre-trial, pre-consistorial proceedings on divorces were officially sanctioned and became heavily bureaucratized. A range of actors, including village and district boards, were introduced into the pre-consistorial divorce proceedings of the colonists. The whole colonial administration on local and regional levels also became involved. In my opinion, the bureaucratization and routinization of the colonist marriage dissolution in the pre-consistorial phase was inevitable. Marriage in general and colonist marriage in particular was significant: it constituted a foundation for the political order and the bedrock of a successful colonization. Marriage was bound to the debts and financial duties

⁴⁷ DAOO, f. 6, op. 1, spr. 8284 (O semeinykh razborakh grunauskogo kolonista Genrikha Klassena s zhenoiu Annoiu Marieiu i o vremennom razvode ikh po semu sluchaiu [1846–1847]), arkk. 2–4 ob.

of the colonists, but was also central to the security of imperial rule and the imperial social order. State interests were embedded in the colonist marriages, and divorce was not to undermine or harm them. The regime's aspirations to deploy the institution of marriage as an instrument of imperial policy are well-known and brilliantly discussed by scholars. While intending to control marriage and divorce among the colonists, the state still lacked the actual means to do this. This is also the reason why the archival records on marriage dissolutions are surprisingly scanty. The difficulty in meeting the legal grounds for divorce, and the complex procedures involved, pushed the colonists to search for alternative ways out of unsuccessful marriages. Desertion became such an option, despite the range of challenges it posed for both the runaway spouse and the spouse who remained.

6.3. Causes of Marital Breakdowns. Deserting and Abandoned Spouses

The external influences on the institution of the colonist marriage were framed by the colonization project and its inherent rationality. But what were the internal dynamics within the colonist marriage, and what were the reasons for the unhappy or broken ones?

However notable the divorce statistics might be, more revealing still are the petitions, sworn statements, hearings, and depositions connected to divorce cases. As one might expect, these files are packed with obscure statements, half-truths and outright lies. The content of the documents was often contested by the other party and witnesses, and must be treated critically. Due to the guilt principle and adversarial procedure, a plaintiff had to demonstrate not only the guilt of the other spouse but also her/his own innocence. Different obstacles – legal, financial, personal, and social – made it difficult and even undesirable to seek the formal dissolution of a marriage. But marital problems no doubt existed. A marriage was threatened when the couple did not live together, or where one party or both broke the bonds of sexual fidelity. But people also sought divorce for reasons that fell outside the legal boundaries. In many life situations, the main target was not the divorce *per se* but the right to remarry. However, it has often proved difficult to establish the reasons behind divorce petitions. Most of the analysed cases discussed below are fragmented, with interrupted chains of events. If divorce was rejected or granted by the Consistory, or any other decision was taken, at least some evidence, in my opinion, might be found in the colonial archive. This assumption is grounded in the logic of the imperial governing of the

colonists and the legal relationships of the consistories and the vertical colonial power in the Northern Black Sea steppe.

In the eyes of the colonization project's architects, colonists were meant to cultivate and enhance the economic welfare of the colonies and the region. Being a decent and diligent householder, and maintaining and improving the farm ensured the fulfilment of this aim. Staying put at the place of residence was seen by the authorities as a vital pledge. The physical mobility of the colonists was therefore regulated by several legal acts. The colonists were strictly forbidden to leave their places of registry without permission from the local village authorities. Not living at the place of registry, regardless of the reasons why, was not only discouraged, but strictly forbidden. Actual practice was sometimes different. The disconnection between the places of registry and the actual places of residence caused a headache for the colonial officials. Measures of control were introduced, such as requirements concerning passports. In each colony, the village mayor was to fulfil police functions by counteracting vagrancy, removing from the colonies people without documents, and preventing cases of sheltering illegal residents.⁴⁸ All physical mobility among the colonists required the formal authorization of the village mayor.

A colonist wishing to leave the colony for some time for some reason was supposed to obtain an official farewell ticket (*uvol'nitel'nyi bilet*). Absences for a longer time period required a special passport authorized by the chairman of the village board. Before issuing such a passport, the chairman had to make sure that there were no hindrances to the colonist's absence during the time period in question, and that husbandry and cattle breeding would not suffer due to his/her absence. Only those colonists who were not indebted or facing trial were granted tickets and passports. Before receiving tickets and passports, colonists had to pay all taxes and tributes for the coming year. After a year, the colonists were supposed to renew their documents. On their return, they handed over their documents to the village boards. When immigrating, three-year tributes and all debts were required at once from the colonists, including the food money received at the time of settlement. The migration of colonists to other imperial provinces was permitted only with the permission of the Ministry of State Domains.⁴⁹

⁴⁸ "Instruktsiia [16 May 1801]," in *Nemtsy v istorii Rossii*, 124 (§ 42–44).

⁴⁹ "Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857]," in *Nemtsy v istorii Rossii*, 477–479. For more about the passport system in the colonies of foreigners in the Russian Empire, see Taisiia Malinovskaia, "Pasportnaia sistema v koloniiakh inostrantsev na

Starting from 1835, the passports of the colonists of the Northern Black Sea steppe and Bessarabia were issued by the overseers of the colonies.

Illegal absences nevertheless occurred. However, one should not confuse the escape (with no intention to return) with the “unauthorized absence” (*samovol'naiia otluchka*) lasting a certain period of time. In the legal practice of between 1800 and 1818, Olga Konovalova identifies the number of offences in the foreign colonies of the given region connected to illegal absence. Among the different offences of this category detected, most involved German colonists. Sixty-four of them were charged with deserting their colony, one with deserting from service, 19 with “unauthorized absences,” three with not having passports, and one with moving to another colony without proper authorization.⁵⁰ Of course, these findings mirror only the top of the mobility iceberg in the colonies of the Northern Black Sea region, those actually caught by the eyes and pens of the authorities.

If a colonist moved around without permission or with expired documents, the rules of “public order in the colonies” (*blagochinie v koloniiakh*) were broken. As stated by the Charter of the Foreigner’s Colonies in the Russian Empire of 1857, colonists absent without leave, or without valid passports, were treated as being without passports.⁵¹ Concerning the penalties for the respective offences, including breaking the rules of mobility, the imperial law was vague and supplemented with references to a variety of legal acts. That was, however, the general state of the imperial legislation. It mirrored autocratic legality, with a personalized authority and arbitrary officialdom as its backbone. In this period of time, the state officials, including the Chief Trustee of the colonists, had acquired relative freedom in interpreting the law and sometimes made willful decisions on legal matters.

Depending on the scale of offences, several sanctions could be applied to colonists who broke the “rules of public welfare and morality” (*pravila blagochiniia i npravstvennosti*). First, the wrongdoer was to be admonished by the village mayor and board. Second, the colonist could be sentenced to forced public labour. Finally, fines could be meted out, particularly in cases

territorii Rossiiskoi imperii (vtoraia polovina 18 – pervaiia polovina 19 veka),” in *Voprosy germanskoi istorii*, ed. Svetlana Bobyleva (Dnepropetrovsk: RIO DNU, 2009), 9–20.

⁵⁰ Olga Konovalova analyses the detected crimes and offences of several groups of foreign colonists between 1800 and 1818, documented in the colonial archive. They comprised German colonists, Mennonites, Swedes, Swiss, Bulgarians, Serbs, Montenegrins, and Jews, see Konovalova, “Kolonisty Iuga Rossii.”

⁵¹ “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 485.

of repeated offence.⁵² Forced public labour and fines were the most common penalties imposed on colonists for different offences and even crimes.

Desertion was the simplest way in the nineteenth century to break off a marriage that had gone sour. For many people, running away was a desperate act, but also the only way of escaping the problems in their family lives. One day, a husband or wife would simply leave home never to return. In the colonies, however, desertion was seen as a threefold misdemeanour: it harmed the running of the farm, it weakened the colonist community, and it could mean a loss for the State Treasury. In the nineteenth century, deserting colonists left behind everything they had – land and property – and tried to start anew somewhere else. Some runaways ended up settling in another parish; others would hide in the central or remote imperial provinces, others would emigrate. Colonists who deserted their spouses and perhaps lived with another partner were always at risk of being caught and transported back to their colony, even though the state had limited means of exercising actual power and very little means to search for and find missing spouses in the Black Sea steppe. Obviously, after some years of formal search such cases would usually remain unsolved and were simply closed.

Regardless of where the runaways settled, their next step would usually be to form a new and illegitimate union – a matter that could cause serious problems with religious and secular authorities, and at the same time would lead to the runaway's detection by the authorities. However, husbands and wives who had been deserted by their spouses and who wanted to create new, legitimate families also faced bureaucratic obstacles. They had to provide evidence that the missing spouse was either dead or impossible to locate. Searches for missing spouses were conducted in a centralized manner, a process that required much time and formidable human and financial resources. Those who were searching for their husbands or wives had to present their case to the consistory with a notice that briefly described the circumstances of the disappearance. They also had to describe the missing person's appearance and distinguishing features. However, spouses who informed the authorities about their missing partner did not always want to find their runaway husband or wife. More often they simply wanted to legitimize their new marriage, and that required official documents proving that their husband/wife was dead or could not be found. Sometimes members of the clergy or police would carry out their own searches for missing people

⁵² “Ustav o koloniiakh inostrantsev v Rossiiskoi imperii [1857],” in *Nemtsy v istorii Rossii*, 483.

with particular diligence, leading to minor or even major misunderstandings. For runaways seeking dissolution of their marriage, it was primarily about being able to remarry, not about divorce as such.

A spouse might be divorced from a missing partner if a search lasting a certain time period had no result. In the first decades of the nineteenth century, the procedure for searching in the Kherson province was as follows: Kherson Ecclesiastical Consistory approached the local Kherson provincial board with a request to find a missing spouse, and the board then contacted neighbouring boards with the same request. Then, each provincial board sent the request for actual fulfilment to the urban and rural police. The search for a missing person would not last for more than a year. If the missing person had not shown up by then, the case was considered closed. Missing spouses were listed together with other runaways and were searched for using the same procedure.

The search for missing spouses in divorce cases became legally specified by the middle of the nineteenth century, and procedurally separated from a search for other people. According to the imperial circular on 9 February 1846, when searching for a missing spouse on the instructions of the ecclesiastical authorities, based on a request from the abandoned spouse, the provincial board had to frame the search request separately from the rest of the proceedings on missing people. The search for a missing spouse had to be conducted by all provincial boards in the Russian empire. According to the circular:

The search in divorce cases must no longer follow a shortened procedure, due to its seriousness and the fact that clergy can be placed in a very difficult position if the missing person should show up after the divorce.⁵³

Both deserting and abandoned spouses consequently became a problem for the imperial government in general and for the local authorities in particular.

Without Material Support: Runaways and Exiles (Lutherans)

One of the reasons for divorce for Lutherans in the Russian empire was so-called “malicious abandonment.” By malicious abandonment the lawmaker meant a situation when one of the spouses abandoned the other and willfully abstained from returning. Interestingly enough, the change of a husband’s location was not considered as a malicious abandonment of a wife. The

⁵³ DAOO, f. 6, op. 4, spr. 19767 (Po otnosheniiu Khersonskogo gubernskogo pravleniia o rozyskanii lits po brakorazvodnym delam [1859]), ark. 1–1ob.

formulation “malicious abandonment” was a priori applied to and concerned mostly wives, since they were supposed to follow their husbands unconditionally. When it came to the husband, it was his obligation to bring his wife with him to a new location. If a husband refused to do so, the wife had a right to ask for divorce. If a wife left her husband without his consent or any legal reasons and then, despite her husband’s demands, refused to return to him, the husband could ask for divorce. A husband could also ask for divorce if his wife, returning from an “unauthorized absence,” did not provide reliable evidence of her “immaculate behaviour” (*neporochnoe povedenie*) during her absence.⁵⁴

Between January and June 1836, three colonist petitions on divorce became the subject of correspondence between the Trustees Committee, overseers, and the respective district boards.⁵⁵ The Klöstitz district board reported on 22 January 1836 that in 1831 Johann Grining, a colonist of Leipzig colony, had “secretly fled” and had still not reappeared. For this reason, his wife Carolina Wilhelmina Grining now asked for divorce. Ivan Inzov, the Chief Trustee of the colonists, ordered this request to be passed to the colonist pastor “for its proper consideration.” According to overseer Kotovich, the wedding certificate, and Carolina Grining’s petition and questioning were sent to the Evangelical Lutheran Consistory in St. Petersburg.⁵⁶ However, the outcome of this case remains unknown.

At the same time, the Klöstitz district board reported on 21 January 1836 on the intention of Adam Lang’s and Kristian Schwarz’s wives from Beresan colony to divorce their husbands. Both men had been convicted for crimes in 1833 and exiled to settlements in Siberia. Their wives were left with their children and faced problems running their households on their own. The women therefore sued for divorce from their husbands and the right to remarry. On 6 March 1836, the Trustees Committee agreed to the divorce of these colonist females and, most importantly, agreed to provide them with the right to remarry, with the reservation, “if the ecclesiastical authorities did not mind.”⁵⁷ On the question of remarriage, the Trustees Committee was guided by the Synod’s prescriptions allowing husbands and wives, left by their exiled spouses, to form new marriages, while declaring invalid their

⁵⁴ Maksimov, *Zakony o razvode*, 230.

⁵⁵ DAOO, f. 6, op. 1, spr. 4141 (O rastorzhenii brakov kolonistov v techenii 1836 goda [1836]). All three cases were sent to the Trustees Committee by the colonial overseers. Only resolutions and résumés of the cases are available in the collected file, under the label colonist divorces during 1836.

⁵⁶ DAOO, f. 6, op. 1, spr. 4141, arkk.1–1 ob.

⁵⁷ DAOO, f. 6, op. 1, spr. 4141, arkk. 3–7.

previous marriage, in case the exile later returned to his former place of residence.⁵⁸ Similarly, in 1834 the colonist female Juliana Lang was granted divorce from her husband Adam, who had been exiled to Siberia, and the right to remarry since “she could not manage running the farm without a husband.”⁵⁹

Colonial authorities approved the divorces of the above-mentioned colonist females due to the physical unavailability of husbands.⁶⁰ Exile to Siberia provided almost automatic grounds for divorce for Orthodox subjects as well, permitting the innocent spouse to remarry and requiring the offender to remain unmarried. The church referred variously to the need to prevent sexual incontinence and, in the case of females, to ensure that the innocent party would not be left without material support. In colonization realities, incomplete unions and the absence of one of the spouses were seen as particularly problematic, primarily from an economic perspective. Abandoned spouses were much less effective in running their farms alone, which in turn might affect debt repayments and the general economic development of the colony.

Abandonment of a Spouse or Incurable Disease? (Lutherans)

In his report from 9 June 1817, Benjamin Zehling, Lutheran Pastor of Molotschna colonies, informed the Ekaterinoslav Office about colonist Carl Ulrich’s request, expressed on 26 May, to secure the return his wife Margaretha (née Eichhorst), who had followed her parents to the Swedish colonies for residence.⁶¹ The Ekaterinoslav Office ordered overseer Vasiliï Gorbenko and the Molotschna colonist district board to return Margaretha

⁵⁸ “Sinodskii. O pozvolenii zhenam, ostavshimsia posle soslannykh v vechnuu slylku muzhei, s razresheniia Arkhiereev, vstupať v novyi brak [6 July, 1767],” in *PSZRI*, vol. 18 (1767–1769) (St. Petersburg, 1830), 170–171; “Sinodskii. O pozvolenii muzh’iam i zhenam, ostavshimsia posle soslannykh vechno na poselenie vstupať v drugie braki, i o nedeistvitel’nosti prav supruzhestva v sluchae vozvrashcheniia slyl’nykh na prezhnie zhilishcha [28 April 1804],” in *PSZRI*, vol. 28 (1804–1805) (St. Petersburg, 1830), 292–294.

⁵⁹ DAOO, f. 6, op. 1, spr. 3190 (O zhelanii kolonistki kolonii Berezina Iuliany Lang, muzh kotoroi soslan v Sibir’, vstupať v brak s drugim kolonistom [1834]), ark. 1–3 ob.

⁶⁰ DAOO, f. 6, op. 1, spr. 4141, arkk. 1–10.

⁶¹ DAOO, f. 6, op. 1, spr. 1093 (Delo o vysylke zashedshei v shvedskie kolonii zheny Molochanskogo vodvoreniiia kolonista Karla Ul’rikha Margarity dlia sovmesnogo s nim zhitel’stva [1817–1820]), arkk. 1–3. In the Russian translations of some documents of the file, Margaretha Ulrich appears as Elizaveta Ul’rikhova.

from the Swedish colonies to her husband.⁶² However, Margaretha did not appear at her place of registry.

On 2 October 1817, the Ekaterinoslav Office instructed the Molotschna colonist district board to conduct a careful investigation together with pastor Zehling in order to discover: when Margaretha followed her parents to the Swedish colonies, and if this had been agreed with her husband; the date of the couple's marriage; whether the spouses had a consenting life before Margaretha's departure; their reputations; and finally, potential reasons that might have pushed Margaretha to leave her husband and follow her father.⁶³

On 16 October 1817, Margaretha Ulrich, aged 22, was interrogated by the Schlangendorf village board on the reasons for her desertion. In the presence of overseer Gorbenko, a secretary, the district chairman and two *beisitzer* of the Swedish board, she stated:

Following her own will and with her father's blessing, Margaretha married Carl Ulrich in 1810. After six months of marital cohabitation with her husband, she became ill and suffered her husband's neglect [*prenebrezhenie*]. Margaretha resolved to leave him for her father, who resided in Rosental colony at that time. Thanks to her father's care and the local physician Karl Schulze, she was cured in two months. Afterwards she lived with her husband for three years in Rosental colony. Carl Ulrich, being in the service of local Mennonites, insisted on divorcing her, for no obvious reasons. During that time, Margaretha lived in her father's house and was financially maintained by him. In 1815, when her father decided to move from Rosental to Schlangendorf colony, she also received permission from overseer to join him. At that time, her husband Ulrich insisted on Margaretha following her father to the Swedish colonies, since he himself claimed that he would do his best to join the Swedish colony. Afterwards, she did not hear anything more about her husband's intention to move to the Swedish colonies.⁶⁴

On the same day, Johann Eichhorst, Margaretha's father, was questioned on the reasons for "his keeping a married daughter" at home. During the interrogation, he pointed out that his daughter had lived a harmonious life (*soglasnaia zhizn'*) with her husband Carl Ulrich for six months after marriage, until she became ill. Observing Carl's "neglect" of his daughter, Eichhorst could do nothing but take care of her himself during her illness. After two months, she finally recovered. As Eichhorst claimed, Carl Ulrich had no reason to leave his daughter with him, while Carl Ulrich himself

⁶² DAOO, f. 6, op. 1, spr. 1093, arkk. 6–6 ob.

⁶³ DAOO, f. 6, op. 1, spr. 1093, ark. 14.

⁶⁴ DAOO, f. 6, op. 1, spr. 1093, arkk. 9–10.

“wandered for wage labour around the colonies [*shatalsia v zarabotkakh po tamoshnim koloniiam*].” After a while, Johann Eichhorst claimed, Carl Ulrich started to slander his wife and insisted on divorce. In this situation, Johann Eichhorst took his daughter with him to the Swedish colonies, with permission from the local authorities.⁶⁵ Six male Schlangendorf colonists, neighbours of Johann Eichhorst, confirmed under oath that “Elisabeth Ulrich lives a decent life and was not known for any bad deeds [*ni v kakikh khudykh delakh nikogda ne zamechena*].”⁶⁶ Carl Ulrich was, it seems, not questioned during this investigation; at least there is no such evidence in the file.

Six months later, in March 1819, the Ekaterinoslav Office ordered the interrogation of Karlsruhe colonist Carl Ulrich about his wife’s desertion and the breakdown of his marriage. During the questioning, Carl confirmed that he had renounced his wife in 1816 because of her willful desertion. According to Carl, the reason for the discord with his wife Margaretha and his parents-in-law was based on his refusal to move to the Swedish colonies with his father-in-law. Subsequently, Carl maintained, Margaretha willfully deserted him and then fell ill. For these reasons, Carl had insisted on divorce.

On 27 May 1819, pastor Zehling reported to the Molotschna district board that the attempts at reconciliation had been fruitless. During the reconciliation talks in the Lutheran church in Alt-Schwedendorf, Margaretha had agreed to reunite with her husband if he did not object. Carl Ulrich was informed about the goodwill of his wife and was given six hours for reflection. However, when Zehling asked for his decision, Carl remained uncompromising and maintained that “he could not take back his deserted wife since he did not love her anymore and wanted to continue his life without this burden.” Eventually, both spouses agreed on divorce.⁶⁷

However, the matter did not end there. On 23 June 1819, the Molotschna colonist district board⁶⁸ reported on the fruitlessness of Margaretha and Carl Ulrich’s reconciliation. Having lived separately from his wife for nine years, Carl Ulrich insisted on divorce. But now he advanced a new reason. He told Zehling that due to his wife’s venereal disease, he did not dare to continue

⁶⁵ DAOO, f. 6, op. 1, spr. 1093, arkk. 11–12.

⁶⁶ DAOO, f. 6, op. 1, spr. 1093, ark. 13.

⁶⁷ DAOO, f. 6, op. 1, spr. 1093, arkk. 21–22.

⁶⁸ The Molotschna colonist district, to the north and northwest of the city of Melitopol of Tavria province, comprised “German” colonies, Lutheran and Roman Catholic ones. The village of Prischib was the centre of the district. There was also Molotschna Mennonite district which included the colonies of Mennonites along the Molochna River on the territory of the Berdiansk county of Tavria province.

marital cohabitation with her for fear of being infected. Eventually, on 12 September 1819 Andrei Fadeev, the Chief Trustee of the colonists, concluded:

...if no possibility has been found to induce the spouses to reconcile, pastor Zehling should make a proper presentation of a divorce case to the higher ecclesiastical authorities for their proper conclusion and resolution.⁶⁹

By this formulation, Andrei Fadeev officially approved the divorce of the couple Ulrich. However, from the correspondence of the Molotschna and Swedish district boards it became known that when Carl Ulrich died in 1820, the divorce had not yet been finalized.⁷⁰

The husband's lack of love and the claimed, but not proved, venereal disease of the wife did not in fact constitute legal grounds for divorce. Still, the colonial authorities were clearly not keen to uphold this marriage since it lacked a viable material base and had no connection to matters of land or property. Also, the couple had no children. Due to Carl Ulrich's lack of both land and farmstead, in the eyes of the colonial administration this marriage had a rather doubtful value.

A Promised Land? (Roman Catholics)

In the nineteenth century, military service, fairs, marketplaces, and labour migration contributed to an increase in geographical mobility which could favour exchanges of different ideas and experiences. Women, who for different reasons earned their own wages, were more inclined to subjectivity and a certain autonomy. So why did some colonist women desert their husbands?

In May 1860, lieutenant Chirkov conducted a statistical description of Nikopol town.⁷¹ It was a small town on the right bank of the Dnipro River, about 100 km south-west of Ekaterinoslav, and about 200 km from Kherson. He concluded his description with an observation of the characteristics of the Nikopol dwellers:

⁶⁹ DAOO, f. 6, op. 1, spr. 1093, ark. 20.

⁷⁰ DAOO, f. 6, op. 1, spr. 1093, arkk. 26–27.

⁷¹ According to Chirkov, on 1 May 1860, the population of the city of Nikopol on the right bank of Dnipro River was about 7, 329 people of both sexes, see I. Antsyshkin, "Opys mistechka Nikopolia 1860 roku," in *Zapysky naukovo-doslidnoi laboratorii istorii Pivdennoi Ukrainy Zaporiz'koho derzhavnoho universytetu: Pivdenna Ukraina 18–19 stolittia*, vyp. 7 (Zaporozhzhia: "Tandem-U," 2003), 148.

In order to describe their [meaning Nikopol dwellers] characteristics in full, one should say that they are gentle, modest and well-behaved. That courageous prowess (*otvazhnaia udal'*), under which influence all lower-class urban women and girls of Kherson and Aleshki⁷² are – this has not yet reached Nikopol. And, God save, that these unfortunate features will ever penetrate and catch on in Nikopol. Let them remain illiterate and not needlewomen, let them stay simple housewives, and remain the same modest, religious and honest people as they are now. And for that, God forbid that in Nikopol should be built even a single wool-washing factory, because those led Kherson and Aleshki women to such a pernicious and immoral state in which, to the soulful affliction of humanity, they are now.⁷³

The appearance of the wool-washing factories in Kherson and Aleshki, lieutenant Chirkov viewed as a phenomenon negatively affecting local women and their morality, and engendering debauchery. The erection of factories created employment for local women, some liberation from their household microcosm, and helped females to develop their own self-sufficiency. Those factories were therefore seen as a threat to patriarchal values, something that deeply disturbed Chirkov.

The issue of female morality, decency and reputation came up in many cases regarding deserting wives. The file on Mannheim colonist Martin Wolf's request about retrieving his wife Elisabeth from the city of Nikolaev for their mutual cohabitation suggests that a wife who left her husband and her legal place of registry was classified as leading an "indecent life" (*neprilichnaia zhizn'*), mainly due to her voluntary abandonment of her husband and being on her own in another city than her place of registry.⁷⁴ This did not conform to the social conventions of that time, according to which a wife should stay with her husband and/or follow him everywhere. Accordingly, Martin Wolf's petition was taken seriously. On 9 July 1834, the executant of the visitor of the Roman Catholic Church requested the Trustees Committee to deport Elisabeth Wolf from Nikolaev and return her to her husband for marital cohabitation. The Trustees Committee ordered that if indeed colonist female Elisabeth "is in Nikolaev and leads an indecent life there," the local police should be contacted regarding her deportation back to the Mannheim colony, her place of registered residence.⁷⁵

⁷² Currently, Aleshki is a Russian town in the Voronezh region of the Russian Federation.

⁷³ Antsyshkin, "Opys mistechka Nikopolia," 149.

⁷⁴ DAOO, f. 6, op. 1, spr. 3161 (Po pros'be Mangeimskogo kolonista Martina Vol'fa o vysylke zheny ego Elizavety iz goroda Nikolaeva dlia sovmesnogo zhitel'stva [1834]), arkk. 1–2. This file is a copy of the original document.

⁷⁵ DAOO, f. 6, op. 1, spr. 3161, arkk. 1–2.

However, colonist communities could also use their power of enforcement to exclude a colonist who, in their view, was guilty of bad behaviour and had breached the colonist moral code. In 1836, this happened to the colonist maiden Frederika Wurst, who came to Russia as a servant in the family of Andreas Biehlmeier. From 1831 she had resided in Odessa illegally, without a valid passport, and had “behaved viciously [*vesti porochnoe povedenie*],” the village assembly maintained. According to the Hoffnungstal village assembly, she had not changed her behaviour despite receiving warnings. Therefore, the 51 householders decided to exclude her from the colonist community of Hoffnungstal.⁷⁶

High mobility and free employment opportunities for females in the Northern Black Sea cities, the impact of secular values and attitudes, and weakening religious observance and social control (anomie), situationally created a space for women’s emancipation. At the same time, they accelerated the erosion of patriarchal values and perhaps increased the number of broken marriages.

A Business Woman (Lutherans)

In some cases the desertion of a wife was linked to her having extramarital sexual relationships and illegitimate children. On 9 April 1831, the Bessarabian Office for Foreign Settlers notified the Kishinev Military Hospital Office about Michael Gesske, a colonist of Leibniz colony, who, when in Kishinev on a business trip, spotted his escaped wife Eva Rosina. She had deserted him four years previously. Having spotted his wife, Michael followed her and watched her enter the military hospital. During the following proceedings, hospital servants testified that Eva Rosina worked in the hospital as a laundress, under the false name Christina. The Trustees Committee asked the Kishinev Military Hospital to send her back as soon as possible “to act with her in accordance with the law on runaways and her residing in Kishinev without written permission.” In its appeal to the Military Hospital Office, the Trustees Committee emphasized that Eva Rosina was not *simply a woman, but a colonist female*.⁷⁷ In this way, the Trustees Committee

⁷⁶ DAOO, f. 6, op. 1, spr. 4185 (Po pros’be gofnungstal’skogo obshchestva ob iskluchenii iz sosloviia onogo kolonistku Frideriku Vurst za ee razvratnoe povedenie [1836]), arkk. 1–5 ob.

⁷⁷ DAOO, f. 6, op. 1, spr. 2660 (Ob otyskanii zheny kolonista kolonii Leiptsig Mikhaelia Ershke Rosiny i vysylke ee v kolonii na mesto zhitel’stva, a ravno i o vzyskanii s sei kolonii 68 rub. 6 kop. deneg na udovletvorenie riadovogo Ermina na prokormlenie ee mladentsa [1831–1833]), arkk. 2–3.

underlined her social belonging and the power the colonist authorities had over her.

On 10 April 1831, the overseer of the Kishinev Military Hospital Office reported to the Trustees Committee that the laundress Christina had been delivered to the Trustees Committee for interrogation. During the questioning⁷⁸ on 10 April 1831, Leibniz colonist Eva Rosina Gesske, née Kun, confirmed that she had left her husband four years previously without written permission or her husband's consent. She justified her desertion claiming that her husband was a bad provider, and often left her without food. Having arrived in Kishinev, she first worked as a domestic servant, and later in the Kishinev Military Hospital. When her husband found out about her work in the hospital, he went there and ordered her to follow him back to the colony. Eva Rosina told her husband that she could not follow him at that time, since she had not received her salary of 27 roubles 70 kopecks, and owed a debt of seven roubles 60 kopecks to a soldier's wife for the sustenance of her eight-month son Johann, whom she had begotten with a "German foreigner." Eva Rosina asked her husband to be allowed to postpone her return to the colony until she had received her salary.⁷⁹

After questioning, the Trustees Committee approached the Kishinev Military Hospital with the request to pay Eva Rosina's salary and send the money to the Bessarabian Office. During April–September 1831, a long correspondence between the Trustees Committee, the Kishinev Military Hospital, the Bessarabian Office and the Kliastitz district board regarding the money transfer evolved. Eventually, Eva Rosina received her salary in full via the Kliastitz district board.⁸⁰

However, the matter was not over. On 15 February 1832, the Trustees Committee reported to the Bessarabian Office that Joann Ermin, a soldier of Kishinev garrison battalion, had come to the Trustees Committee claiming that the laundress Eva Rosina Gesske had left her son in December 1830 to be nursed by his wife under the condition of paying his wife two silver roubles per month. Since August 1831, Gesske had not shown up, and thus left the child to be provided for by the soldier. Ermin asked the Trustees Committee to find Gesske in order to return the child to her and be reimbursed for the money spent on food. Ivan Inzov, the Chief Trustee, ordered to "encourage them [the Gesske couple] to take care of the child and to pay for the child's

⁷⁸ From the paperwork of the file, it is unknown who wrote Eva Rosina's statements. The signature of Eva Rosina at the end of the statement is also missing.

⁷⁹ DAOO, f. 6, op. 1, spr. 2660, arkk. 4–6.

⁸⁰ DAOO, f. 6, op. 1, spr. 2660, arkk. 7–23.

upkeep.”⁸¹ On 4 March 1832, the colonial members of the Bessarabian Office reported to the Trustees Committee that Eva Rosina had been encouraged to take back her son from the soldier Joann Ermin and repay her debt. Eva Rosina took 68 roubles 6 kopecks to the Kliastiz district board to be further transferred to Joann Ermin. The Bessarabian Office also reported about Eva Rosina’s illness, claiming that as soon as she recovered she would go to Kishinev to take back her son.⁸² On 27 January 1833, the Bessarabian Office was notified that Joann Ermin had received the money.⁸³

Eva Rosina appears to have been a self-sufficient and enterprising person. According to her, it was the poor economic conditions of her married life that pushed her to desert her husband. Eva Rosina succeeded in finding a job in Kishinev and earned good wages. Meanwhile, she engaged in extramarital sexual relations and had a child. Relying only on herself, she managed to resolve the situation so that she would continue working and receiving wages. Eva Rosina hired a soldier’s wife as a wet nurse for her son. However, she was accidentally spotted by her husband and eventually returned to him. It is difficult to know whether Eva Rosina had any previous intention to return to her legal husband.

There is no evidence suggesting that any sanctions were applied to Eva Rosina for infidelity and her illegally begotten child. According to imperial civil law, an illegitimate child was a child born out of wedlock, born as a result of adultery, born in a relationship that according to the verdict of spiritual court was invalid. Illegitimate children had no rights to anything belonging to the father, including property, estate, social class, and name. They remained in the estate of their mother. However, the father of an illegitimate child had to provide for the child’s maintenance. The status of illegitimacy was assigned to a person for life. A child could become legitimate if the parents eventually married.⁸⁴ In this case, Eva Rosina’s son was born as a result of a voluntary sexual relationship between her, a married female, and a male who was not her spouse. Still, no legal proceedings against her seem to have followed. We have no clear evidence why, but there is a possibility that Eva Rosina’s legal husband accepted the child as his. For the colonist community, the return of Eva Rosina might have meant that the household became more economically viable.

⁸¹ DAOO, f. 6, op. 1, spr. 2660, arkk. 24–25.

⁸² DAOO, f. 6, op. 1, spr. 2660, ark. 26.

⁸³ DAOO, f. 6, op. 1, spr. 2660, ark. 30.

⁸⁴ “Svod zakonov grazhdanskikh. Book 1. Section 1. O soiuzе brachnom,” in *SZRI*, vol. 10, part 1 (St. Petersburg, 1900), 14–16.

Networking and Solidarity (Roman Catholics)

The file about runaway Sofina Meinradt, a colonist female from Jamburg, starts on 5 April 1812 with a notation, of unknown origin, claiming that Melchior Meinradt, a Catholic colonist of Josephstal colony, had informed the Guardianship Office about his wife Sofina's desertion on 3 April, around 6 o'clock in the morning. Sofina took with her 26 roubles and some clothing. It was rumoured that she had travelled to Ekaterinoslav. Portraying himself as a desperate husband, Melchior asked the Guardianship Office to find her. On 5 April 1812, Ivan Inzov, the Chief Trustee, ordered that the Ekaterinoslav city police be notified about this incident, and had them search for Sofina, and if she was found, she was to be delivered to the Guardianship Office.⁸⁵ Eventually Sofina appeared in the Guardianship Office for interrogation. She submitted a ticket bought from Praskov'ia Seliverstova, wife of a clerk at the Ekaterinoslav land office, on 8 June 1809 with a stamp of the Ekaterinoslav land office. The subsequent interrogation clarified the details of this episode.

Sofina, a Roman Catholic, aged 28, and literate, was born in Prussia. She had been married to Melchior Meinradt for nine years and had two children with him, who had subsequently died. In 1804 she and her husband immigrated to the outskirts of St. Petersburg. In February 1812, they arrived in Jamburg colony, south of Ekaterinoslav. There she got to know the family of Phillip and Catharina Fheifer. Sofina visited them often and eventually they became close friends. After hearing Sofina's complaints about her husband's unfair punishments and curses, and her stepchildren's taunts, Catharina Fheifer encouraged Sofina to desert her husband and go to Ekaterinoslav. She also asked her mother to procure documents for Sofina. Eventually, Sofina agreed to escape. Phillip Fheifer in his turn assisted Sofina in travelling to Ekaterinoslav.

With the help of Catharina Fheifer's advice and her mother's network, Sofina eventually met Praskov'ia Seliverstova. The latter sold a counterfeit ticket to Sofina for 20 roubles that allowed her to travel freely throughout the entire Russian empire under the name of Praskov'ia Seliverstova. With the ticket in hand, Sofina decided go to the city of Novomoskovsk by the Dnipro

⁸⁵ DAOO, f. 6, op. 1, spr. 597 (O bezhavshei iz Iamburgskoi kolonii kolonistki Sofiny Meinrad s uneseniem ot muzha deneg i veshchei; o rozyske ee i o predstavlenii eu kuplennogo u zheny sluzhashchego v mezhevoi kontore kantseliarista Seliverstova – Praskov'i Alekseevoi na takovoi pobeg bilet [1812]), ark. 1. The major part of this file was (re)written by someone in the Guardianship Office, though the authorship is not indicated. The file also contains copies of the original documents.

River in order to find work. On the way from Ekaterinoslav to Novomoskovsk, she hesitated to proceed further because she feared being arrested carrying a counterfeit ticket. Being afraid of her husband and not daring to come home, she went into hiding in the steppe for one and a half days.

On 5 April 1812, Sofina met a male acquaintance, whose name she claimed she did not remember, in the Ekaterinoslav cloth factory and stayed with him for two days. On 7 April, she appeared in the Guardianship Office, where she was instructed to come back with her documents the following day for questioning.⁸⁶ On 15 April 1812, Ivan Inzov notified Melchior Meinrad and the Ekaterinoslav city police that Sofina had been found. According to the guarantee voucher (*poruchitel'naia podpiska*) enclosed in the file, Sofina who was “under suspicion” was accepted for residency in the colony and was bailed out by the colonists until the end of the proceedings.⁸⁷

According to Sofina Meinrad, the main reasons for her desertion were her husband's hostility and the animosity of her stepchildren. Sofina received not only emotional support, but also real help from the Fheifer family, who, through their networking, helped her to obtain a false ticket allowing her to move freely within the empire. However, Sofina got cold feet and returned to her place of residence.

Leaving in a Safe Hands (Roman Catholics)

In July 1817, the widow Anna Emrich asked Vasiliï Devel'deev, the overseer of Josephstal, for permission to marry colonist Johann Gerschfelt, on the understanding that he would join her in running her farm and bringing up her five children from two previous marriages. According to the overseer's observations, Anna seemed to be in a hurry and asked him to meet her request as soon as possible, so that she could marry Johann before the end of harvest. Overseer Devel'deev initiated a gathering of the board's mayors (*prikaznykh starshin*) and the village assembly to consider Anna's request regarding partitioning the farm in the future and ensuring her children from the first two marriages received part of the farm and certain property in the case children were born in the new marriage with Gerschfelt. A written commitment between Anna and Johann clearly articulated and guaranteed the rights of her children from previous marriages, ensuring they would receive shares of the farm and property in the future. Eventually Anna and Johann were married.

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⁸⁶ DAOO, f. 6, op. 1, spr. 597, arkk. 3–7.

⁸⁷ DAOO, f. 6, op. 1, spr. 597, ark. 11.

Shortly thereafter, in October 1817, Johann Gerschfelt informed Devel'deev that his wife had disappeared in the Sunday market in Ekaterinoslav. After searching and waiting for his wife in the market all day, late in the evening Johann went home. Suspecting a quarrel between spouses as a possible reason for Anna's disappearance, Devel'deev questioned Johann in detail about their trip to Ekaterinoslav and about the people the couple had talked to that day. Since Anna was a healer and had been curing people in the neighbourhood, at first it was thought that she had gone to provide some treatment. But she remained missing for more than a month, and, according to Johann, all the belongings she had kept in a chest were also missing. So the overseer assumed that she had indeed deserted and reported the incident to the Guardianship Office, pointing out that Anna's children and farm remained under Johann's supervision.⁸⁸

In December 1817, Andrei Fadeev notified the Ekaterinoslav city police about the missing colonist female and requested that she be sent back to Josephstal colony if she appeared in the city. In order to try to find out about the incident, Fadeev ordered the interrogation of the people in the Ekaterinoslav city market about Anna's disappearance. On 20 December 1817 the Ekaterinoslav city police reported to the Trustees Committee that she could not be found.⁸⁹ If the overseer's assumption was right and Anna was indeed in a hurry to get married, then this case suggests a long-planned escape. Anna's motives for desertion remain unclear, yet it seems that Anna aimed to use her new husband Johann Gerschfelt as a custodian for her children and as supervisor of her farm and property until her children reach adulthood. The search for Anna, however, remained unsuccessful.

When Things Did Not Go as Expected (Roman Catholics)

As mentioned previously, during 1812 and 1813 the Jamburg priest Thomas Majewski, in collaboration with overseer Dalke, was quite efficient in revealing illegal sexual relationships between married colonists. In July 1812, Majewski reported to the Guardianship Office about Johann (Friedrich)⁹⁰ Becker's situation with his wife Anna Dorothea Becker. Shortly after their marriage in 1803, she had left him "without any reason" for Joseph Wild, with

⁸⁸ DAOO, f. 6, op. 1, spr. 1133 (Po raportu smotritelja Devel'deeva o neizvestno gde devavsheisia zhene rybal'skogo kolonista Iogana Gershvel'ta – Anne, kotoraja byla s nim v gorode Ekaterinoslave na bazare [1817]), ark.1.

⁸⁹ DAOO, f. 6, op. 1, spr. 1133, arkk. 2–3, 4, 6.

⁹⁰ In one file (DAOO, f. 6, op. 1, spr. 616) colonist Becker appears as Johann, in another (DAOO, f. 6, op. 1, spr. 767) as Friedrich.

whom she eventually had two children and was presently pregnant with a third. Majewski emphasized that during his last visit to the colony of Schlangendorf in 1810, he had “fined both adulterers” and prohibited their out of wedlock relationship. Still, the priest claimed, they had disobeyed and instead had showered him with insults.

In October 1812, the Guardianship Office issued guidelines for this case. Dalke was instructed to investigate the conflict, and if the claims of the priest were validated, to separate Anna Dorothea from her “seducer” Wild and to ensure that she “give in full obedience to her husband Becker with the strictest suggestion and compliance with the duties of the wife.” Both Anna Dorothea Becker and Joseph Wild were supposed to be punished for their illegal relationship. If any of the Becker’s joint property was found in Wild’s possession, it should be repossessed. The Guardianship Office induced the colonist society and village board to decide “to whom the children allegedly begotten with Wild should belong to now.”⁹¹

In November 1813, overseer Dalke reported to the Guardianship Office about a petition handed in by Anna Dorothea Becker. In this she acknowledged that she had not lived with her husband for several years due to his bad behaviour and laziness. She accused him of being a bad householder, who, in her opinion, deserved to be excluded from the colonist community. Anna Dorothea said that she had come to Russia nine years previously with her parents. She claimed to have been forced by her parents to marry Becker. Yet “due to a lack of attachment to each other,” they managed to live together for only three months. Among the reasons for the unhappiness of their marriage, she mentioned her husband’s wasteful way of life, and his squandering of property purchased by her. He also accused her of infidelity, yet Becker himself had love affair with another woman, Anna Dorothea claimed. Six years previously, Becker had lost the responsibility for running the farm until he mended his ways, something that had not yet happened. In her turn, Anna Dorothea acknowledged that she had had two children illegally with another man. In her petition she asked for either divorce or a passport to join the Odessa colonists. The colonist society of Schlangendorf supported Anna Dorothea’s petition and collectively asked the Guardianship Office to exclude Becker from membership of the colonist community, since,

⁹¹ DAOO, f. 6, op. 1, spr. 616 (Po prosheniiu patera Maevskogo o raspushchennoi zhizni shvedskoi kolonistki Dorotei Bekerovoi s tamoshnim kolonistom Iozefom Vil’dom [1812]), arkk. 1–1 ob.

according to it, all the efforts undertaken to influence Becker had been in vain.⁹²

The file also contains references to the law regarding the circumstances when a colonist could be excluded from a colonist status. Still, on 19 January 1814, Ivan Lanov, a chief deputy of the Chief Guardian, suggested that both of the spouses should be sentenced to perform public work and asked the colonist community society to impose it.⁹³ Perhaps surprisingly, acknowledging the Guardianship Office's decision in the case, the Schlangendorf colonist society agreed, claiming that colonist Becker deserved one month of public work due to his negligence and disobedience, whereas Anna Dorothea should be subjected to 14 days of public work due to her stubbornness.⁹⁴

Not accepting this verdict, and having understood that no divorce would be granted, Anna Dorothea Becker deserted. Together with her lover Wild and their daughter Anna, she was later found near Rastadt colony by the overseer of the Beresan district, who decided to send them back. However, they managed to escape once again close to the Bulgarian colony Kubanka.⁹⁵ A new search was started, but it remains unknown whether the deserters were ever found.

The Guardianship Office allocated the responsibility for their dysfunctional marriage and household to both spouses. Still, it was Anna who actually deserted, not Johann (Friedrich), which suggests that things were not entirely black or white in their relationship. Priest Majewski did not mention Johann's alleged illegal relationship, but acknowledged Anna's. Why did the colonist society change its opinion about Becker so radically, from exclusion from the colonist status to public work? Did they not know about Anna Dorothea's illegal sexual relationship? Exclusion from colonist status was a most radical measure, and usually applied only in extreme cases of so-called "depraved behaviour" when other measures had proved in vain. However, the exclusion of one of the spouses did not lead to the exclusion of the whole family from colonist status, and could instead lead to the spouses' separation. Probably, Johann (Friedrich) did not meet the colonist society's expectations of a proper householder, which made them side with Anna Dorothea.

⁹² DAOO, f. 6, op. 1, spr. 767 (Po raportu smotritel'ia shvedskikh kolonii Dal'ki o khudykh postupkakh i lennosti shlangendorfskogo kolonista Fridrikha Bekkera [1813–1814]), arkk. 1, 3–4, 5–5ob.

⁹³ DAOO, f. 6, op. 1, spr. 767, arkk. 7–8 ob.

⁹⁴ DAOO, f. 6, op. 1, spr. 767, ark. 10.

⁹⁵ DAOO, f. 6, op. 1, spr. 881 (Delo o sbezhavshikh iz kolonii kolonistakh s semeistvami i bez onykh v neizvesnom napravlenii [1814–1815]), arkk. 30–30 ob.

However, her emphasis in her petition on Becker's wastefulness and bad householding did not bring the desired result.

This case illustrates the different considerations of the parties involved in the marriage of a couple, and the process of its assessment. Johann (Friedrich) Becker asked the priest Majewski to effectuate the return of his cheating wife. Majewski signalled that illegal sexual relations of a married colonist female could not be tolerated, and should be penalized. The colonist society was primarily concerned with the dysfunctionality of the Becker household and the bad management of the farm. The Guardianship Office seems to have assumed a bridging role. Anna Dorothea's emphasis on her husband's bad performance as a farmer and householder was clearly in accordance with the colonist community's rationality: what the colony needed most was stable and efficient farm households. The other reasons for divorce listed by Anna Dorothea seems to have been directed more to the religious authorities, especially her claims about the involuntary nature of the marriage and her husband's infidelity.

No Wife – Great Disadvantage (Roman Catholics)

In July 1816, Jacob Vogel, a Catholic colonist of Molotschna, petitioned⁹⁶ the Guardianship Office claiming that his wife Carolina had been abducted by her cohabitant, a man named Joseph, and taken to the Crimean city of Feodosia. Jacob Vogel emphasized that it was the same man his wife had already cohabited with for a while, before she had been forcibly returned to him (meaning the husband). He asked the Guardianship Office to investigate and requested the eventual deportation of his wife to her legal place of registry.

On 19 July 1816, the Guardianship Office asked the Feodosian city police to search for Carolina. If she was found, she should be detained in custody in Ekaterinoslav and then sent back to her husband. The "foreigner" Joseph's abduction and illegal concealment of a married woman was qualified by the Guardianship Office as an action that

...breaks the state law and is harmful to the State Treasury, because the colonist Vogel, having a state debt, experiences the decay of his farm due to

⁹⁶ It is unclear who composed and wrote the petition, but it was written in German. The petition was received by the Guardianship Office on 3 July 1816, see DAOO, f. 6, op. 1, spr. 1068 (Po prosheniiu molochanskogo kolonista Fogelia o vysylke uvezennoi feodosiiskim kolonistom zheny ego v gorod Feodosiiu [1816]), ark. 3.

his wife's willfulness that may result in his incapability of repaying his state debt.⁹⁷

The Guardianship Office asked the city police to deal with the foreigner Joseph. However, on 17 August 1816, Brandt, the chief of the Feodosian city police, reported to the Guardianship Office that neither Carolina Vogel nor the foreigner Joseph had been found.⁹⁸

Colonist Jacob Vogel represented the absence of his wife as her abduction by another man. In this way, he discursively deprived Carolina of responsibility for her desertion. At the same time, Jacob Vogel acknowledged that he was aware of his wife's illegal cohabitation with another man. The Guardianship Office, however, was primarily concerned that Carolina's alleged willfulness could result in economic losses. Discursively, Vogel put all the responsibility for his wife's desertion on the foreigner Joseph. Vogel wanted the seducer of his wife to be punished. The Guardianship Office qualified foreigner Joseph's action almost as an offence against the state. Joseph was already seen as guilty. The Guardianship Office took colonist Vogel's side and rhetorically connected Vogel's family disintegration with potential economic losses and a threat to the state interest, since the absence of the wife would inevitably lessen the productivity of the farm.

In the absence of Carolina and Joseph, the trial dragged on for years. Eventually Jacob Vogel asked to be divorced from his wife. Six years later, in 1824, Vogel's claim had not yet been satisfied, but the Ekaterinoslav Office instructed the Molotschna district board to once again conduct a proper investigation and to reveal all the circumstances about Vogel's marriage, such as the number of children, when and under what circumstances his wife had left him, what her reputation was in the colony etc.⁹⁹ The result remained unknown.

To conclude, escapes, abandonment, and desertion had certain connotations in respect to women. Concerning physical mobility, males were perceived as the driving force, and females as satellites. A wife was supposed to follow her husband. If not, she could be accused of abandonment and/or disobedience. The five colonist women investigated had different reasons for their escapes. Eva Rosina Gesske deserted her husband because of the claimed poor economic situation within the marriage. Being an enterprising person,

⁹⁷ DAOO, f. 6, op. 1, spr. 1068, ark. 2.

⁹⁸ DAOO, f. 6, op. 1, spr. 1068, ark. 5.

⁹⁹ DADO, f. 134, op. 1, spr. 757 (Delo o rastorzhenii braka Kist Luizy s muzhem kolonistom Vil'geuskim Andreem [1825]), arkk. 97–98 ob.

she succeeded in obtaining work in the Kishinev Military Hospital. Living in Kishinev on her own she committed adultery and had a child. She was returned to her husband with her illegally begotten child. However, it remains unknown whether any sanctions were ever applied to Eva Rosina for committing adultery. Sofina Meinradt deserted because of her husband's claimed hostility, and the very bad relations with her stepchildren. Despite the help she received in planning and carrying out her desertion, she returned to her husband due to fear and insecurity. Anna Emrich's reasons to escape remain unclear, but the act seems to have been well-planned. Carolina Vogel's escapes were connected to another man and their illegal relationship. After her final escape to the Crimean Peninsula, she was never found again. Carolina's escape was represented as a matter between males: her husband, her lover, and the colonial authorities. Only in the case of Carolina Vogel was the desertion of the wife discursively connected to economic loss, necessarily suffered by the abandoned husband and the State Treasury. The women in these cases either returned to their legal places of registry of their own accord or were brought back unwillingly, but generally their desertion and abandonment did not invoke suits for divorce, except in the case of Jacob Vogel, whose wife was never found. Anna Dorothea Becker's double escape was of a different character and could be viewed as a reaction to the unexpected decision of the Guardianship Office, which neither took her petition for divorce seriously, nor supported the exclusion of her husband from the colonist status. She apparently had a love affair with another man and wished to divorce her husband. Anna Dorothea argued for divorce, listing several reasons, but her emphasis on the bad householder capacity of her legal husband probably ensured the initial support from the Schlangendorf colonist society. There is no evidence suggesting that sanctions were meted out against escaped and returned females. In the next subchapters, it will be shown that desertions could be turned into grounds for divorce, but were also the consequence of failed marriages.

6.4. Divorces

6.4.1. Free from Delusion, and "Sectarian" Marriage

On 28 April 1833, the members of the Odessa Office for Foreign Settlers presented to the Trustees Committee in detail the history of the proceedings of Christina and Christian Bauer's marriage dissolution. The main aim of their report was to obtain the Trustees Committee's final approval for

dissolving Bauer's marriage. The paperwork regarding the Bauer case itself was not discovered in the colonial archive; therefore, the colonial member's report is the only source available for the analysis.

The proceedings regarding Christina and Christian Bauer's case had started ten years previously. In 1823, Karl Augustus Böttiger, the Superintendent of the Evangelical Lutheran Church and Pastor of Odessa city, notified the Odessa Office for Foreign Settlers about the suit of Christina Bauer, née Biedermann, for divorce. She complained about her husband's "oppression and cruelty," and about the Hoffnungstal village mayor for putting her in neck chains for one day because of her complaints against her husband. On Böttiger's demand, the colonial clerk, appointed by the Odessa Office for Foreign Settlers, conducted an investigation in the colony of Hoffnungstal. During the interrogation, witnesses from Hoffnungstal colony testified that Christina herself and "her repugnance of her husband," whom she had left to live with her mother in the Liebental district, were the main reasons for the "disorder in marriage" (*rastroistvo v supruzhestve*).

In 1823, the Odessa Office instructed Karl Levin, the former overseer of the Liebental district, to find Christina and send her to the Odessa Office for further questioning. Levin reported that in order to prevent Christina's extradition to Hoffnungstal colony, Böttiger had sheltered her in his home. She had also followed the pastor on his business trips to Odessa. At the same time, Böttiger contacted the Odessa Office and revealed the confessional background of the dissent between the spouses, stressing the impossibility of the couple's further marital cohabitation. Apart from her husband's "oppression" (*ugnetenie*), Christina's dissatisfaction with family life and intention to divorce were grounded in her wish "to return back to the bosom of the Evangelical Lutheran Church and leave the sectarian colony of Hoffnungstal." That was exactly the reason why Böttiger, after Christina's second escape from the colony, unhesitatingly sheltered her.

Many Hoffnungstal residents were so-called "sectarians" not recognized by the Evangelical Lutheran Church of Russia.¹⁰⁰ Christina wanted to leave the Hoffnungstal "separatist society," and divorce her husband. Karl Böttiger personally promoted her divorce petition to the Justice Collegium in St. Petersburg. He also petitioned the Odessa Office to allow Christina Bauer the right to free and unrestricted residence outside Hoffnungstal:

¹⁰⁰ The colony of Hoffnungstal was founded by "sectarians" from Württemberg during 1818–1819. Baptists were referred to as a sectarian group that included some Adventists. Usually they were also called "separatists," because they did not recognize and were not recognized by the Protestant Church.

According to the church laws, the actions of such separatists or sects are invalid. As long as those sects are in delusion, the Church does not bother about sectarians and lets them do whatever they want. However, when someone from this sect, leaving schism, assumes awareness instead of delusion and wishes to join the Church, then the Church will return this person to the path of the truth. [...] The same has happened to Christina Bauer.¹⁰¹

In the eyes of the Evangelical Lutheran Church, Bauer's marriage, which had been concluded by a Hoffnungstal teacher and spiritual leader, was invalid. Pastor Böttiger sent the divorce petition to the Justice Collegium and asked the Odessa Office to allow Christina to reside outside Hoffnungstal until the case was resolved in the Justice Collegium. Böttiger also interviewed Christina and submitted her statements to the Odessa Office. In these statements, Christina revealed that she was forced into this marriage by her parents, had suffered her husband's beatings and had also been beaten by the villagers – the “sectarians.” For these reasons, she asked the authorities “to be released from her husband” and allowed to leave the colony.¹⁰²

Meanwhile, in 1824, Christian Bauer's petition submitted to the Chief Trustee via former commissioner von Kryger, disclosed that Christina had left him for her mother for the second time. This had already resulted in the decline of his farm and would bring, he claimed, more losses to “the state interest.” Ivan Inzov, the Chief Trustee of the colonists, ordered Christina to be left under Böttiger's patronage awaiting the Justice College's resolution.¹⁰³

In 1828, the Liebental district board reported to the Odessa Office that during the presence of the overseer in their district, the colonist community had notified him that colonist Christian Bauer had lived with his wife Christina in discord for several years while running the farm on his own. Having left her husband, Christina had lived in other colonies and places. In the eyes of the colonist community, since all attempts at reconciliation had proved futile, the only option was divorce, on the condition that they would pay a fee of 25 roubles each. Considering the Liebental district board's report, the Odessa Office contacted the Hoffnungstal village society asking if it considered the grounds for the couple's divorce reasonable and conforming to their confession.

¹⁰¹ DAOO, f. 6, op. 1, spr. 2932 (O rastorzhenii braka kolonista Bauera s zhenoiu ego, Khristinoi, po oboiudnomu ikh soglasiuu [1833]), ark.2.

¹⁰² DAOO, f. 6, op. 1, spr. 2932, ark. 1–3.

¹⁰³ DAOO, f. 6, op. 1, spr. 2932, ark. 4

According to the Hoffnungstal village society, Christian Bauer had never had any intention to divorce his wife, but wished to live with her in peace. For a considerable time, and in spite of his strenuous efforts, he had not managed to persuade her to do this. The local authorities and mentors had not succeeded in reconciling the couple either. Christina had been insisting on divorce for a long time and turned to a “dissenting life.” In the society’s opinion, the costs of 50 roubles for the divorce should be paid entirely by Christina, because it was only due to her that Christian Bauer, being unable to run the farm on his own, had to transfer it to another user. The Hoffnungstal village society and their spiritual leader agreed on Christina and Christian’s divorce, as several reconciliations had given no result and Christina was firm in her decision to join the Evangelical Lutheran Church.

The Hoffnungstal village community put the responsibility for the marriage breakdown partly on Christian. According to its decision, if Christian should want to remarry in the future he would have to leave the colony, because he was judged “not less guilty in the inharmonious life with his wife,” since he “did not make an effort to live with her peacefully.”¹⁰⁴ In the report to the Trustees Committee, the members of the Odessa Office presented the chain of proceedings regarding Bauer’s divorce case for the final verdict of the colonial authorities, adding that the costs of 50 roubles for the divorce were paid equally by the couple. On 30 May 1833, Ivan Inzov, on behalf of the Trustees Committee, approved Bauer’s divorce.¹⁰⁵ On 1 June 1833, the Odessa Office instructed the Hoffnungstal village board to divorce the couple “according to their religion.”¹⁰⁶

According to imperial law, religious conversion (apostasy) provided definite and speedy grounds for divorce because of the confessional incompatibility of the spouses. The Russian authorities clearly favoured the dissolution of such marriages.

6.4.2. Doomed to Fail from the Start (Lutherans)

In December 1821, pastor Zehling reported to the Ekaterinoslav Office about the intention of the Rosental colonists Gottfried Tiengerod and Gottfried Krieger to divorce their wives. Since colonist divorce petitions, before being sent to the Justice Collegium, had to be evaluated and authorized by the colonial administration, the Ekaterinoslav Office asked Zehling to disclose

¹⁰⁴ DAOO, f. 6, op. 1, spr. 2932, arkk. 6–7.

¹⁰⁵ DAOO, f. 6, op. 1, spr. 2932, arkk. 8–9.

¹⁰⁶ DAOO, f. 6, op. 1, spr. 2932, ark.10.

the reasons for the divorce. The Ekaterinoslav Office also instructed the pastor to conduct an investigation regarding the place of residence in the presence of the Molotschna district mayor Rikker¹⁰⁷ in order to reveal possible hindering circumstances. Moreover, the pastor was asked to notify the Ekaterinoslav Office about the results of the investigation.¹⁰⁸

Before the district board, on 4 January 1821, Gottfried Tiengerod articulated his reasons for divorcing his wife. He claimed that in 1811, at the age of 18, he was forced by his uncle to marry Magdalena. Being an orphan and having no one to confer with, as he put it, he married Magdalena, but not for love. After half a year of married life, she became “dour towards him” in manner, despite warnings from both the spiritual and local authorities. Eventually, Magdalena left Gottfried. While cohabiting with Martin Hecht, a bachelor from Alt-Montal colony, for eight years, she had a child with him and was now pregnant with a second. Considering these reasons, Gottfried Tiengerod asked the authorities for a divorce from Magdalena and to be allowed to remarry.

In response to Gottfried Tiengerod’s statement, Magdalena disclosed that she was also forced by her father to marry Gottfried, and not for love. She complained about being constantly verbally abused by her husband as a “stupid and primitive maid.” Because of her immaturity, she did not bring up her lack of consent to marriage during the wedding ceremony. Magdalena had no idea of married life, thus, when after the wedding ceremony, Gottfried asked her for “marriage treatment” (*brachnoe obkhozhdenie*) (meaning sexual intercourse), she resisted and argued with him. Despite admonitions from the spiritual and colonial authorities, she abandoned her husband, returned to her parents, engaged in extramarital sexual relations with another man and became pregnant. During the interrogation, Magdalena admitted her guilt and asked the board “not to judge her according to the full strictness of the law, but to let her marry another man.”¹⁰⁹

Almost at the same time, a similar situation occurred with a couple named Krieger. At the beginning of February 1822, this couple from Rosental colony was questioned by the Molotschna district board about the reasons for their broken marriage. In 1814, Gottfried Krieger, having elderly parents who could hardly run their farm, convinced Christina to marry him. After three

¹⁰⁷ In some documents of the file, the surname of Molotschna district mayor is written as Rinner.

¹⁰⁸ DADO, f. 134, op. 1, spr. 687 (Delo o rastorzhenii brakov kolonistov Gotfrida Geringera i dr. [1826]), arkk. 2, 4.

¹⁰⁹ DADO, f. 134, op. 1, spr. 687, arkk.10–11.

or four years of marriage, his wife left him and went back to her parents. After admonitions from the spiritual and colonial authorities, she returned to him for a while, but soon left him again. Gottfried claimed he knew nothing about his wife's reasons for deserting him. Like Magdalena Tiengerod, Christina engaged in extramarital sexual relations. Her partner was colonist Jacob Müller and she had four children with him. Considering these reasons, 24-year-old Gottfried Krieger asked the authorities for a divorce and permission for eventual remarriage. Christina Krieger explained her desertion of her husband by her "restless life" due to the "gloomy temper" of her parents-in-law, with whom she had lived after the wedding. For these reasons her love for her husband, she emphasized, had simply vanished. She acknowledged her affair with Jacob Müller and the four children illegally begotten with him, yet asked the authorities for a divorce from Krieger and remarriage with Müller.¹¹⁰ The investigation exposed some reasons for the marriage breakdown, but did not suggest any negative economic consequences due to the separation. The statements of both spouses focused on the involuntary nature of the marriage, and the lack of emotional closeness and love, as the reasons for their failed marriage. Christina Krieger also mentioned that the complicated relationships with her parents-in-law had also played a part in her desertion of her husband.

Having learned the results of the interrogation conducted by the district board, the Ekaterinoslav Office agreed to Krieger's divorce and sent the case for consideration to the Justice Collegium. Investigations in Rosental did not reveal any potential economic losses or negative consequences of Tiengerod's and Krieger's divorces. Therefore, the colonial authorities found no obstacles to divorce from their side and passed the cases to the Justice Collegium for a final verdict.

Judging Christina Krieger's infidelity was not within the authority of the colonial administration. According to the Senate decree on 21 October 1821, the secular authorities such as governor-generals and ministers were not allowed to interfere in the proceedings regarding adultery of husbands and wives, but instead had to send them to the ecclesiastical authorities for consideration and trial. The Senate decree emphasized that those cases were exclusively within the competence of the spiritual authorities.¹¹¹ Still, there is

¹¹⁰ DADO, f. 134, op. 1, spr. 687, arkk.12–15.

¹¹¹ "Senatskii, s propisaniem mnieniia Gosudarstvennogo Soveta 27 iunია. O podtverzhdenii Svetskimi Prisutstvennym mestam, chtoby onye po delam o preliubodeianii muzha ili zheny v suzhdenie ne vkhodili [21 October 1821]," in *PSZRI*, vol. 37 (1820–1821) (St. Petersburg, 1830), 890–892.

no evidence that any legal proceedings followed due to Christina's extramarital sexual relations.

For Lutherans in the Russian empire, adultery, on the condition that the plaintiff was innocent, constituted legal grounds for divorce. Martin and Margaretha Kneisler were divorced by the Evangelical Lutheran Consistory due to Margaretha's adultery. On 4 February 1835, the Trustees Committee was notified about the decision. According to the Consistory's verdict, the petitioner Martin was allowed to remarry, while Margaretha was prohibited from doing so. The Consistory also requested the Trustees Committee to punish Margaretha by imprisonment for eight days followed by admonition in church (*tserkovnoe uveshchevanie*). In June 1835, the Trustees Committee reported back to the Consistory about the execution of this punishment.¹¹² Here we witness a rare case, when extramarital relations became legal grounds for divorce. In addition, it qualified as adultery with legal consequences for the adulterer.

The paperwork on Tiengerod's and Krieger's trials does not provide an equally clear picture. The conclusion could be made that the colonial authorities were not very interested in preserving the marriages of these couples. Their cases were analogous and proceeded following the same pattern. In both cases it was the husbands, Gottfried Tiengerod and Gottfried Krieger, who eventually wanted to dissolve their failed marriage. Involuntary marriages, wives' desertions and infidelity, and children born as the result of extramarital relations, were matters brought up by the spouses during the interrogations. Since both cases were supposed to be sent to the Consistory for a final decision, it remains unclear what the final Consistory's verdicts were in these two cases. If divorces were granted by the Consistory, at least some evidence should have been found in the colonial archive, similar to the case concerning Martin and Margaretha Kneisler. Divorces might also have been rejected.

6.4.3. Impotence (Roman Catholics)

Apart from its economic and socio-political significance, marriage had a procreative function. This provided a legitimate frame for sexual relations. Consequently, sexual incapacity or impotence in general constituted grounds for divorce in the Protestant churches. According to the Catholic doctrine of

¹¹² DAOO, f. 6, op. 1, spr. 3129, arkk. 50–50 ob., 53–55 ob. No paperwork concerning the trial on this case was found in the archive. The decision was placed in the general file "About the divorces of the colonists by the decision of the spiritual authorities."

“non-consummation,” only congenital incapacity or at least premarital impotence could void the marital sacrament.

Typically, one spouse filed a suit with the claim that the partner, for physical reasons, was incapable of consummating the marriage. Impotence or sexual incapacity, although constituting legal grounds for divorce, were still not accepted without careful scrutiny. A lapse of three years was necessary before the incapacity was deemed proven, and the non-consummation had to be confirmed by a physical examination at the provincial medical board. If the medical examination confirmed both the incapacity of the male and the female’s virginity, the ecclesiastical authorities had little recourse but to approve the divorce.¹¹³ The church required confirmation of virginity as evidence that coitus had never occurred. Otherwise, it was assumed that the sexual incapacity had appeared after the wedding. But this, like any postnuptial ailment, did not constitute legal grounds for divorce. Consistories meticulously examined cases of sexual incapacity and eagerly pointed out on lacunae in the supporting documentation. Impotence was a tricky and hard to verify basis for divorce, engendering multiple procedural obstacles not infrequently leading to a rejection of the suit, or at best, leaving the matter unresolved.

“Incapable of Marital Cohabitation with His Wife”

Georg Sperling and Catharina Rogoscheffska, Catholics from the colony of Klostendorf, were married by the Jamburg priest Thomas Majewski on 6 May 1808. After three years of marriage, Catharina Sperling sued for divorce because of “dissenting life [*nesoglasnaia zhizn*]” with her husband, grounded in “his incapacity for marital cohabitation.” Majewski reported about Catharina’s suit to the Mogilev Roman Catholic Consistory, which instructed him to conduct a careful investigation and provide evidence of Georg’s sexual capacity.

On 13 July 1812, the priest approached the Guardianship Office with a request for assistance in the investigation by ordering Michael Fergin, Georg’s father, to take Catharina and Georg, at his [meaning Michael’s] expense, to Ekaterinoslav for a medical investigation since there were “no

¹¹³ Freeze, “Bringing Order to the Russian Family,” 740–741.

proper physicians near the colony.” “Regimental physicians”¹¹⁴ had acknowledged Sperling’s sexual incapacity, but, as the priest claimed, could not certify it in writing.

During the investigation, Catharina would be asked under oath whether she “had not prevented her husband Sperling from marital cohabitation,” and if she “had provided him opportunity,” but still “had not received proper satisfaction;” while Georg would be asked under oath whether he, before marriage, had experienced desire for other women¹¹⁵ and if he later, when married, had found himself incapable. Moreover, it was required for Georg to undergo a medical examination. The physicians would be asked to find the reasons for his incapacity, when it had begun, and whether it could be cured. Evidence was also obtained from the couple’s relatives and “respectable householders” of the colony, in total 14 people who, under oath, were asked about Sperling’s sexual capacity. Finally, both Catharina and Georg were to be sent to Ekaterinoslav at the beginning of October 1812 for medical examinations.¹¹⁶ The linguistic style of the composition of the investigation gives the impression that the husband’s sexual potency was a shared responsibility of both spouses.

Georg, however, did not show up for the priest’s questioning during the whole summer of 1812. On 24 October 1812, Kaetan Dalke, an overseer of the Swedish district, was instructed to force Georg to go to the priest for questioning. Still, Georg and Catharina did not show up for the next two years.¹¹⁷ In January 1815, the Ekaterinoslav medical board had sent a notification to the Guardianship Office confirming that “he [Sperling] was examined properly and turned out to be capable of married life.”¹¹⁸ In June 1815, Dalke reported to the Guardianship Office about the reasons for Georg’s persistence in not appearing for questioning. Dalke explained that this was because Sperling “had been looking for means of treatment for his health.”¹¹⁹ The Mogilev Consistory also concluded that:

¹¹⁴ The availability of the regimental doctors indicates the quartering of the Russian troops in a region. This was the time of the Franco-Russian War.

¹¹⁵ The second point seems quite provocative. The pen pusher initially wrote “if Sperling experienced carnal intercourse” (*plotskaia sviaz*) before marriage, which, was later crossed out and corrected to the “experience of excitement” regarding women. The initial formulation presupposed that Sperling had had sexual intercourse before marriage.

¹¹⁶ DAOO, f. 6, op. 1, spr. 618 (Po prosheniiu iamburgskogo patera Maevskogo o nesposobnosti shvedskogo kolonista Georga Shperlinga k brachnomu s zhenoiu zhitiiu [1812–1822]), arkk. 4–5, 6.

¹¹⁷ DAOO, f. 6, op. 1, spr. 618, arkk. 7–8, 10.

¹¹⁸ DAOO, f. 6, op. 1, spr. 618, ark.12.

¹¹⁹ DAOO, f. 6, op. 1, spr. 618, ark. 14.

...due to the 200-verst distance of the Swedish colony from the city of Ekaterinoslav, and because of the extreme poverty of the litigants, they cannot go to the physician there for a proper examination.¹²⁰

Referring to Georg, who still insisted on his sexual incapacity, priest Majewski, on 28 April 1816, approached the Guardianship Office with a request to have Georg re-examined by sending him to the Kherson medical board. On 6 November 1816, the Kherson medical board confirmed that Sperling was indeed “incapable of carnal copulation” (*nesposobnyi k plotskomu sovokupleniiu*).¹²¹

At the beginning of 1817, the Guardianship Office reported to the Mogilev Roman Catholic Consistory about investigations conducted during the past few years and asked for a verdict in the Sperling case.¹²² On 15 February 1817, bishop Mozileffsky outlined the Consistory’s decision and sent it to the Guardianship Office. Considering that Sperling’s divorce file was destroyed in 1812 “during the invasion by the enemy,”¹²³ and the disagreement between the Ekaterinoslav and Kherson medical boards on Georg Sperling’s capacity of “marital cohabitation,” Catharina, if she still wanted to divorce her husband, was advised to once again file a suit, in accordance with Peter I’s decree “On the Form of the Trial” dated 5 November 1723.¹²⁴

Basically, the Consistory suggested that the proceedings be started once again, if Catharina still insisted on divorce. A letter from the Consistory to the Guardianship Office, on 29 October 1817, shows that Joseph Rogoscheffski, Catharina’s father, had asked the Consistory to grant a divorce to his daughter and allow her to remarry, this time with Andreas Freidemann. Considering the destroyed divorce file and the contradictory statements from the Ekaterinoslav and Kherson medical boards regarding Georg Sperling’s sexual capacity, the Consistory asked the newly appointed priest Valentine Pietraszewski, who had replaced the deceased Thomas Majewski, to resume the investigation. Catharina should be asked under oath whether she, when marrying Georg Sperling, “had not in various ways prevented him from marital cohabitation with her, and could not and had not had coitus with him.” Georg was to be questioned under oath about whether “he had been

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¹²⁰ 1 versta is equal to 1,06 km. DAOO, f. 6, op. 1, spr. 618, arkk. 30–33.

¹²¹ DAOO, f. 6, op. 1, spr. 618, ark. 16.

¹²² DAOO, f. 6, op. 1, spr. 618, arkk. 21–22.

¹²³ Belarusian lands, including Smolensk, Vitebsk, Mogilev, Polotsk, Grodno cities, were among the main battlefields in the military campaigns of 1812, in the wars between Napoleonic France and the Russian empire.

¹²⁴ DAOO, f. 6, op. 1, spr. 618, ark. 23.

unable to perform the conjugal duty while repeatedly trying.” Pietraszewski was also requested to question, under oath, two physicians who would examine Georg Sperling about the reason for his sexual incapability, and if it could be cured medically. Fourteen witnesses from both sides should also be questioned about Sperling’s incapacity.

According to the Consistory, Georg Sperling did not want to cohabit with his wife, who had three illegitimate children with Andreas Freidemann, and was currently pregnant with a fourth. He, the Mogilev Consistory noted, was “satisfied with his condition and still has no addiction to women.” The long delays in the proceedings, the Consistory pointed out, were due to the late priest Majewski not having sent or even reported to the Consistory about the witnesses’ testimonies. Moreover, the Consistory had not received from the Guardianship Office any copies of the Ekaterinoslav and Kherson medical boards’ certificates on Sperling’s sexual capacity. Finally, the Consistory asked the Guardianship Office to supply it with the conclusion of the Kherson medical board regarding whether Georg’s incapacity could be cured or not. The new priest Petraszewski was asked to reclaim from the village board the above-mentioned testimonies and oaths and send them to the Consistory.¹²⁵

On 14 July 1819, Canon Krzyzanowski reported to the Office that despite the Consistory’s notifications, it had not received the testimonies of the witnesses regarding the Sperling case or the Kherson medical board’s conclusion. Krzyzanowski asked pater Staszewski to order Pietraszewski to question the witnesses without delay, document the questioning properly and report to the Consistory about the results.¹²⁶ Meanwhile, the Guardianship Office kept contacting the Kherson medical board, in August 1819 and November 1819, with requests to send the medical certificate.¹²⁷ In September 1820, Krzyzanowski wrote again to the Guardianship Office, for the third time, with the same request for the certificate from the Kherson medical board, emphasizing that without it the Consistory could not decide the case. He also warned the Guardianship Office to pay attention to Catharina Sperling and Andreas, who meanwhile were cohabiting illegally. However, this official correspondence actually took place after Andreas Freidemann had died.

It turned out that the Guardianship Office had been completely ignorant about Catharina Sperling’s extramarital sexual relations. The Swedish district

¹²⁵ DAOO, f. 6, op. 1, spr. 618, arkk. 30–33.

¹²⁶ DAOO, f. 6, op. 1, spr. 618, ark. 37.

¹²⁷ DAOO, f. 6, op. 1, spr. 618, arkk. 38–40.

board was now instructed to find out the circumstances and conduct an investigation, and also to report immediately on who exactly had notified the Consistory about her extramarital relations, bypassing the Guardianship Office.¹²⁸ Because the Kherson medical board had not answered the Guardianship Office's request on two previous occasions, it was decided to send the couple there again, accompanied by a colonist witness with a command of both Russian and German.

On 16 December 1820, the Swedish district board reported to the Ekaterinoslav Office about Georg Sperling's testimony in the presence of an overseer and Catharina Sperling. After 12 years of living separately from his wife, Georg now announced that he had been cured with the help of physicians. After eight days of reflection given by the board to both spouses, Georg agreed to cohabit with his wife. Both Catharina and Georg swore to henceforth live together in marriage.¹²⁹

It seems that Andreas Freidemann's death in May 1818 had completely changed the dynamics between Catharina and Georg Sperling. However, the whole bureaucratic machine kept exchanging reports while oblivious to that fact. The information about Andreas's death actually became official only in 1821. How should the end of the affair be interpreted? Possibly, the "magic" cure of Georg's incapability and the couple's reconciliation was connected to the necessity to restore Georg's reputation within the colonist community, while at the same time ensuring material support for Catharina's illegitimate children. During the investigation, the issue of Georg's incapacity became public in a way that undermined his maleness in the eyes of the local colonist community and the colonial authorities, whereas for Catharina, reconciliation with Georg could bring the promise of material security. In the changed circumstances following Andreas's death, establishing a functioning household was also an important motive for reconciliation.

After the reconciliation, certain legal consequences for Catharina followed. In February 1821, Krakowski, mayor of the Swedish district board, made some clarifications to the Ekaterinoslav Office about Catharina's previous extramarital sexual relation:

Having found her husband incapable of marital cohabitation, the Klostendorf colonist Catharina Sperling went into service for a widower Andreas Freidemann, where she stayed for three years and, as a result of coition in a

¹²⁸ DAOO, f. 6, op. 1, spr. 618, arkk. 42, 45.

¹²⁹ DAOO, f. 6, op. 1, spr. 618, ark. 50.

prodigal way [*sovokuplenie s nim bludnym obrazom*], begot two children with him.¹³⁰

The Ekaterinoslav Office notified the Mogilev Consistory about the investigation and asked them to punish Catharina for her extramarital sexual relations, which were officially qualified as adultery. On 4 May 1821 considering the turn of events, Georg's recovery and the reconciliation of Catharina and Georg as a family, the divorce case was closed. "Forgetting about marital fidelity" and having illegitimately conceived two children, Catharina Sperling was sentenced to repentance for one month (*mesiachnoe pokaianie*) in the church of Jamburg, under the supervision of priest Pietraszewski. This implied attending services, listening to all liturgies on her knees, fasts on Saturdays, Wednesdays and Fridays, and, in the end, confession and partaking in the holy mysteries.¹³¹

On 24 November 1821, Catharina was found drowned in the lake near Klostendorf. She had been listed as missing for a month before her body was found. The Ekaterinoslav Office judged this incident as suicide, committed by Catharina due to her shame. Catharina left a three-year-old son and two daughters of 11 and seven years old respectively with her husband. The Swedish district board's investigation of Catharina's death could not identify anyone guilty of her death, driving her to commit suicide. Does this mean that Catharina could not come to terms with the new situation? Was the reconciliation only superficial and was Catharina taunted by others in the colonist community?

This case had stretched on for a long time, starting with Catharina Sperling's suit for divorce due to her husband's sexual incapacity. Over the years the subject matter changed, developed, and gained new and unexpected momentum with Catharina's infidelity, illegitimate children, Georg's assumed recovery, Catharina's condemnation for marital infidelity and adultery, and finally her death. During almost ten years of legal proceedings,¹³² the Sperling case was affected and slowed down by a number of external circumstances, such as the war between Napoleonic France and Russia, the reorganization of the regional colonial administration during the period 1817–1819, and last, but not least, a change of priests.¹³³

¹³⁰ DAOO, f. 6, op. 1, spr. 618, arkk. 52–53 ob.

¹³¹ DAOO, f. 6, op. 1, spr. 618, arkk. 59–60.

¹³² The file was started on 13 July 1812, and ended on 14 April 1822.

¹³³ The reorganization of the regional colonial administration resulted, among other things, in the displacements of the Trustees Committee during 1819–1821, between the

Catharina had her first child illegally with Andreas Freidemann, mayor of the Klostendorf village board, in 1810, long before she sued for divorce. The question about Catharina's virginity at marriage was not raised during the proceedings. The time when Georg's sexual incapacity began also remains unknown. What is striking is that none of the local agents such as overseers, village mayor, chairman, and *beisitzer*, directly involved in the proceedings, ever mentioned Catharina's extramarital relations. A possible explanation for this silence is Andreas Freidemann's prominent position as village mayor of Klostendorf. Catharina and Andreas's sexual relationship was first addressed by the Mogilev Consistory in October 1817. The Ekaterinoslav Office in its turn expressed its complete unawareness, even though by that time Catharina had been openly cohabiting with Andreas and was pregnant with a third child. Still, it remains unknown how the Consistory found out about the illegal relationship. Was it a matter of information leakage or deliberate notification? Considering the mode of communication between the ecclesiastical and colonial authorities, it could only have been the priest who notified the Consistory about the illegal relationship. Most probably, it was a priest called Valentine Pietraszewski, who had been newly appointed to the position in Jamburg in the autumn of 1817.¹³⁴

Having taken over the office of the late priest Majewski, Valentine Pietraszewski found himself in the middle of ongoing proceedings in the Sperling case. In November 1817, he contacted the Office directly and in writing with a request for a copy of the Ekaterinoslav medical board's certificate to the Consistory. However, his request provoked a severe response from Andrei Fadeev, the Chief Trustee. Fadeev ordered Devel'deev, the overseer of the Swedish colonies, to return Pietraszewski's written request and inform him that all enquiries to the Office should be made only through the overseer, and not directly to the Office. In the Sperling case, argued Fadeev, he should not contact the body of the colonies' authority with notifications. Pietraszewski was told that in the case of a demand by the Consistory, the Office sent the copy of the Ekaterinoslav medical board's document just by itself.¹³⁵

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cities of Kherson, Ekaterinoslav and Kishinev, see Konovalova, *Popechitel'nyi Komimet*, vol. 2, 9–11.

¹³⁴ There is a lost file dated from 19 February 1817 to 25 September 1817 about the appointment of Pietraszewski instead of the deceased Majewski, see DAOO, f. 6, op. 1, spr. 1135 (Ob opredelenii v Iamburgskuii koloniiu, na mesto naznachennogo bylo v onuii ksendza Antonia Golovki, sviashchennika Valentina Petrashevskogo, takzhe na mesto umershego patera Maevskogo [1817]).

¹³⁵ DAOO, f. 6, op. 1, spr. 618, ark. 29.

In Fadeev's opinion, Pietraszewski with his direct appeal to the Office had not only deviated from the accepted communication code, but had directly abused the chain of command. In April 1816, Majewski had directly approached the Guardianship Office with a request to re-examine Georg's sexual capacity, but this did not provoke the reaction from the regional colonial authorities, that Pietraszewski's request had done.

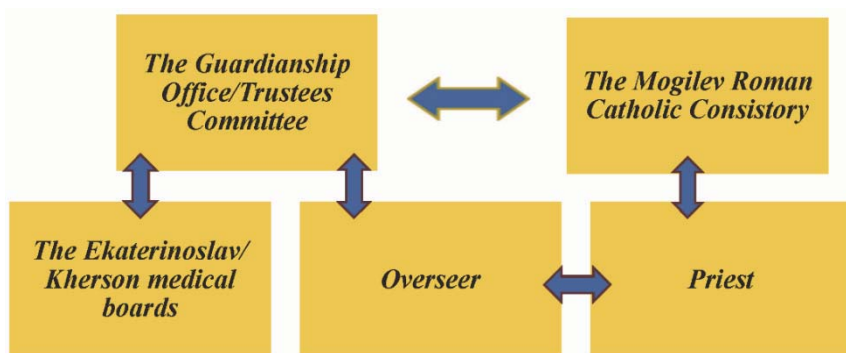


Figure 6. Diagram of the “proper” communication mode in Georg and Catharina Sperling’s case, 1812–1822.

Being new in office, Pietraszewski had no personal ties with the colonists and could behave inflexibly. When it comes to the personality of the new priest Pietraszewski, he also became known for his conflicts with the Jamburg colonist community. The colonists repeatedly complained about Pietraszewski, accusing him of a “neglect of duties.” The investigation lasted for five years and involved the entire colonial vertical administration.¹³⁶

The silence about the extramarital relations of Catharina with Andreas might also be explained by the necessity of stable and productive households and viable personal relationships in colonization realities. Catharina’s and Andreas’s cohabitation, while illegal, was probably seen by the colonist community as constituting a functioning household. On the other hand, Georg Sperling’s impotence, made public, probably impacted on his reputation within the local colonist community. He was probably not seen as

¹³⁶ DAOO, f. 6, op. 1, spr. 1125 (Po zhalobam kolonistov na patera Petrashevskogo o postupkakh ego i po doneseniiam sego, Petrashevskogo, Mogilevskoi rimskokatolicheskoi dukhovnoi konsistorii. Tut zhe i uvol’nenii pis’movoditelia smotritelia molochanskikh kolonii Shapovalenka ot dolzhnosti i o pomeshchenii Eliseia Sipacheva pisarem pri Molochanskom kolonistskom prikaze i uvol’nenii ot onoi, i opredelenie na mesto ego Nikolaia Millera [1817–1823]).

masculine and trustworthy enough to fulfil the role of a male householder. His sexual incapacity, it would seem, made it impossible for him to sustain his marriage and the farm household.

This case also lifts the veil on the inner side of the proceedings, with its long repetitions, constant clarifications, confusions, biases in communication, and the limitation of powers of the involved officials. In contrast to the Consistory's scrupulousness in divorce suits on the grounds of sexual incapacity, the initial investigation in Sperling's case on the local level is characterized by procedural inaccuracies and violations, but also delays, and inconsistencies. The virtual disconnection of the proceedings regarding this case on different vertical power levels is illuminated clearly by the example of lack of information about Andreas Friedmann's death.

Better to Annul!

On 11 November 1818, Louise Kist and Andreas Wilhauk, colonists of Kostheim in the Molotschna district, in the absence of a Catholic priest, were married by the Lutheran pastor Benjamin Zehling. Before April 1819, when Celestine Staszewski arrived, there was no Roman Catholic priest in the Heidelberg parish. On Staszewski's arrival, however, Louise and Andreas's union was not renewed in accordance with the Catholic canon.¹³⁷

At the end of July 1821 Louise sued for divorce, due to "the inability of the husband in carnal cohabitation and for not depriving her of virginity." Starting from 1821, the divorce trial was based on the evidence collected for the proceedings in the Mogilev Roman Catholic Consistory and received from Ignat Gozadinov, collegiate secretary of the Ekaterinoslav Guardianship Office, Celestine Staszewski, the Heidelberg Roman Catholic priest, staff surgeon Karl Shultz, and Rikker, the chairman of the Molotschna district board. In May 1823, however, the Consistory returned the case to the Ekaterinoslav Office for supplementary examination. The Consistory blamed the priest Staszewski for not following the proper judicial proceedings. He had not put the spouses under oath and had not collected all necessary evidence, as well as the prescribed tax, from the parties. Staszewski was duly reprimanded.

The Consistory instead asked the colonial authorities to provide it with detailed information on several issues. First, the Consistory needed evidence under oath from Louise's and Andreas's parents and close relatives confirming that Louise had not been deprived of her virginity by her husband

¹³⁷ DADO, f. 134, op. 1, spr. 757, ark. 46.

or any other man, and that it could be proved that it had instead – as she claimed – happened due to an accidental fall upon a willow tree (!). Also, it had to be proved that before marriage she did not know about her husband's sexual incapacity. Evidence from parents and relatives was also needed to clarify if Andreas was sexually capable or not before marriage, if he, before marriage, had a pain or “weakening” in the “reproductive organ” (*oslablenie v detorodnom organe*), and if and where he had found a cure for it. Finally, providing reasons for his incapacity was requested. Second, the Consistory demanded detailed information about the couple's background, the place and time of birth, and the witnesses to their marriage. Third, it required proof that Andreas's sexual incapacity was incurable, and that Louise had been deprived of her virginity due to a “stumble upon a young willow” (*natknenie na moloduiu verbu*). And finally, the Consistory required pastor Zehling's explanation of what grounds he had concluded a marriage between Catholics, together with an extract from the marriage register.

The Consistory also asked the Office to send the spouses to the nearest medical board for the appropriate examination. During the supplementary examination Louise should be put under her parents' strict surveillance, and was not to leave their home without permission.¹³⁸ The supplementary examination was initiated by the Ekaterinoslav Office in July 1823. On 1 August 1823, Ignat Gozadinov reported a visit to the colony of Halbstadt for the examination, but without finding Staszewski, who, as it turned out, had been in Odessa since June.¹³⁹ Finally, on 15 September 1823, the supplementary examination by Gozadinov together with the Molotschna district board and Staszewski began. Under the surveillance of Nikolaus Kist, Andreas and Louise were sent to the medical board.¹⁴⁰ The Ekaterinoslav medical board reported to the Ekaterinoslav Office after inspecting Louise:

The damage to her [Louise Wilhauk] genital parts was not a result of carnal intercourse, which she had not experienced, but the result of mechanical damage, that, however, is not harmful to her health and life, and she is well capable of marriage.¹⁴¹

Andreas did not show up and was not medically inspected because, the Ekaterinoslav Office suggested, of him “experiencing shame, which, however,

¹³⁸ DADO, f. 134, op. 1, spr. 757, arkk. 7–9.

¹³⁹ DADO, f. 134, op. 1, spr. 757, ark. 27.

¹⁴⁰ DADO, f. 134, op. 1, spr. 757, ark. 31.

¹⁴¹ DADO, f. 134, op. 1, spr. 757, arkk. 32–32 ob.

in such circumstances, is entirely inappropriate.”¹⁴² Only a month later, in October 1823, the Ekaterinoslav medical board reported on Andreas’s examination, finding a “weakening and incomplete paralysis of [his] reproductive organ.” It was claimed that this kind of disease could be cured, considering Andreas’s young age.¹⁴³

Nevertheless, on 12 November 1823, without waiting for the Ekaterinoslav Office’s report on the supplementary examination, the Consistory recognized Andreas and Louise’s marriage as void. The main argument in this decision was the fact that while being of the Roman Catholic faith, the couple, bypassing the permission from their ecclesiastical authorities, were married by a Lutheran pastor. Afterwards, the marriage had not been renewed and approved by a Roman Catholic priest. In addition to its decision, the Consistory sent to the Ekaterinoslav Office a full description of the trial with full details about the couple and a chronology of events.

According to the Consistory’s chronological narrative, Louise was born in 1803 in the Prussian city of Wesel. In 1809 she and her parents came to Kostheim to settle. Andreas, aged 22, was born in 1801 in Baden, in a village of Bruchsal county. He arrived in Kostheim in 1809. Both belonged to the Heidelberg Roman Catholic parish. Louise had a good reputation in the colony. “By love to Andreas Wilhauk and not knowing about his sexual incapacity,” she claimed, she had married Andreas. After the wedding conducted by Zehling, Louise lived with her husband at her parents’ place for two and a half years. All this time she was ashamed of not being deprived of her virginity by her husband. Andreas’s incapacity would not mend and “she could not bear her virginity and cohabitation with her husband” any longer. “Wishing to have children in another marriage,” she asked Anton Schäfer, the German teacher of the Heidelberg parish, to compose a suit and Celestine Staszewski to translate it from German into Polish. With her parent’s permission she notified her husband and, via Staszewski, sued for divorce to the Consistory on 29 July 1821. The Consistory resolved to put her under the supervision of her parents until the trial had finished. After filing the petition for divorce, on her way back home at night, she jumped over a deep ditch and stumbled on a willow. She claimed that she had lost her virginity in this accident. At the end of November 1822, the inspection of physician Karl Schulze confirmed defloration, but could not identify its reason.¹⁴⁴ The Ekaterinoslav medical board’s examination proved defloration due to

¹⁴² DADO, f. 134, op. 1, spr. 757, ark. 34.

¹⁴³ DADO, f. 134, op. 1, spr. 757, ark. 41.

¹⁴⁴ DADO, f. 134, op. 1, spr. 757, arkk. 47–48.

mechanical damage to the genitals, not coitus.¹⁴⁵ Moreover, 14 colonists of Kostheim testified under oath about their ignorance regarding Andreas's sexual incapacity.

As both spouses emphasized, due to the unavailability of a Roman Catholic priest in their colony at the time of their planned wedding, they were married by a Lutheran pastor. Andreas "feeling his inconsistency to marriage, and not hoping to be sexually capable again," did not want to see his wife "languishing in maidenhood [*tomitsia v devstve*], instead he asked for marriage dissolution to give her the freedom to marry another man."¹⁴⁶

Neighbours who were questioned testified about Louise's and Andreas's good reputations. "From the side," Louise seemed honest and decent, they claimed. Neighbours "did not hear or see her involved in any dissolute actions, which are contrary either to religion or to civil legislation," though "they cannot know about secret actions, because actions related to the depravity of honour [*porochnost' chesti*] usually take place secretly from the eyes [*ot vzora liudei skrytno*]."¹⁴⁷ Interestingly enough, by such a sceptical assessment, the neighbours acknowledged their limited awareness about the private matters of their colonist fellows and their limited possibility to follow the developments of personal relations. Andreas's neighbours characterized him as an honest and decent man, living in a harmony with his wife, and he was one of the best householders not only in terms of "good behaviour" (*dobronravie*), but also in home-keeping (*domovodstvo*).

Louise's parents, Christian and Catharina, confirmed that their daughter while living with her husband at their home for two and a half years "did not have any carnal cohabitation with him due to his incapability." From the first days of her marriage, she had been complaining to them and to Margaretha Jung and Marianne Wilhauk about that. Because of Louise's shyness, they did not dare to inspect her virginity. Louise had lived with the hope (*teshilas' nadezhdoi*) that her husband would receive treatment, her parents claimed. Wishing to get help in running the farm, the parents had approved the union of Louise and Andreas, eventually officiated over by Zehling. Their marriage had not been secret, but conducted in the presence of witnesses. The parents also explained that when priest Staszewski came to the Heidelberg parish in 1819, he did not "bless" their union because he was unaware that the couple

¹⁴⁵ DADO, f. 134, op. 1, spr. 757, arkk. 32–32 ob.

¹⁴⁶ DADO, f. 134, op. 1, spr. 757, ark. 52 ob.

¹⁴⁷ DADO, f. 134, op. 1, spr. 757, ark. 53.

had been married by a Lutheran pastor, “although the couple always participated in confessions and communions led by Staszewski.”¹⁴⁸

In the eyes of the Consistory, the impotence of the husband and the non-defloration of the wife constituted grounds for divorce, but were overshadowed by the fact that the marriage of Louise and Andreas had not been renewed by a Roman Catholic priest. The Consistory qualified their marriage as illegal and not renewed. The Consistory also showed lenience towards the couple, Louise’s parents and Andreas’s relatives and would not punish them for concealment, in this way acknowledging that they may not have known that a renewal procedure was necessary.¹⁴⁹ In the case of the Wilhauk couple the Consistory chose to emphasize the abuse of the ritual requirements of the Roman Catholic marriage ceremony as the prime legitimate reason for annulment, rather than continue with the issue of impotence and non-consummation. This was probably a much simpler measure for the Consistory to apply, considering the complexity of the proceedings in cases of impotence. This divorce case could have been prolonged and may have become very complex if the Consistory had not found this swift solution for the marriage annulment.

Both the Roman Catholic and Orthodox Churches in the Russian empire were very reluctant to accept divorce. They preferred to preserve a duly consecrated marriage intact if it was at all possible. When the marriage ceremony satisfied the various basic ritual requirements, and if the couple met the requirements regarding kinship and age, the church refused to order an annulment. The Orthodox Church, for example, was determined to safeguard the marital sacrament and ordered nullification only when the marriage lacked sacramental validity. Only in cases of bigamy and fourth marriages, unconditionally prohibited by Canon Law, did the church invariably order nullification.¹⁵⁰ According to Catholic doctrine, the dissolution of a legally binding marriage was impossible. Only the death of a spouse could revoke the sacrament of marriage. The only form of full legal divorce was the acknowledgement of a marriage’s invalidity, and the declaration of its annulment. One of the conditions for acknowledging a marriage’s invalidity, according to Catholic doctrine, was that a sexual incapacity of one of the spouses had emerged before the marriage.¹⁵¹ Annulment could be “a device,” as Gregory Freeze puts it, for a *de facto* divorce,

¹⁴⁸ DADO, f. 134, op. 1, spr. 757, arkk. 54–54 ob.

¹⁴⁹ DADO, f. 134, op. 1, spr. 757, ark. 56.

¹⁵⁰ Freeze, “Marriage and Divorce in Imperial Russia,” 733.

¹⁵¹ Maksimov, *Zakony o razvode*, 259.

since in the Roman Catholic Church this was virtually equivalent to divorce and conferred the right of remarriage.¹⁵² Considering the scarcity of religious servitors in the Northern Black Sea colonies, a Lutheran pastor wedding a Catholic couple, and vice versa, was certainly not ideal but still acceptable under one condition: these marriages had to be authorized in accordance with the couple's confession and/or the rules of interfaith marriages as soon as possible.

6.5. Divorce Simply: Economic Feasibility versus Civil Proceedings (Lutherans)

While the actions of priests and pastors on matters of divorce and separation have previously been in focus, it is now time to take a closer look at the colonial authorities. How were the interrogations and investigations conducted by the secular authorities? Did administrators at different levels cooperate when investigating divorce cases, or did they have different agendas? These matters will be investigated by looking at how the colonial administration acted in three contested and ambiguous cases of divorce among the Lutheran colonists.

He “Is Not Only Incapable of Running the Farm, He Is Also an Inappropriate Husband to His Wife”

On 3 January 1828, Johannes Esslinger and Friederika Stahl, colonists of Teplitz, were married.¹⁵³ Evidently, their marriage was not a success. On 2 April 1834, the Maloiaroslavetskii district board informed the Odessa Office for Foreign Settlers that Johannes Esslinger had abandoned his wife six years previously. After their wedding in 1828, Johannes had deserted his wife Friederika several times during the following ten months. The first time he was brought home by his wife, and three more times by the district board. Finally, in October 1828, Johannes ran away again and left his wife to manage the farm on her own. He also indulged in drink and had squandered part of their joint property. Since then, Friederika had run the farm with the help of her mother and stepfather “with perfect promptness [*sovershennaia ispravnost'*] and behaved decently during this time.”¹⁵⁴

¹⁵² Freeze, “Marriage and Divorce in Imperial Russia,” 723.

¹⁵³ DAOO, f. 6, op. 1, spr. 3129 (O razvode brakov kolonistov po resheniiam dukhovnoi vlasti [1834–1835]), ark. 36.

¹⁵⁴ DAOO, f. 6, op.1, spr. 3129, ark. 2.

On 16 March 1834, the Maloiaroslavetskii district board confirmed that Johannes “is not only incapable of running a farm, but is also an inappropriate husband to this wife.”¹⁵⁵ A few days later, Friederika and Johannes were questioned in the vicarage of Teplitz, in the presence of pastor Williams and the village mayor, who kept the minutes of the meeting.¹⁵⁶ Friederika stated that during the first week after the wedding, her husband had left her and gone to the colony of Beresina. That time she managed to get him back. However, he ran away several more times and lived in other colonies. During their short cohabitation, Johannes expressed his dissatisfaction in every possible way and “did not fulfil his conjugal duty.” Repeatedly, Johannes maintained that if he was forced to run the farm together with his wife, he would “squander all their joint property and then leave his wife all the same.” Considering this, Friederika had asked the spiritual authorities for divorce. During the questioning Johannes did not say anything in his defence, and simply asked for divorce as well.¹⁵⁷

After this interrogation, pastor Williams confirmed to the district board Friederika’s right to petition for divorce. The pastor also informed her about the necessity to obtain divorce permission in writing from the Trustees Committee. The Maloiaroslavetskii district board asked the Trustees Committee to supply Friederika with its permission to divorce, emphasizing that the colony and the district found no obstacles to dissolving this marriage.¹⁵⁸ In April 1834, Ivan Inzov contacted Superintendent Adolph Granbaum with the request to instruct Pastor Peter Williams on how to proceed in divorce cases “since the Committee does not consider those cases as ones belonging to spiritual authority.”¹⁵⁹ In their letter to Granbaum, the Trustees Committee articulated the grounds for divorce of the couple the following way:

Because of the arisen discord between the spouses, he [Johannes Esslinger] left her [Friederika Esslinger] due to his bad disposition. He also can neither run his farm, nor be a decent husband to his wife.¹⁶⁰

¹⁵⁵ DAOO, f. 6, op.1, spr. 3129, ark. 2.

¹⁵⁶ The protocol of the interrogation was also translated into Russian by staff translator Kuk.

¹⁵⁷ DAOO, f. 6, op. 1, spr. 3129, arkk. 37–42.

¹⁵⁸ DAOO, f. 6, op. 1, spr. 3129, ark. 2.

¹⁵⁹ DAOO, f. 6, op.1, spr. 3129, ark. 3.

¹⁶⁰ DAOO, f. 6, op. 1, spr. 3129, arkk. 4–5.

Granbaum took into consideration the Trustees Committee's justification of Esslinger's divorce. In December 1834, he approached the Trustees Committee with the request to certify in writing as soon as possible that there were no obstacles to the couple's divorce, because the case had to be sent to the Evangelical Lutheran Consistory for consideration.¹⁶¹

Deep discord between the spouses and impending damaging consequences for the colonist farm were justified by Ivan Inzov as legitimate grounds for divorce, a position supported by Granbaum. Johannes and Friederika's case indicates that the "vicious behaviour" of a husband was seen as grounds for divorce among the Lutheran colonists. "Vicious behaviour" of one of the spouses belonging to the Evangelical Lutheran Church of Russia provided the offended spouse with the right to ask for divorce. "Vicious behaviour" usually meant drunkenness, debauchery and wastefulness. If such behaviour threatened the prosperity of the farm, then the offended spouse had the right to ask for divorce, but only if all remedial measures and exhortations of the pastor had been in vain.¹⁶² In this case, Johannes had clearly been of absolutely no use in the running of the farm. He had left Friederika just after the wedding and they had lived separately for six years before Friederika finally sued for divorce.

Marriage is a Threat to the Farm and Treasury

On 10 April 1834, the Liebental district board reported to the Trustees Committee about the "dissenting life" (*rasputnaia zhizn'*) of the Neuburg colonist Conrad Fischer with his second wife Franciska, "with whom he is in an immense disagreement and who [Franciska] had left his husband a long time ago." Following the report, a reconciliation of the spouses was attempted, but with no success. The Liebental district board found Franciska to be the guilty party in the "dissenting life" with her husband "because of her bad behaviour and disregard for the farm." As the report explained, "since she does not want to return to her husband and he does not want to have such a slutty wife [*rasputnaia zhena*] back," Conrad Fischer had asked for divorce. The district board approached the Trustees Committee with the request to evaluate the grounds for divorce of the couple considering the circumstances mentioned.¹⁶³

¹⁶¹ DAOO, f. 6, op.1, spr. 3129, arkk. 33, 38, 41, 46.

¹⁶² "Kniga 2. Section 1. Ustav Evangelicheskoi-Liuteranskoi Tserkri [1857]," in *Nemtsy v istorii Rossii*, 309; Maksimov, *Zakony o razvode*, 231.

¹⁶³ DAOO, f. 6, op. 1, spr. 3138, ark. 1-3.

At the same time, another case was communicated to the Trustees Committee. On 21 May 1834, the St. Petersburg Evangelical Lutheran Consistory approached the Trustees Committee concerning the couple Wilhelm and Anna Elisabeth Gutsche from the colony of Fershampenaus. While considering the Gutsche case, the Consistory contacted the Trustees Committee to verify the reliability of the colonists' argument that "staying in marriage will cause the decline of their farm, coupled with damage to the treasury interest [*kazennyi interes*]." The Consistory called this statement into question and asked the Trustees Committee for confirmation. In early June 1834, the Trustees Committee instructed Ivan Kotovich, the overseer and artillery captain, to go to the colony and check the truthfulness of this statement.¹⁶⁴ On 6 August 1834, Kotovich reported to the Trustees Committee on the results of his conducted enquiry. In his report he stated:

If their marriage is not dissolved and Wilhelm Gutsche is not allowed to marry for a second time, his farm will experience decline and the treasury would incur losses... This can be avoided only by marriage dissolution.

On 30 July 1834, the Maloiaroslavetskii district board confirmed:

If Wilhelm Gutsche continues to live together with his present wife Anna Elisabeth, his farm would inevitably undergo losses, the state debt imposed on the farm would either not be paid or simply become a burden of the society.

Thus the district board indeed reconfirmed that:

It would be better to divorce the couple, and to allow Wilhelm Gutsche to marry another woman, since his present wife, due to her physical defects, already for some years, has not been engaged on the farm and does not perform the conjugal duty to her husband.¹⁶⁵

In August 1834, the Trustees Committee reaffirmed to the Consistory that "Wilhelm and Anna Elisabeth Gutsche remaining married would indeed bring their farm into decline, coupled with the damage to the treasury interest."¹⁶⁶

The case of Conrad and Franciska Fischer indicates the abandonment of one of the spouses as grounds for divorce. Wilhelm and Anna Elisabeth

¹⁶⁴ DAOO, f. 6, op.1, spr. 3129, arkk. 11–12 ob.

¹⁶⁵ DAOO, f. 6, op. 1, spr. 3129, arkk. 24–24 ob. Only the copy of the file is available in the archival collection.

¹⁶⁶ DAOO, f. 6, op. 1, spr. 3129, arkk. 25–26 ob.

Gutsche's case does not articulate explicitly any legal grounds for divorce, but both the Trustees Committee and the Maloiaroslavetskii district board strongly insisted on it. Most of all, the colonial authorities advocated Wilhelm Gutsche's remarriage. The character of Anna Elisabeth's "physical defects" which, according to the authorities, prevented her from doing household work and would certainly lead to economic losses, remains undefined and appears in the records more like a pretext than a real ailment.

To sum up, the three cases discussed above indicate that the colonist societies, colonial authorities and the Lutheran clergy in particular had a quite pragmatic approach to marriages of questionable economic value and efficiency. In such cases, remarriage would not only be desirable but absolutely essential for the restoration of faltering farms to prosperity. In the case of the Esslinger couple, the paperwork suggests that it was the husband's "bad disposition" that became the prime reason for discord between the spouses and undermined the farm household. In the case of the Gutsche couple, it was the wife's alleged physical disability and inability to contribute to the farm workforce that, in the narrative of the authorities, was turned into grounds for divorce. In both cases, the lack of sexual intercourse within the marriage, described as "not fulfilling the conjugal duty," was a rather supplementary reason for divorce. Economic considerations were clearly more central.

The cases of Esslinger and Gutsche show that an economic aspect was introduced and emphasized by the colonial administration as a prime evaluation criterion of colonist marriage. Depending on the context and circumstances, economic factors could be turned into grounds for divorce. Even "vicious behaviour" as grounds for divorce seems to have primarily meant the economic consequences of drunkenness, debauchery and wastefulness, not maltreatment and acts of violence. In the case of Wilhelm and Anna Elisabeth Gutsche, the colonial authorities readily used the economic factor as grounds for divorce while showing little interest in investigating the real circumstances. The need to let Wilhelm Gutsche remarry to save the farm seems to have been their prime concern, while the character and seriousness of his wife's disability seems to have been of little importance. The interest of the colonial administrators in having stable and economically prosperous, taxpaying households seems to have been a paramount concern that made them positively inclined towards the dissolution of dysfunctional marriages. In the Lutheran congregations, where marriage was not a sacrament, this administrative rationality was expressed most fully. The cases of Johannes and Friederika Esslinger, Wilhelm and Anna Elisabeth Gutsche,

and Martin and Margaretha Kneisler were united in the collective file under the name “About the divorces of the colonists by the decision of the spiritual authorities.” Yet, the Consistory’s decisions about divorces of the couples Esslinger and Gutsche were not communicated as clearly as in the case of the Kneisler couple.

6.6. Confusion and Delays in Divorce Procedure among the Lutherans

In 1836 Augustina Hagstotz petitioned the colonial authorities to divorce her from her second husband Martin Hagstotz, with whom she had a child. As a result of the examination of the economic aspects of their marriage conducted by the Glückstal district board, she was informed that her state debt prevented the colonial authorities from granting her a divorce. So, how did the obligations connected to the state debt affect colonist divorce?

On 22 February 1836, Augustina Hagstotz submitted a petition to Ivan Inzov, the Chief Trustee of the colonists, “with explanations of the events.”¹⁶⁷ The petition is well-structured and consists of six main points. In 1819 in Odessa, widow Augustina married Martin Hagstotz, who at that time was a tailor living in the city permanently. Considering him an Odessa city colonist, Augustina lived with him there and had never been to Glückstal colony. Augustina emphasized that she had never accepted any obligation for his state debt, and that after an eventual divorce he would still belong to the colonial authority. Martin, on the other hand, was enlisted in the Glückstal colony where his brother owned a farm, which he had inherited from their father with all the debts and obligations connected to it.

According to Augustina, Martin did not contribute economically to their joint family life. On the contrary, “as is known to all Glückstal and Odessa colonists,” on their wedding day Augustina brought a dowry, and contributed to the household with furnishings, clothes, linen, and money. Moreover, she had kept him “from top to toe,” and even paid his old debt of 300 roubles. Augustina continued:

During our cohabitation, due to Martin’s profligacy, he squandered not only our earnings, but also my entire dowry. Not by self-willed desertion, but with permission from the ecclesiastical authorities, I left him together with an infant child and a son from a previous marriage. After the separation, he

¹⁶⁷ DAOO, f. 6, op. 1, spr. 4141 (O rastorzhenii brakov kolonistov v techenii 1836 goda [1836]), arkk. 12–13, 18.

defrauded me of 100 roubles as if for a divorce procedure and caused me to lose more than 1,000 roubles on different expenses. I also had to meet all the costs for our divorce required by the religious authorities, although it is he, who, as a guilty party, should pay. But I preferred to pay them myself, in order to speed up the divorce procedure after 12 years. If the Glückstal district board's claim [*isk*] on me concerns the payment of Martin's taxes, then it has nothing to do with me. He is a sane man, in his blooming years, skilled in his craftsmanship and directly subordinated to the colonist authority [*nachal'stvo kolonistskoe*]. For these reasons I should not be subjected to any penalties, rather I am offended that my unresolved case has continued for such a long time for no legitimate reason, and that after 12 years of suffering from my scoundrel husband. I beg your Excellency in tears to pay attention to me and my children's situation, and to release me from these claims, considering that if my present groom abandons me due to the delayed divorce, I will be left unhappy with my children for the rest of my life.¹⁶⁸

In her petition, Augustina portrayed herself as the victim of her "scoundrel husband," and her situation as miserable. She appealed to the authorities to grant her divorce; otherwise she would be unhappy and her household economically unsustainable. Augustina assumed that, in the eyes of the colonial authority, the main obstacle to the divorce was Martin's debt and that it was she who had to pay a share of his debt.

On 28 April 1836, a report from the overseer Dmitrii Paruli was sent to the Trustees Committee which shed some more light on the case. It turned out that the Glückstal district board had claims on Augustina regarding the tax payment for her son Franz from her previous marriage. Despite Martin's obligation to raise his stepson and take responsibility for his eventual tax liability, he had not performed this task properly. As soon as Augustina had arranged trustworthy guarantors for her son's liability, the Glückstal society would agree to her divorce with Martin. That was done, and Augustina received approval from the village assembly to divorce Martin. On 3 June 1836, the Trustees Committee notified provost Grossbaum that they saw no obstacles to divorce from the perspective of the colonial authority.¹⁶⁹ The case was therefore ready to be submitted to the Consistory for the final verdict.

The confusion and divorce delay were based on Martin Hagstotz's unfulfilled responsibilities regarding his stepson's custody. By marrying the widow Augustina, who had a son Franz from a previous marriage, Martin Hagstotz was obliged to take care of his stepson's upbringing and guarantee

¹⁶⁸ DAOO, f. 6, op. 1, spr. 4141, arkk. 12–13.

¹⁶⁹ DAOO, f. 6, op. 1, spr. 4141, arkk. 11–11 ob., 14, 17–17 ob.

his tax liability that the stripling might have inherited from his father and a first husband of Augustina. Due to his profligacy and thriftlessness, Augustina claimed, and the lack of a farmstead or other property, he did not prove a reliable guardian for his stepson. The district board therefore required Augustina to find other trustworthy guarantors for her son's liability, which she did and received approval to divorce. However, Augustina herself seems not to have been aware of the reasons for the delay in the divorce proceedings at the time she petitioned Ivan Inzov, and had obviously misunderstood the situation. Living in Odessa, she was not entirely familiar with the proceedings in the Glückstal colony. In the Black Sea steppe region, it was quite common that some colonists were registered in one colony, but actually lived somewhere else. But they still retained their tax and state debt obligations connected to the colony. The joint responsibility for taxes and debts was key to the economic efficiency of every colonist community and the colonization project as such. In fact it was Augustina's own son's tax liability that was the problem and that hindered her divorce.

6.7. The Power of Actors, and Actors-in-Power: Clergy vis-à-vis Clerks

Apart from personal issues and dramas, the cases of broken marriages and divorces illustrate the entanglements between colonial and ecclesiastical authorities, revealing tensions and hidden struggles. In some cases, even the top management, the Minister of the Interior, became involved.

In 1823, Superintendent Böttiger approached the Justice Collegium with complaints (*donos*) about the Ekaterinoslav Office. According to him, the Ekaterinoslav Office had suspended the issuing of the certificates assessing the obstacles in some divorce cases involving colonists. Böttiger's complaints were mainly connected to two divorce cases, involving the Molotschna colonists Friederik and Barbara Gartman, and Konrad and Maria Kilve. Viktor Kochubei on behalf of the Department of State Economy and Public Buildings of the Ministry of the Interior instructed the Trustees Committee to order the Ekaterinoslav Office to issue the needed divorce certificates without delay.¹⁷⁰

The Molotschna district board reported that it had submitted all evidence regarding the two cases to the Ekaterinoslav Office by the end of 1822, which the Office sent to Böttiger in January 1823. In April 1823, Böttiger also

¹⁷⁰ DADO, f. 134, op. 1, spr. 757, arkk. 14–14 ob.

received a certificate from the local communities confirming that the divorces of these couples would not entail any economic losses.¹⁷¹ Böttiger's complaints were cited but the original was not enclosed in the file. However, it is clear that he was very strong in his criticism of the Ekaterinoslav Office, and it was the target for his complaints. In December 1823, the Trustees Committee approached the Minister of the Interior with a written evaluation of Böttiger's complaints. They criticized Böttiger for groundless accusations of the Ekaterinoslav Office, "wayward expressions" (*svoenravnyye vyrazheniia*), and insults. The Trustees Committee further asked the Minister for "legal redress" (*zakonnoe udovletvorenii*) and to "urge the foreign clergy to duly respect the governmental offices established by the emperor."¹⁷²

The higher authorities apparently found a rational basis to Böttiger's claims. In March 1824, the Justice Collegium asked the Department of the State Economy to instruct the guardianship offices in the entire "New Russia region" to issue, on the request of the local Lutheran preachers, without delay, the required certificates evidencing whether the divorce requested by the colonists entailed any damages to the state interest. Also, these certificates should be drawn up separately for each case.¹⁷³ At the end of October 1824, the Trustees Committee accepted the prescription for execution.¹⁷⁴

Friction between colonial clerks and religious servitors was common in proceedings concerning marriage and divorce. It frequently led to recriminations, complaints and long correspondences containing verbal duels. Often the subject matter concerned who was responsible for the delays in the proceedings. For instance, in September 1823 the Ekaterinoslav Office received the reports of Ignat Gozadinov and pastor Zehling regarding the case of Louise and Andreas Wilhauk. Ignat Gozadinov maintained in his report that Zehling had not supplied the Mogilev Consistory with the required "clarification on what grounds he united this couple."¹⁷⁵ Pastor Zehling retorted that he had indeed responded to Gozadinov's requests with full clarification, and had done so twice.¹⁷⁶

While connected to the implementing of the colonist marriage regime, the ecclesiastical and secular authorities in practice frequently held conflicting

¹⁷¹ DADO, f. 134, op. 1, spr. 757, arkk. 17–18 ob.

¹⁷² DADO, f. 134, op. 1, spr. 757, arkk. 67–70 ob.

¹⁷³ DADO, f. 134, op. 1, spr. 757, arkk. 100–100 ob.

¹⁷⁴ DADO, f. 134, op. 1, spr. 757, arkk. 101–102 ob.

¹⁷⁵ DADO, f. 134, op. 1, spr. 757, arkk. 35–35 ob.

¹⁷⁶ DADO, f. 134, op. 1, spr. 757, arkk. 45–45 ob.

views on these matters. It seems that the tension between them could be eased, but not resolved.

Nothing Personal, Simply Desecration of the Temple (Roman Catholics)

The colonial paperwork on Casper and Maria Herring's case illustrates the role of religious servitors and colonial clerks in life situations and discords related to marriage, and the weight of their positions and respective narratives. It also problematizes the role of the colonist community and the local colonial authorities in the familial and marital life of the colonists.¹⁷⁷

Casper and Maria Herring's case was brought to the fore in a report of Celestine Staszewski, the Catholic priest of Heidelberg colony, about an incident occurring on 22 May 1822 after the service in the church of Heidelberg. Staszewski began his report by accusing the colonist Casper Herring¹⁷⁸ of almost committing a murder after the church service, before the whole Heidelberg community, by pushing his *wife* Maria strongly in the back when she was leaving church. According to Staszewski, Casper's push would have been strong enough to cause Maria's death or disability if villager Martin Jauphman had had not managed to catch her. Thanks to him, Staszewski pointed out, Maria had only received a severe concussion. Staszewski's report describes in detail the incident, including Maria's fall to the ground. The priest accused Casper of having an "evil intention" and planning to assault Maria. According to the priest, Maria Herring suspected nothing on her way out of the church. Staszewski explicitly victimized Maria, while emphasizing that Casper Herring had desecrated the temple and offended the parishioners by his misbehaviour.

Since the clergy did not have the power to judge and punish colonists on their own, but only after receiving permission from the colonial authorities, Staszewski approached the Ekaterinoslav Office to chastise Casper for his "insolence" and "disrespect for the temple." Having become familiar with the priest's report, on 8 June 1822 the Ekaterinoslav Office instructed its clerk Ignat Gozadinov to conduct an investigation of the incident in coordination with the Molotschna district board and to subsequently inform the Office about the outcome.¹⁷⁹

¹⁷⁷ Another file about Casper Herring being coerced by his parents to marry Maria Wolf is lost. (DAOO, f. 6, op. 1, spr. 2094. (Po otnosheniiu Mogilevskoi katolicheskoi dukhovnoi konsistorii otnositel'no prinuzhdeniia so storony roditel'ei k zhenit'be geidel'bergs'kogo kolonista Kaspera Gritera na Mariane Vol'f [1826]).

¹⁷⁸ In the sources there are several ways of writing this surname.

¹⁷⁹ DADO, f. 134, op. 1, spr. 687, ark. 19, 20.

At the end of June 1822, having conducted an investigation together with the mayors of the colonist district, Ignat Gozadinov reported to the Office about the results. He emphasized that evidence had emerged that contradicted Staszewski's version. According to Gozadinov, his investigation had revealed that Casper Herring "only slightly pushed his wife" due to her "dissolute behaviour" (*rasputnoe povedenie*). Gozadinov criticized Staszewski for concealing several crucial facts, such as the following: Maria had abandoned Casper six years previously and had for the last three years been cohabiting with another colonist in the same colony, Sebastian Biedermann, with whom she now had two children. Gozadinov also pointed out that Maria's "dissolute behaviour" was well-known within the colony.

In his report to the Ekaterinoslav Office, Gozadinov also enclosed statements from the eyewitnesses Franz Kohanz and Martin Jauphman, colonists of Heidelberg, whom he had questioned on 18 June 1822. The interrogation was conducted in the presence of the district board mayor, and the statements were written down by a staff pen pusher and signed by the two colonists. The first witness, Franz Kohanz, a Catholic aged 49, claimed that "Herring did not hit, but rather pushed his wife on the church porch...and endangered her life rather insignificantly." Kohanz also testified to Casper's "good behaviour" and stressed that Maria led a "dissolute life":

...since she had left her husband six years ago, conceived two children (a son and a daughter) with Sebastian Biedermann with whom she had cohabited with for three years. And even now she cohabited with him at the lieutenant's place, where Sebastian served as a gardener.¹⁸⁰

The other witness, Martin Jauphman, a Catholic aged 46, disagreed with Staszewski's version that without his intervention, Maria would have lost or endangered her life. According to Jauphman, if he had not given support to Maria, she could have just jumped off the porch. Like Kohanz, he testified to Casper's "diligent behaviour" (*khorooshee povedenie*) and Maria's "profligacy" (*rasputstvo*).¹⁸¹ Basically, both male colonists testified against Maria. They also stressed that Staszewski had exaggerated the force and danger of Casper's action against Maria.

During Gozadinov's investigation, Casper Herring, a Catholic aged 27, was also questioned the same day, on 18 June 1822. Casper Herring stated that when he saw his wife Maria together with Sebastian Biedermann in

¹⁸⁰ DADO, f. 134, op. 1, spr. 687, ark. 23.

¹⁸¹ DADO, f. 134, op. 1, spr. 687, ark. 24.

church, he became jealous and pushed Maria a little. According to Casper, priest Staszewski had allowed Maria to cohabit illegally with Biedermann while permitting Casper to remarry Marianna Zerr without first obtaining a formal annulment from the Consistory. Casper also pointed out that he had personally reported to the district board mayor about that, but the matter had been dismissed.¹⁸²

During the general inquiry (*poval'nyi obysk*) in Heidelberg, conducted during Gozadinov's investigation, the village assembly consisting of nine male householders testified to Casper's "exemplary behaviour, who was not noted for any fines or sins," whereas Maria "had left her husband without reason six years previously and had illegally cohabited with Sebastian Biedermann for three years, by whom she had a daughter and a son and now he is a gardener at the lieutenant's place."¹⁸³ The paperwork of the Ekaterinoslav Office indicates that Gozadinov's investigation consisted of the questioning of two male witnesses about the incident in the church, Casper Herring's testimony, a general inquiry in Heidelberg, and the testimony of its village assembly. Neither Maria, nor priest Staszewski was interrogated at this point.

Staszewski reacted strongly when informed about the results of Gozadinov's investigation. He accused Gozadinov's investigation of one-sidedness and partiality. In his responding missive to the Ekaterinoslav Office on 20 July 1822, Staszewski made a metaphorical appeal:

The true quality of a tree can be learned only in comparison with the qualities of other trees.¹⁸⁴

With this metaphor, Staszewski wanted to point out that the other party in the conflict, Maria Herring, had not been questioned at all. During Gozadinov's investigation, Maria was not present in the colony, since she had followed Sebastian Biedermann to the Bakhmut county, where he worked. Staszewski himself had not been interrogated by Gozadinov either, since he left the colony for the city of Melitopol for business. Condemning Gozadinov's investigation for its partiality, the priest underlined that if Gozadinov had conducted an "overall investigation" he would have discovered that Casper had committed adultery with someone called Barbara and had illegally conceived a child, that Casper had abandoned Maria six days

¹⁸² DADO, f. 134, op. 1, spr. 687, arkk. 28–29.

¹⁸³ DADO, f. 134, op. 1, spr. 687, ark. 25.

¹⁸⁴ DADO, f. 134, op. 1, spr. 687, ark. 46.

after their wedding, that Casper and his father had slandered Maria for adultery with a Jamburg priest, and would have found out about Casper's mother violence against Maria. Staszewski appealed to the Ekaterinoslav Office to appoint a commission to conduct a reinvestigation that might find out many more facts about Casper Herring than had been included in the present report.¹⁸⁵

Meanwhile, the Mogilev Roman Catholic Consistory puzzled even more over this particular case. By notifying the Ekaterinoslav Office about priest Staszewski's reprimand on 6 July 1822, it also disclosed the details about Herring's case. According to the Consistory, on 8 July 1821 Casper and Maria Herring approached the priest Staszewski with a request to be granted divorce. According to Maria, she had been forced to marry Casper, whom she did not love. Suffering because of her parents-in-law's violence against her, and Casper's adultery with Barbara, she had left Casper and returned to her parents. Subsequently "she fell in love" with Sebastian Biedermann and had a child by him. Both spouses now asked for divorce and the right to remarry. Having become acquainted with the divorce petition, on 11 July 1821, the Consistory instructed the priest to investigate the matter together with the district police and consequently submit the full evidence to the spiritual court. During the supposed investigation, Staszewski was instructed to put Maria under the strict watch of her parents and to ensure both spouses avoided a "dissolute life." Eventually the Consistory rejected the divorce petition, though the reason for this rejection was not stated. As the Consistory suggested, being denied a divorce provoked Casper Herring. Being angry and seeing his "legal wife" with "a lover" in a church, he pushed her in the back. Regarding the incident in the church, the Consistory mainly repeated Staszewski's narration, emphasizing that Casper's push had endangered Maria's life. According to the Consistory's narrative, priest Staszewski strongly advocated the divorce of the Herring couple and permitting them to remarry their respective cohabitants. By that time Maria had a daughter Anastasia (born 2 August 1820) and a son Peter (born 30 September 1821) with Sebastian Biedermann and was pregnant with a third child.¹⁸⁶

The Consistory's assessment of the case consisted of three main points. It judged Casper Herring's action in the church as an "intentional and evil-minded push" of his *wife* Maria that could have caused either her death or

¹⁸⁵ DADO, f. 134, op. 1, spr. 687, ark. 46–46 ob.

¹⁸⁶ DADO, f. 134, op. 1, spr. 687, arkk. 42–45.

lasting injury, if the colonist Jauphman, whose “quickness deserves the authority’s approval” had not intervened. It also condemned Casper’s action for violating imperial legislation, and emphasized that the provincial government and the Ekaterinoslav Office for Foreign Settlers’ possessed authority in the legal assessment of Casper’s action. Secondly, the Mogilev Consistory rebuked priest Staszewski for his:

...laziness in conducting investigations, impermissible allowance of Maria Herring’s dissolute life with Sebastian Biedermann, and his evasion of the parental supervision demanded by the Ecclesiastical Court, and also for not collecting the suit duty of eight roubles 4 ½ kopecks from the couple.¹⁸⁷

Priest Staszewski received a “most strict” [*strozhaišhyi*] reprimand

...so that in the future he would conduct his service with thrift, follow overbearing regulations strictly and immediately, and safeguard the treasury’s interest [*kazennyi interes*].¹⁸⁸

Interestingly, the Consistory attributed to priest Staszewski a duty to secure and safeguard the state’s economic interests. Thirdly, the Consistory reminded Staszewski, who had advocated Casper and Maria’s divorce and supported the legalization of their illegal relationships, about its absolute prohibition from doing so until Casper and Maria’s current marriage had been *officially dissolved*.

Based on Staszewski’s and Gozadinov’s reports, and the Consistory’s notification, on 1 September 1822, Andrei Fadeev, the Chief of the Ekaterinoslav Office, judged the case on behalf of the colonial authority. Fadeev concluded that Maria Herring had “engaged in debauchery” when given freedom to cohabit with Biedermann. Thus, he accused the Molotschna district board of non-permissive “indulgence” (*poslablenie*) and pointed out its duty to ensure Maria’s stay under her parents’ close watch until the divorce decision was made. The Ekaterinoslav Office also requested the Bakhmut district court to send Maria back from the Bakhmut county to Heidelberg for reinvestigation. However, the Ekaterinoslav Office’s clerk Gozadinov was accused of partiality in the investigation, since it had been conducted without questioning Maria and in the absence of priest Staszewski. Andrei Fadeev summarized that:

¹⁸⁷ DADO, f. 134, op. 1, spr. 687, ark. 44 ob.

¹⁸⁸ Staszewski was fined of 15 roubles for late delivery of Herring’s divorce case after triple reminders during 1821–1822, see DADO, f. 134, op. 1, spr. 757, ark. 5.

The judgment about Casper's complete innocence was wrong, since it is strictly forbidden to push anyone during a meeting and service in church.¹⁸⁹

Considering all the accumulated information about the situation at that moment, Fadeev took a normative stance in the case. From a legal point of view, it did not matter whether Casper Herring pushed Maria slightly or strongly in church, or what motives had guided him. He had violated the Police Ordinance of 1782, which introduced guidelines for the behaviour of members of a congregation in church,¹⁹⁰ and the Instruction for the Internal Order of 1801, which emphasized in its first line that the main duty for all settlers was to obey the law of their church. The imperial decree of 5 February 1816 on keeping proper order and silence in churches pointed out that immediate legal proceedings and punishment to "the full extent of the law" would otherwise be meted out.¹⁹¹

Misbehaviour in a church, as a disciplinary misdeed, fell within the competence of the colonial authorities. On the one hand, priest Staszewski appeared in the case as the promoter of justice. On the other hand, while reporting about the incident in the church, he concealed vital facts that had a bearing on the incident, such as the marriage breakdown of the Herring couple, and Maria's appearance in church with another man. Only when reacting to Gozadinov's investigation did the priest acknowledge his full awareness of the various consequences of the failed marriage. Both Maria and Casper petitioned for divorce because they needed to legalize their illegal relationships. It was the colonists themselves who brought the case to the authorities' attention. When the official procedure started, Maria, who at the time of filing the petition had become pregnant by her lover for the second time, was placed under the strict control of her parents until the decision on the divorce petition was made.

Apart from encouraging the economic development of the colonies, and monitoring the colonists' taxability and duties, the elected officials of the district and village boards were assigned a policing function. This duty officially aimed at the well-being of the population and secured law abidance, good morals, ethics and religion, health and social protection, and

¹⁸⁹ DADO, f. 134, op. 1, spr. 687, arkk. 50–54.

¹⁹⁰ "Ustav Blagochiniia ili Politseiskii [8 April 1782]," in *PSZRI*, vol. 21 (1781–1783) (St. Petersburg, 1830), 478, 481.

¹⁹¹ "Imennyi, obiavlennyi Senatu Ministrom Iustitsii. O sobliudenii v tserkviakh dolzhnogo poriadka i tishiny [5 February 1816]," in *PSZRI*, vol. 33 (1815–1816) (St. Petersburg, 1830), 474–475.

schooling.¹⁹² It was therefore the responsibility of the priest and the Molotschna district board mayor to “make Maria stay under the strict control of parents until the divorce resolution.”¹⁹³ According to the Instruction for the Internal Order of 1801, clergy were not allowed to interfere in the so-called secular sphere. The main role in “maintaining morals” among the colonists was reserved for the district and village mayors. By “good morals,” imperial lawmakers meant obedience to the authorities, industriousness, and sober and calm life in the colonies.

The role of the colonist community, village assembly, and elders in maintaining colonists’ morality and ethics is no less intriguing. According to Gozadinov, during his investigation the village assembly of Heidelberg testified that Maria’s “dissolute behaviour” had lasted for years, that she had left her husband years ago, had cohabited illegally with another colonist for three years and had children with him.¹⁹⁴ Gozadinov’s investigation indirectly suggests that the colonist community knew very well about the extramarital relations of its members, but chose to turn a blind eye. The fact that Maria Herring dared to appear with Sebastian Biedermann on the church service supports this argument.

The priest presented the Herring couple’s marriage as involuntary, void of emotional closeness, and full of discord from the moment of its conclusion. Both spouses were involved in extramarital relations, and had no joint children. In the eyes of Staszewski, the dissolution of the failed marriage and the legalization of Maria’s and Casper’s relationships with their respective partners would be the only right solution in this case. One possible interpretation of Staszewski’s approach is that the priest was prone to legalizing functional marriages despite the official marriage regulations. The incident in the church may have been used as a pretext by the priest in order to promote the divorce of the couple. By playing the card that public order had been abused by Casper, the priest, with the help of proper rhetorical tools, could make a grand issue out of the church incident. Or maybe by blowing up the incident in church and directing the attention of the authorities to it, the priest wanted to conceal something? It is also possible that the priest had some personal issues with Casper Herring, and the church incident was an

¹⁹² Taisiia Malynovs’ka, “Orhanizatsiia ta diial’nist’ kolonists’kykh vybornykh administratsii v Rosiiskii imperii (1762–1804)” (Avtoreferat dys. kand. ist. nauk, Dnipropetrovs’kyi Natsional’nyi Universytet im. O. Honchara, 2012), 11

¹⁹³ DADO, f. 134, op. 1, spr. 687, arkk. 45, 47.

¹⁹⁴ The actual number of Maria Herring’s illegitimate children varies in different reports.

excuse for the priest to settle the score with him. After all, Celestine Staszewski had a reputation as a wayward priest, to say the least.

On 16 December 1825, the Molotschna district board reported to the Trustees Committee that bypassing the district board's authorization, Staszewski had married Casper Herring and Marianna Zerr on 10 December 1824. Also, the Molotschna district board had recently become aware that Maria Herring and Sebastian Biedermann had been married in secret "four years ago," i.e. in 1821(!).¹⁹⁵ This means that when the incident in the church occurred on 22 May 1822, Maria Herring and Sebastian Biedermann were actually married. The information about Maria Herring and Sebastian Biedermann's marriage surfaced only in the end of 1825. Before that time, Maria appears in the paperwork as *the wife* of Casper Herring. It was actually Casper Herring who in 1822 gave certain signals about the true situation. During Gozadinov's investigation, Casper Herring mentioned that it was Staszewski who had allowed Maria to cohabit illegally with Sebastian, and who had let Casper remarry Marianna without conferring with the colonial authorities or obtaining a formal decision from the Consistory. He also openly admitted that his jealousy was the reason for pushing Maria. It is difficult to know whether Casper knew about the secret marriage between Maria and Sebastian, or just believed that they were cohabiting with permission from the priest. But by that time, Maria had two children with Sebastian. Casper's signals brought up something in the course of Gozadinov's investigation that had not received adequate attention. By accusing Gozadinov's investigation of partiality due to the procedural bias (which was fair), Staszewski completely invalidated the investigation's results. Preventing exposure of his own irregular actions, the priest confused the whole investigation by bringing up other facts and details of only secondary importance. Staszewski did succeed in discrediting Gozadinov's investigation in the eyes of the Ekaterinoslav Office. During the entire process, the Consistory and the Ekaterinoslav Office were confused by the church incident, and its administrative and bureaucratic details, and overlooked, due to Staszewski's efforts, the fact that Maria and Sebastian were already married in 1821!

The Molotschna district board expressed its unawareness of whether Casper and Maria were legally divorced and had a right to remarry, and asked the Trustees Committee for information on whether Casper was legally

¹⁹⁵ Casper and Maria's case was enclosed in the collective file about marriage dissolutions of the colonists. DADO, f. 134, op. 1, spr. 757, arkk. 106–107.

divorced from his wife and had a right to remarry, and also if Staszewski could marry colonists without the district board's authorization. The Trustees Committee contacted the Mogilev Roman Catholic Consistory in order to find out when a decision about divorce was made and if the priest had a right to conclude new marriages. The information about the new marriages concluded by the priest confused the entire system of vertical power, the district board, the Ekaterinoslav Office and the Trustees Committee, who had not authorized any divorces of the colonists in question. The Trustees Committee also wrote to the Consistory:

...to instruct the priest not to conclude treacherous (*verolomnykh*) marriages of the colonists without the local colonial authorities' permission, so that due to subsequent changes in the families not to cause a mess when counting the colonists, and particularly to ensure the state debt payments of these families.¹⁹⁶

The Mogilev Consistory clarified that Casper and Maria Herring had indeed approached the Consistory for annulment and permission to remarry, since both had been forced to marry by their parents. The Consistory had instructed Obuszynski to conduct an investigation regarding the involuntary nature of the marriage, but he had not yet reported the results. It was also confirmed that the Catholic clergy were prohibited from marrying colonists who lacked written permission from the local colonial authorities. Thus, Staszewski's actions were seen as violating this prescription.¹⁹⁷ The Trustees Committee confirmed that by 1825, Obuszynski had not yet begun to perform his duties and had not yet started his investigation.¹⁹⁸ The evidence suggests that the Mogilev Consistory did not approve the divorce (this was mentioned in its notification of the Office on 6 July 1822). Staszewski had not submitted any written permission from the colonial authorities granting the divorce of Casper and Maria Herring to the Consistory, simply because there was no such decision. This means that Staszewski in 1821 had married Maria and Casper with their partners willfully. By that time, Maria had already conceived at least one child with Sebastian, and was either pregnant with a second one or had already given birth. Staszewski also did not mention Maria

¹⁹⁶ Fragmented correspondence between the Molotschna district board, the Trustees Committee and the Mogilev Roman Catholic Ecclesiastical Consistory regarding Staszewski's unauthorized marriage ceremony between Maria Herring and Sebastian Biedermann, and Casper Herring and Marianna Zerr was inserted in the file on the divorce of Louise and Andreas Wilhauk. DADO, f. 134, op. 1, spr. 757, arkk. 106–107.

¹⁹⁷ DADO, f. 134, op. 1, spr. 757, arkk. 108–110 ob.

¹⁹⁸ DADO, f. 134, op. 1, spr. 757, arkk. 111–113.

and Sebastian's marriage when starting the whole process about the church incident. Moreover, the priest continued to obscure the real situation by calling Maria *the wife* of Casper, which confused the hearing even more.

In this case, the priest apparently sided with the colonists and disregarded the regulations on divorce, yet not without consequences for himself. Staszewski believed that the involuntary nature of the Herring's marriage, as testified by their parents, was enough grounds to annul the marriage of the couple, as the secretary of the Ekaterinoslav Office brilliantly summarized in the enquiry (*spravka*).¹⁹⁹

6.8. Narratives of Marriage Breakdown and Divorce of the Colonists

The cases of marital breakdowns and divorces among the colonists were usually not simply dialogic, but rather polyphonic. Considering the methods of interrogation, and of documenting the trial and filing the case, the narratives of the colonists were frequently embedded in the interpretations, personal judgements, and narratives of the clerks and clergy. Still, in a handful of cases, the multitude of echoing voices of the spouses break through to the surface. The crude statements of the colonists and suits for divorce were not always based on the actual law, but rather on received opinion among the colonists. The statements of "actors-in-power" (clergymen, colonist mayors and other clerks) are usually more reasoned and rational, but sometimes not governed by law either. Their actions were frequently predetermined by their positions and not without subjectivity and tendentiousness.

In Christian and Christina Bauer's case, Superintendent Karl Böttiger fully supported Christina in her divorce suit. After being "deluded," Christina "came to her senses" and returned to the Evangelical Lutheran Church of Russia. Böttiger provided her with protection and speeded up her divorce with her "deluded sectarian" husband. The logic of his support does not seem to have been gendered. Rather, it was grounded in religious considerations and the legal grounds for divorce. However, the clergy were not always guided by religious doctrine. The priest Celestine Staszewski became known for his arbitrariness and for violating the prescriptions of higher authorities, as well as the marriage regime. He divorced Maria and Casper Herring secretly, and married them willfully to their respective partners. As it turned

¹⁹⁹ DADO, f. 134, op. 1, spr. 757, ark. 109.

out, by blowing up the church incident in 1822, discrediting Casper and questioning the results of Ignat Gozadinov's investigation, the priest probably intended to legalize the irregular marriage of Maria and Sebastian, concluded by him in 1821. Being pragmatic and down-to-earth, Staszewski was prone to improving the relations and erasing interpersonal tensions between unhappy spouses, at the cost of violating the marriage regulations and creating a certain degree of confusion about who was legally married to whom.

Recent research has shown that the patriarchal ethos may have been threatening not only for women but also for men since it constantly tested their manliness. Manhood could easily be challenged when a patriarch failed to fulfil his duties as a husband and father, to be self-controlled, to support his family, and to assert his authority over his subordinates. The behaviour of his children, wife and other dependents mirrored his ability as a man. Furthermore, a patriarch's failure to impose his authority on his family was often held as an indication of his inability to hold public office.²⁰⁰ Moreover, some women suppressed other women, whereas patriarchy was not equally oppressive for all women. Social and marital status, occupation, regional, or even age-related factors intersected with gender and formed a more complex image of power relations.²⁰¹

Most colonist male narratives contained arguments on patriarchal power and prerogatives. They often emphasized the wife's failure to perform her economic function in the household. Stressing the material basis of marriage, they acknowledged that a colonist household could not function without a wife as a field-worker, child care provider, and the like. The absence of a working wife or her inability to perform economic functions had a harmful impact on the household economy. Males also invoked patriarchy when stressing that they had performed their duty as head of the household. That included not only their role as provider, but also the patriarchal duty to correct errant wives and save them from their sinful ways. More revealing was the tendency of males to invoke the correction tones, either reflecting internalized patriarchal values or perhaps representing a shrewd manipulation of the church's own teachings about a husband's responsibility. Jacob Vogel discursively represented his wife almost as property, depriving her of not only subjectivity, but any responsibility for her desertion. According to Vogel's narrative, his wife had been abducted; hence, her desertion was

²⁰⁰ Dialetti, "From Women's Oppression to Male Anxiety," 29.

²⁰¹ Dialetti, "From Women's Oppression to Male Anxiety," 31.

simply men's business between the husband, the seducer, and the colonist authorities.

Notably, some women also invoked the patriarchal narrative, not, of course, to affirm the male's right to dominate but instead to demonstrate that he had failed to fulfil his duty as a family man, provider and householder. Thus, some female plaintiffs claimed that their spouses had not provided material support for the family and hence had failed to satisfy the requirements of the patriarch as a provider. Some justified economic independence by emphasizing how the husband's failure to provide had forced them to seek work outside the home and/or to desert. A woman was simply forced to become the main provider.

Reconsidering male power and reassessing patriarchy, women stressed that dire necessity had forced them to seek outside employment. Eva Rosina Gesske justified her desertion by the poor conditions and upkeep from her husband, so that she often remained in the colony without daily food. She succeeded in finding a job in the Kishinev Military Hospital. In the cases of Augustina Hagstotz and Friederika Esslinger, the patriarchy was simply repudiated. Self-portraying herself as a victim of her "scoundrel husband," Augustina Hagstotz, however, challenged the domesticity that underlay a wife's dependence on her husband and instead asserted her own economic self-sufficiency. She emphasized her husband's failure as a provider and his economic unreliability by instead portraying herself as a trustworthy taxpayer and a self-sufficient woman. It was she who with her dowry had laid the foundation for their household, and it was he who had constantly squandered their property. Augustina Hagstotz wanted to become free from her husband Martin and divorce him.

Friederika Esslinger viewed herself as the one primarily responsible for the running of the farm. She portrayed her husband as a repeated runaway who was useless at managing the farm, and also wasteful and ill-tempered. In her narrative, Friederika also challenged her husband's masculinity, claiming that he had not even fulfilled his conjugal duty. Martin appeared not only as a bad householder, but also as a bad husband and unworthy as a male. In both male and female narratives, "not performing the conjugal duty" emerged as a complementary, secondary cause for marriage breakdowns. Wilhelm Gutsche was allowed by the trustees to divorce his wife and marry another woman not only because of his wife's unfulfilled responsibilities in running the farm, due to her alleged physical disability, but also because she did not perform her conjugal duty. Sexual dissatisfaction in marriage was after all

seen as an alarming sign and a potential forerunner for illegitimacy and sexual intercourse outside wedlock.

The topics of love and morals, but also sexuality were present in both male and female narratives. Apart from his wife's desertion and alleged disease that may have pushed Carl Ulrich to sue for divorce, lack of love, as he claimed, became an obstacle to reconciliation. Margaretha Ulrich and her father Johann Eichhorst on the other hand criticized Carl Ulrich for not taking care of Margaretha during her illness. Margaretha Ulrich and Johann Eichhorst appealed to Carl Ulrich's moral responsibility to take proper care of his sick wife. In the case of Gottfried and Magdalena Tiengerod, both spouses highlighted "lack of love" as a reason for the collapse of their marriage. Both emphasized their immaturity when marrying, while Magdalena also stressed its involuntary nature. Christina Krieger explained her desertion from her husband by her "restless life" due to the "gloomy temper" of her parents-in-law. Because of this, her love for her husband, she claimed, had simply vanished. In the cases of Christina Krieger and Sofina Meinradt, troublesome relations with in-laws were voiced in the narratives as complementary reasons for their desertion. Maria Herring claimed that she had been forced to marry, and, therefore had no love for her husband. The topic of love and feelings appeared in the "actors-in-power" narratives as well.

The files on divorces and marriage breakdowns primarily convey a secular, and not sacred, narrative of marriage. The way the spouses assumed economic roles and contributed to the farm-running not infrequently reassessed the gendered roles in marriage and questioned the notion of patriarchy. Males and females, as discussed above, used the patriarchal discourse instrumentally in order to achieve their aims. The argument about the uselessness of a spouse in running the farm or in economic matters automatically ensured the support of the colonist authorities for the appealing party, without regard for gender. Both male and female narratives invoked a material, economic conception of the conjugal union when directing appeals to the colonial authorities. At the same time, male and female narratives posited something closer to a companionate marriage: one based on partnership (not always patriarchy), mutuality (not just subordination), and love, empathy and emotional closeness (and not necessarily material need).

Males and females not infrequently used narrative strategies to obtain divorce: the former sought to reassert patriarchy, the latter to contest it. Yet, males and females alike instrumentalized the argument about household economy and its (dys)functionality in order to gain a favourable hearing by

the colonial authorities and achieve their aim. Both clerics and clerks manoeuvred between state interests, community interests, church interests, and the law, aiming for security and harmony in the colonies, but also securing their own interests. The marriage regime in general and the decision-making processes in individual cases were usually labelled as concern for public order, welfare and the economic prosperity of the colonists. Yet, this concern was instrumentalized and articulated differently depending on the position and the personal intentions of the different actors.

6.9. The Paradigm of the Colonist Marriage Breakdown: Concluding Discussion

According to Gregory Freeze, divorce applications from rural litigants, often transcripts of oral statements by illiterates, were seldom based on law.²⁰² They tended to be personal and wordy, and to focus on misdemeanours and disloyalty, but they practically always failed to specify any valid grounds for divorce, and sometimes any grounds whatsoever. Most often they demonstrated a minimal awareness of divorce law and procedure. Such suits were often incomplete, lacking basic documents and information, interrupted, with disappeared litigants, even plaintiffs, not just defendants, and unpredictable, with plaintiffs sometimes turned into defendants.²⁰³

Colonists' petitions for divorce were not correctly compiled either, they were often incomplete and lacked references to (and sometimes even awareness of) the legal grounds for divorce. Usually they were phrased like complaints rather than lawsuits. Interrogations and investigations were usually delayed for months or years, since the defendant frequently refused to appear. Witnesses proved difficult to locate, and sometimes they failed to confirm the plaintiff's claim. The delivery of documents, certificates or requests was sometimes impeded by the inability to locate the plaintiff or defendant. Wars, death and other losses would also bring certain adjustments. The result was a glacial pace in contested divorces, dragging on for

²⁰² Freeze identified the differences and characteristics of the "popular" divorce paradigm of rural litigants in late imperial Lithuania in contrast to the elite, "privileged" one, see Gregory L Freeze, "Profane Narratives about a Holy Sacrament: Marriage and Divorce in Late Imperial Russia," in *Sacred Stories: Religion and Spirituality in Modern Russia*, ed. Mark D. Steinberg and Heather J. Coleman (Bloomington and Indianapolis: Indiana University Press, 2007), 146–178.

²⁰³ The cases on divorce of rural litigants in late imperial Lithuania were often incomplete, incoherent, and invalid, see Freeze, "Profane Narratives about a Holy Sacrament," 165–166.

years and often ending without any final resolution from the consistories. For colonist litigants those delays were onerous, especially in cases when a spouse was in urgent need of a life companion to run a farm. Colonists, especially those who were illiterate or semi-literate, often lacked even rudimentary knowledge of the procedures and legal grounds for divorce. Complaining that a spouse led a “deprived life” and had abandoned him/her, without further ado, he/she naively asked the colonial and the ecclesiastical authorities for divorce. The vast majority of popular divorce petitions were based on non-existent legal grounds, or invented new or hybrid ones. Yet a few were very pragmatic and instrumentally applied certain rhetorical tools and narratives that were believed would bring them the desired result.

In the paradigm of autocratic legality, with the execution of paternalistic state authority through the medium of rational rules and an instrumentalist view of law as intrinsic to those who exercised authority, the Chief Trustee of the colonists was assigned to interpret the law, but also to judge the colonists’ misdeeds and minor offences. While exercising judiciary and state service, the Chief Trustee not infrequently found himself manoeuvring between state interests and the diverse considerations of colonist villages and district boards, clerics, ecclesiastical authorities, colonist societies, and individual colonists’ interests.

Due to their procedural complexity, marriage and divorce cases tended to tie up the administrative work of colonist boards, colonial administrations and consistories. The colonial administration spent a lot of time and energy seeking to obtain documents or fees, locating defendants, witnesses, and sometimes even plaintiffs, and obtaining information from state authorities and required medical assessments. Although the consistories and colonial administrations attempted to instruct litigants, a large proportion of the lawsuits foundered on formalities and added to the administrative overload. Given the churches’ lack of police powers, the clergy could not force litigants to cooperate either.

The institutionalization of colonist divorce went hand in hand with its bureaucratization. Divorce for the colonists became a long and multistage process, requiring multiple validations through the colonial vertical power hierarchy (village and district colonist boards and colonial administrations). In the colonist divorce proceedings, I have distinguished between the colonial and the ecclesiastical stages. In this chapter I have examined in-depth the colonial stage of the divorce, which formally was a precondition for the divorce trial in the ecclesiastical court. Considering the imperial logic of colonization, the bureaucratization of the colonist marriage formation and

dissolution was unavoidable. Another matter is the determination and resources at the disposal of the local agents in tightening control and implementing the visions of their sovereigns.

Given the complexity of the imperial legal order, the main body of the law was not always followed. In colonist divorces, colonial clerks and clerics possessed substantial power to narrate and interpret the everyday experiences of the colonists. They were not always primarily guided by professional ethics, church admonitions or state interests. Personal interests and loyalties played a decisive role in the autocratic judiciary. Another matter is that colonists, clerics and clerks operated within the same physical space. Salaried by the taxes and fees paid by the colonists, clerics and clerks had a certain financial relation to the colonists.

The civil proceedings were also affected by the struggle between secular and ecclesiastical powers over the supremacy on marriage and household formation among the colonists, and (re)negotiating the delegated power within the marriage regime. It became particularly vital in the relationship and power contest between the Roman Catholic priests and the colonial authorities. Roman Catholic Priest Celestine Staszewski, for example, was reluctant to follow the marriage regime sanctioned by the Russian government and tended to marry and divorce colonists according to his own whims. The application of laws as well as the imposition of punishments were quite frequently relative and situational. Some marriages were easily dissolved and annulled. In other cases, the proceedings stretched in time and entailed scrupulous investigations, as in the case of Catharina and Georg Sperling. In some cases, the authorities and the Consistory stuck to law; in others they were inventive and creative, applying the norms of law rather selectively.

According to imperial law and implemented in legal practice, religious conversion and Siberian exile provided definite and speedy grounds for divorce. The Russian authorities clearly supported the dissolution of such marriages. "Malicious abandonments" and desertions did not automatically guarantee permission for divorce, as the examined practice suggests. In the investigated cases of wives' desertions and abandonments, they either returned by themselves to their places of registry or were forcibly returned. The matter was considered solved if a husband became reconciled with a deserting wife, even if she had had extramarital relations in the meanwhile. Carl Ulrich, however, remained reluctant to reconcile with his wife Margaretha, so the colonial authorities approved a divorce of this couple. There is no evidence suggesting that sanctions were imposed on deserting

wives and husbands. Another possible ground for divorce, impotence, appears to have been very difficult to verify. It engendered multiple procedural obstacles leading most suits to be either rejected or end up without any resolution.

With their attributed responsibility for the colonists' taxpaying ability and economic prosperity, the colonial authorities, both on local and regional levels, tended to strongly stress the economic significance of colonist marriage. So too did some colonists, both men and women, when instrumentalizing the narrative of economic non-sustainability of the union in order to gain divorce. When the economic foundations of a contested marriage were questioned, the colonization tasks, state interests and the welfare of the colonist community could overload the social, reproductive and sacramental value of marriage. Johannes and Friederika Esslinger's case focused on the husband's "vicious behaviour" and abandonment of his wife, providing her with a right to ask for divorce. In this case, according to the records, it was the husband's "bad disposition" and squandering of property that became the reasons for discord between the spouses and seriously threatened the prosperity of the farm. In accordance with the Charter of the Evangelical Lutheran Church, if such behaviour occurred to the extent that it led to the economic deterioration of the farm, then the offended spouse had a right to ask for divorce. And it was up to local actors-in-power to evaluate this extent.

Wilhelm and Anna Elisabeth Gutsche's case does not articulate explicitly any legal grounds for divorce; however, the Trustees Committee and the Maloiaroslavetskii district board strongly supported it, as well as condoning Wilhelm's remarriage. In this case, it was the wife's physical disability, alleged but not actually evidenced, that hindered her from being an effective co-worker on the farm and, in the eyes of the authorities, created a ground for divorce. The cases of Esslinger and Gutsche exemplify the introduction of the economic aspect by the colonial administration as a prime evaluative criterion of colonist marriage. Depending on context and circumstances, it could be turned into a ground for divorce, as it did in these two cases. For Lutherans, the only legal ground for divorce that considered an economic component was "vicious behaviour," but this was interpreted primarily as the consequences of drunkenness, debauchery and wastefulness. In the case of Wilhelm and Anna Elisabeth Gutsche, the colonial authorities evidently exploited this economic reference as grounds for divorce rather selectively, clearly disregarding the original meaning. Not the actual existence, but rather the prediction of future economic losses seems to have convinced the colonial

authorities to disqualify these two unions and permit divorces. The colonial administration tended to approve divorces on the results of an economic evaluation of the marriage in question. The legal norms could be reinterpreted in the context of the contingent colonization realities and applied rather selectively.

Finally, the role of the local community in the personal lives of its members is worth emphasizing. The case of Maria and Casper Herring suggests that the Heidelberg community tolerated cohabitation between unmarried partners as long as they formed stable taxpaying households. This also sometimes applied to the clergy, who in some instances accepted the existence of irregular or even illegal family formations. It became possible for Maria Herring, a deserting Roman Catholic woman, to illegally remarry in secret and appear in church with her new partner, with whom she already had several illegal children. In another case, the village assembly of Kostheim colony acknowledged its limits in judging the reputation of their colonists Louise and Andreas Wilhauk, Roman Catholics, thus signifying their unwillingness to make an assessment and recognizing the weakness of social surveillance. Again, the colonists of Landau, being determined to correct improper behaviour within the colony, caught their fellows Joseph Reichert and Klara Philipp, a married woman, having sexual intercourse, and as a result they were publicly punished.

In the cases discussed in this chapter, adultery as such does not appear as a ground for divorce, but rather as the consequence of a failed marriage. Adulteress Margaretha Kneisler was sentenced to church admonition and eight days' imprisonment, Catharina Sperling to a month of repentance. In the cases of Eva Rosina Gesske and Maria Herring, it remains unknown whether any sanctions were actually applied to them. The fragmented evidence suggests that sanctions for adultery and out of wedlock intercourse were also contextual and imposed conditionally.

The geographic dispersion of the population in the Northern Black Sea steppe and its high mobility, contingent breaches of the patriarchal ethos and social control in a liberating and emancipatory borderland, the compromising attitude of the colonist communities to irregular family formations, the communication clashes between different power agents, undersized colonial administration and a weak police system, uncodified and somewhat contradictory laws, and the lack of rudimentary documentation – all these matters strengthened the dissonance between St. Petersburg's expectations and regional realities, and enabled a translation of its formal authority into real power. They also created multiple arenas for contact between the legal

order(s) and the human experiences on the ground, engendering collisions, negotiations and manoeuvres, and at times emancipating personal agency.

CHAPTER 7

Situational in the Empire, Imperial in a Situation: Final Discussion

In this study I have examined the interplay of three realms and its effect on the norms and practices regarding marriage among the German colonists in the Northern Black Sea steppe. The first realm and contextual frame for the investigation is the plurality of legal regimes and differentiated governance as an essential feature of Russian imperial rule. The second one embraces the autocratic legality encompassing the fusion of officialdom and judiciary, the power of law interpretation, and its monopolization by state officials. Finally, the third realm concerns colonization as politics, and colonization as an imperial situation in their deterministic relationship to each other. In my research I have also applied social constructivist and microhistorical approaches where knowledge is understood as situated in time and context.

The study verifies empirically the argument put forward by above all Alison Smith and William Wagner, postulating that centralized published sources on the history of the Russian empire and compiled imperial legislation may create a distorted vision of the actual legal practices in the different regions of the empire. Centralized sources do not provide any insights into the backstage negotiations when imperial policies were implemented in the periphery. Regional and local complexities may be untangled precisely by examining such practices, the traces of which can be found only in the regional archives. For instance, two legal acts, the Decree of 1816 and the Proposal of the Ministry of the Interior of 1824 regulating colonist marriage, both crucial for the deployment of the marriage regime, never appeared in the Complete Collection of Laws. The existence and importance of these legal acts for the colonists were discovered in the individual cases and files of the regional archives. The legal acts targeting the dissolution of colonist marriages were, however, included in the Complete Collection of Laws.

Conflicts between spouses, and marital breakdowns did not always lead to a formal dissolution of marriage. The archives of the consistories reflect important shifts in policy. However, the “abstract” sent to St. Petersburg or Mogilev constitutes but a pale reflection of the original case file. Also, the official statistics include only divorces that were actually approved, not those denied, and do not mention the “informal divorces” (permanent separation in the case of the Roman Catholics) of those who never bothered to formalize the dissolution of their marriage. On the contrary, the archive of the local colonial administration of the Russian government, the present study shows, reveals the complexity of these issues, as evidenced by a plethora of petitions, depositions, interrogations, verdicts, and appeals. “Failed divorces,” the ones lacking proper legal grounds, or not having followed the legal procedure, are also included in the colonial archive. These records shed light on the interplay between the legal framework and actual practice far more than the picture gained from official statistics or material in central archives. The majority of selected archival records has now been used for scholarly purposes for the first time.

From Geography of Imperial Power to Geography of Marriage Instrumentalization

By regulating, specifying and bureaucratizing the social mobility of the colonists, a process starting in 1812, the legal boundaries of the colonist status within the imperial social system were set. No one could be released from the colonist rank unless one, above all, repaid her/his debt to the state. Thereafter, regulations on colonist marriage followed. The administrative intrusion into colonist life was manifested in the Decree of 1816 of the Ministry of State Domains, in coordination with the Ministry of the Interior and the Chief Manager of Spiritual Affairs of Foreign Confessions, ordering that marriages involving colonists could only be concluded after permission from the local colonial authorities was received. This act particularly addressed the clergy in the colonies, ordering them not to marry colonists without a written certificate from the overseer of the colonies or the district board mayor, proving that there were no legal obstacles to the marriage, an assessment that was mainly based on socioeconomic considerations. This administrative interference in colonist marriage formation was justified by the intentions of the authorities to save colonists from poverty, to ensure the economic interests of the state by guaranteeing the repayment of the treasury’s costs spent on colonist settlements, to promote well-ordered

colonist societies under strict surveillance, and finally, to control the defined social boundaries. It was also intended to ensure the viability of future households and the sustainability of the colonist farms. Legal restrictions on matrimony were introduced to serve as an additional instrument to economically motivate colonists, to stimulate and encourage the prosperity of their farms.

Specific formal requirements for colonist divorce had been articulated by high imperial officials already in 1807–1808, but in respect to the colonists of St. Petersburg province. Within the frame of the evolving marriage regime, colonist marriage dissolution became an arena for an administrative intrusion, correction and control also for the regional colonial authorities. On 13 March 1825, the Senate instructed the Justice Collegium to introduce the rule for the clergy in all Protestant colonies in the Russian empire not to accept colonists' requests for divorce without first having received a written authorization from the colonist board and overseer. Pre-trial, pre-consistorial proceedings on marriage dissolutions, as I label them, now became officially sanctioned and in time heavily bureaucratized. A range of agents of colonial administration, village and district boards, were introduced into the pre-consistorial divorce proceedings of the colonists. The secular part of the divorce process started with a suit for marriage dissolution, and ended with the colonial authorities' resolution. Here, economic considerations and the interests of the State Treasury, the general functioning and sustainability of the household, and the credibility and reputation of the colonists in question became significant. The file on marriage dissolution would then be sent via the Trustees Committee to the Justice Collegium or the respective consistory. The ecclesiastical stage of the process began when the consistory started its proceedings, and ended with its final resolution that was in turn sent back to the colonial administrations in the Northern Black Sea region for implementation.

Marriage and divorce among the colonists gradually became forged into the competences of the colonial vertical power, yet the last word was to be said by the ecclesiastical authorities in cases of marriage dissolutions. The deployed marriage regime in respect to the colonists, by which I mean the system of rules and sequencing routines on colonist marriage formation and dissolution, was conditioned by the politics and socioeconomic rationality of colonization in the Northern Black Sea steppe. Along with universal requirements for colonist marriage, such as meeting age and kinship considerations, the couple's free will to marry, and parental approval, some particular demands pertained to the colonist rank. Taking the common marriage rules

of the Roman Catholic and Protestant denominations in the Russian empire as a starting point, the marriage eligibility of the colonists was additionally specified, conditioned and routinized in accordance with their legal status. Particularizing assumptions regarding the marriage formation of the colonists were specified by the colonist rank: its assigned rights, obligations and attributes, and certain financial obligations to the Russian state. In this regard, the economic prospects and state debts, the functionality of households, and personal reputation, assets and thrift became determining factors in the grassroots practices related to marriage formations and dissolutions, as well as in the decision-making process of the trustees. The legal marriage regime orchestrated by the Russian government regarding the colonists of the Black Sea steppe was an amalgam of marital orders introduced by imperial law, including the charters of the “foreign” Christian confessions (communality), and legal acts and decisions, which particularly addressed people of the colonist rank (particularity). On the other hand, the introduction of the marriage regime signified the legal recognition of this group in the population and its ties to the polity. With the consequent specification of the colonists’ civil rights and legal standing, they became increasingly locked within their social status.

The study of the Russian empire in recent years has revealed both uniformity and pluralism in imperial administrative practices throughout space and time. The Russian regime’s aspirations to deploy the institution of marriage as an instrument of imperial policy has been investigated and brilliantly discussed by a few scholars. Kristin Collins-Breyfogle speaks about the hands-off-strategy used by the Russian rulers in the nineteenth-century Caucasus in relation to marriage and sexuality among the local population. This, in her opinion, is explained by the rulers’ intention to preserve a fragile status quo in the Caucasus and avoid alienating the indigenous elites who helped rule the region. Thus, Russian officials usually adapted imperial law to local custom. Collins-Breyfogle speaks about “a hybrid form of law” in the Caucasus as a negotiation between imperial law and customary law.¹ Paul Werth speaks about a clear intrusion and instrumentalization of marriage and its subordination to imperial politics in the Baltic and Western provinces, achieved by encouraging mixed marriages and Orthodox pre-eminence, and meant to integrate these contested and non-Russian regions in the imperial structure. However, these intentions met with substantial obstacles in the form of multiple

¹ Collins-Breyfogle, *Negotiating Imperial Spaces*, 49.

rejections and obstructions from below.² If imperial rule in the Western provinces and the Baltic region was characterized by actions and aspirations to integrate these territories through the instrumentalization of marriage, and the regulation of confessionally mixed marriages, imperial politics in the Caucasus regarding family and gender were characterized by inertia. In the Northern Black Sea steppe, the deployed marriage regime in respect to the colonists was primarily grounded in the economy and politics of colonization, but also in the intention to control and secure defined social boundaries of the colonist status. The main imperial strategy was to promote viable households, to find guarantees for the prosperity of colonist farms and the welfare of the entire colonization project. The colonist marriage was a prerequisite for all this. Aimed at securing and promoting the state interest, the colonial administration of the Russian government was eventually ascribed the primary control over questions of marriage of the colonists, engendering a multistage bureaucratized procedure. The secular, colonial stage in questions of marriage formation and dissolution became crucial enough to seal the fates of colonist couples.

The Russian government's regulations of the marriage and divorce eligibility of the colonists were legitimized by state interests, concern about colonists, and the viability of their households in terms of economy and solvency. The government also saw these regulations as measures aimed at securing the imperial interests in the non-Russian periphery. The results generated by this study extend the geography of marriage instrumentalization and household formation in the non-Russian borderlands of the Russian empire. Following Kristin Collins-Breyfogle (the Northern Caucasus) and Paul Werth (the Western and Baltic provinces), I put the Northern Black Sea region on this map.

A Middle Ground Found? The Arena of Contact, Negotiation and Conflicting Interests

The geography of marriage instrumentalization and the subordination of the institution of marriage to imperial politics throughout the extending empire is an interesting topic to investigate. What I see as particularly fascinating, and constituting the focus of the present study, is the multiple ways and strategies concerning how such instrumentalization was met, mediated and re-instrumentalized on the ground, by the people it targeted, and by the functionaries who were supposed to implement these policies. I believed that

² Werth, "Empire, Religious Freedom."

during my enquiry I would find imperial authorities in the Northern Black Sea steppe who not only intended to govern and intervene in the family life, sexuality and marriage of the colonists, but in practice exercised control. However, when I dug into the source material, complexities and discrepancies came to the surface, signifying, in the words of Giovanni Levi, the porous spaces which the multifaceted inconsistencies of all systems leave open.³

Intending to control marriage and divorce among the colonists through the introduced marriage regime, the Russian government still lacked the actual means to effectuate this control at the local level. That is also a reason why the archival records of marriage dissolutions and breakdowns are so surprisingly scant. Marriages officiated by clerics but unauthorized by the colonial administration appear to have still happened. Colonists also managed to be secretly divorced by some clerics. The very strict and limited legal grounds for divorce and its increasing proceduralism pushed the colonists to search for alternative ways out of unsuccessful marriages. Desertion became such an option, despite the range of challenges and difficulties that ensued for both the runaway spouse and the spouse staying behind. Still, escapes, abandonment, and desertion had certain connotations in respect to women. Concerning physical mobility, males were perceived as the driving force, and females as satellites. A wife was supposed to follow her husband unconditionally; otherwise she could be accused of abandonment and/or disobedience. The escaped and returned colonist women investigated claimed different reasons for their escapes: the poor economic situation within the marriage, the husband's hostility, and the very bad relations with stepchildren. Escapes were also connected to another man, illegal relations and out of wedlock children. Some women either returned themselves to their legal places of registry or were brought back unwillingly, while a few were not found.

Marriage among the colonists, as it appears from the examined practices, became situated on the crossroads of different interests – state, group, and personal ones. The imperial personalized autocracy and arbitrary officialdom, as it turned out, provided some options for individuals, clergy and local societies to advance their own interests. It seems that the weight of these conflicting interests and situational factors was too strong for the autocratic legality and the colonial administration to fully accommodate. On

³ Levi, "On Microhistory," 107.

the pre-consistorial phase of the marriage dissolution, the economic sustainability of the farmstead became an important criterion of marriage evaluation by the colonial administration. As some of the analysed cases suggest, depending on context and circumstances, the economic factor could even be twisted, according to colonial authorities, into a legitimate ground for divorce, although the legal basis for this was quite ambiguous. This point is particularly relevant to the interpretation of “vicious behaviour” as a ground for divorce within the Lutheran communities. The interest of the colonial administrators in having stable and economically prosperous, taxpaying households seems to have been a paramount concern that made them positively inclined towards dissolution of dysfunctional marriages. In the Lutheran congregations, where marriage was not a sacrament, this administrative rationality was expressed most fully.

When approaching the subject, I found binary paradigms such as domination and opposition analytically limiting and suffering from distinct shortcomings that inhibit a full comprehension of the nature and consequences of the Russian imperial rule. In line with this, I have attempted to avoid a simple assertion of state domination and hegemony, while not denying the intention of imperial power to achieve subordination. Instead, I have tried to conceptualize, situate, and approach these matters empirically. Apart from the analytical concept of resistance, Paul Werth proposes the concept of subversion, a smaller manifestation of opposition that could significantly complicate the exercise of power, even if it itself is engendered and structured by that power.⁴ The concept of subversion is particularly relevant not only in respect to the colonists themselves, but to the clerks who represented power in the colonies. When one discards the optics of binary oppositions, one can see that for clerks, colonist villages and district boards, it was rather a matter of manoeuvring and adapting the imperial politics to the multiple interests on the ground. I focus on the soft power, and its micro manifestations that influenced, predetermined, and shaped the broader trajectories of imperial rule in the region. By adaptation to the regional realities and in the light of the behaviour and aspirations of the subjects, the politics on the ground was reconfigured and adjusted. It is the “middle ground,” the interaction, negotiation, cooperation and co-optation that is the focus of the present study.

The arena of negotiation in respect to colonist marriage had its roots, among others, in the arbitrary officialdom and personalized autocracy, the

⁴ Werth, “From Resistance to Subversion,” 22.

core of the imperial legal regime, with its law mitigation and mediation depending on conjuncture in a concrete given case. Another defining feature was Russia's combination of centralized power and flexible strategies of governance in the borderlands. Social realities were to some extent constructed by the actors themselves, and the imperial power in the region was at times forced to either adjust its institutions and legal relations to situational conjunctures, or deal with the consequences of the actors' (non)actions and reactions. Personal responses to these realities did not necessarily entail merely opposition but could also involve other active and creative processes.

It should be stressed that some of my results emanate from non-normative situations. Looking in the intersections between power positions, social status, gender and other factors, I have identified a number of possible subject positions. Open and hidden defiance, pretensions and imitations, petitions to express dissatisfaction with prevailing arrangements, unwillingness to acknowledge, unruliness and tendencies to "misunderstand" legislation and admonitions, refashioning of rituals and discourses, and desertions – a spectrum of active and passive performances have been unveiled and closely examined.

Diligent Conductors of Colonization or Negotiators of Imperial Rule?

In the 1810s and 20s, regulations explicitly targeting marriage formation and dissolution among the colonists were introduced. Monitoring and tutelage, the core duties of the vertical colonial administration, became gradually extended to encompass colonist marriage. Expanding the control of village and district mayors and guardianship offices over the formation and dissolution of colonist marriages engendered heavily bureaucratized procedures. One of the main contributions of the present study is to clarify the intricate interaction between secular and ecclesiastical parties in respect to colonist matrimony.

The Trustees Committee appeared as an embodiment of the personalized autocracy and arbitrary officialdom, an agency demanding the final say in matrimonial matters. The analysis also points at the differing and even conflicting visions, (re)actions on marriage among the village/district boards, clergy and the Trustees Committee. The actions of the Trustees Committee frequently appeared as pragmatic in the sense that it prioritized stable, taxpaying households and abstained from prohibiting viable marriages due to, for example, denominational disputes. Ecclesiastical considerations on marriage could be reconciled if they did not interfere or counteract marriages

with reasonable prospects of economic prosperity. The trustees interfered when, in their view, clergy or the local community blocked a marriage for reasons that were irrelevant to the official marriage regime and colonization interests, as a few analysed cases have shown. Ingrained as gatekeepers, the Trustees Committee demanded to have a decisive if not the only say in the question of marriage formations and dissolutions in the pre-consistorial phase.

Clergy usually approached these issues from a different point of view. Conflicts as well as power games were unavoidable, and a consensus could not always be achieved. The Trustees Committee, representing the secular and therefore superior power, tried to make the clergy consider imperial interests, the maintaining of stable taxpaying farmsteads, as a vital factor in marriage conclusions and dissolutions. However, the clerics' position in respect to the colonist marriage regime can be characterized as inbetweenness. Some clerics managed to manoeuvre tactfully, whereas others turned to secret or open obstruction. It is clear that especially the Lutheran clergy and their Consistory took into serious consideration the colonial authorities' verdict about broken marriages and were willing to stretch the point on the legal grounds for divorce. This was particularly valid once a consensus between the colonist community and the local colonial administration had been reached. The Lutheran Church hierarchy also considered the economic assessment of contested marriages made by the colonial authorities. As is well-known, the Lutheran clergy was generally less keen to antagonize the Russian government than their Roman Catholic counterparts. Having annulment as the only grounds for divorcing a married couple, Roman Catholics had to manoeuvre skillfully to follow the Canon Law while also considering the colonization agenda and plethora of interests on the ground. Being prone to invalidating marriages rather than grant divorces, it seems that some local Roman Catholic clergy also tried to find pragmatic solutions for failed marriages. However, it was always the higher religious authorities who had the final say in matters regarding divorce. Yet, the local clerics on the ground could potentially and situationally possess substantial power in such matters, since weddings, once concluded, were irreversible. Naturally, clerics' open disobedience and obstruction were not common practice, but rather a deviation, since they could lead to serious consequences for them personally. My investigation highlights a very complex situation with the colonial clerks as gatekeepers, not infrequently acquiring an agency of their own, but also as implementers of imperial policy and regional policy makers. The civil proceedings were affected by the struggle between secular and ecclesiastical

bodies about the supremacy over the marriage and household formation among the colonists, and about (re)negotiating the delegated power within the marriage regime. It became particularly sharp in the relationship and power contest between the Roman Catholic priests and the colonial authorities.

The results of this study demonstrate the complexity of imperial rule and that there was no uniform structure of authority regarding colonist marriage and household formation. The results also exemplify the multiple ways autocratic legality functioned in practice in the region under colonization. Examining not only the transformative intentions of the Russian imperial rule targeting the colonist societies, I have also shown how these intentions were occasionally converted and translated into something quite different on the ground, due to conflicting interests, individual agency and situational conjunctures. Colonists', clerics' and clerks' (in)actions, reactions, and attitudes, substantially conditioned the exercise of power, shaping imperial rule in the region. If one merely follows the trajectory of imperial policies, the dichotomy of domination and subordination stands out, whereas on a grassroots level and in local administrative practice one instead can find a whole spectrum of different responses to those policies. Contingency, emancipatory tendencies, subjectivity, the role of individual actions and loyalties become considerably more pronounced.

What my investigation has specifically revealed is the role of the economic factor in the marriage regime, its deployment and operation, but also the paramount importance given to functional households and sustainable farms. In some of the cases, mainly related to Lutherans, the economic expediency of marriage conclusion and dissolution justified the selective (non)application of legal norms. When the economic feasibility of a contested marriage was questioned, the colonization tasks, state interests and welfare aspirations overshadowed the social and reproductive value of marriage. In concrete situations, the colonial administration found it entirely reasonable to dissolve such unworthy and unproductive marriages. In colonization realities, the need to have productive and sustainable households, based on non-conflictual relations between parties, was stronger than in other peasant communities. The economy of the colonization project appears to have been ambiguous, to say the least. On the one hand, economic rationality and sustainability became the main guiding principle in the deployment of the colonist marriage regime. The profitability and functionality of the present and future households were crucial when granting marriage permissions. Assumed difficulties for couples to pay taxes and repay

the colonist debt could cause marriages to be postponed or even disallowed altogether. On the other hand, on some occasions, the imperial officials appear to have been more forgiving and understanding about difficulties repaying debts among the colonists. However ambiguous the governmental attitudes to the economy of colonization and the financial assets spent on the foreigners' settlements were, the issue of the colonist debt repayment remained the main feature of official concern, discourse and legislation until the abolition of colonist status. On the eve of that major change, all colonist debts had still not been repaid.

Assigned with the mission of cultivating the Northern Black Sea steppe, to legitimize the imperial rule in the region, and to integrate it with the rest of the empire, at times, however, the colonists, religious servitors and clerks managed to negotiate imperial rule by their actual choices, reactions and (in)actions. They made their own histories, traces of which still rest in the regional archives of the Black Sea steppe.

“Not Just a Woman, But a Colonist Female”

In contrast to confessionally mixed marriages, socially mixed marriages could not be accommodated within the imperial legal order, contradicting the very essence of it. The deployed marriage regime in respect to the colonists presupposed that both spouses shared the same social status, whether colonists or not. It was the social mobility of colonists into other estates, and non-colonists assuming colonist status, through marriage, that became a complicated and bureaucratized process in need of regulation and control. A Proposal of the Minister of the Interior in 1824, one more crucial document for the colonist marriage regime, implied that indebted colonist widows and daughters were prohibited from marrying non-colonists and leaving the colonists' ranks unless their share of the debt was repaid by themselves or for them. Later, these cross-border marriages of the colonists with foreign subjects and people from other estates had to be handled and recognized in legal terms.

In contrast to Alison Smith's findings on the social mobility of the rural and town populations in Russia, the imperial logic in respect to the colonists and their social mobility through marriage was different and grounded in their specific legal position and relation to the polity, as well as the economic rationality of the colonization project. For colonist females, the association and functioning of colonist status as an obligation, social identity, belonging, and a way of life, was similar to that of colonist males. The equal imposition

of the colonist state debts on both males and females when joining the settlement caused a specific situation when colonist females and their marriage eligibility became the subject of regulation and legislation. This contrasts to Smith's claim about the legal perception of women as merely appendages to men and social communities, and the absence of legislation on women's social status and estate membership until the 1880s.

Within the patriarchal paradigm, it was women, not men, who were seen as those most frequently changing their social status through marriage. Thus, it was colonist females and their marriage eligibility that became particularly regulated and legislated upon, in connection with the duties associated with the colonist status. Financial obligations and other colonists' duties engendered contingent emancipatory impulses for colonist women. In the legislation on the marriageability of a colonist female, her own subjectivity and agency were anticipated. She could not be treated as an appendix to a male.

In its appeal to the Kishinev Military Hospital Office in 1831, the Trustees Committee emphasized that Eva Rosina Gesske was *not just a woman, but a colonist female*. And by this expression, the Trustees Committee implied that it was the colonist status with its multiple meanings that had priority over gender. It was exceptional, but still possible for a colonist woman to negotiate her social identity at marriage.

Another finding of this study problematizes the connection between the immigration policy, the admission requirements when assuming colonist status, and social border crossing, on the one hand, and the considerations on economic expediency and marriage regime, on the other. The examination of marriages between foreign males and colonist females, particularly widows, suggests that certain financial and civil requirements in the immigration policy and admission rules concerning applicants to the colonist rank were, in exceptional cases, mitigated and consequently mediated by a male's professional expertise and/or financial assets, as well as the prospect of establishing a functional household and stable farmstead. Such mitigations, of course, were possible only with the support from the colonist community, and these cases mainly concerned colonist widows with deteriorating farmsteads or other economic difficulties. The ability of the prospective husband to take immediate charge of the running the farm seems to have been a vital factor in the considerations of the colonial administration. In such situations, these male foreigners were described almost as the saviours of the colonist farms, which justified their enrolment into the colonists' ranks. Marriage with a colonist widow frequently, but not always, served as a

green light for a male foreigner. For the man, it opened a door to colonist status and the Russian social system in exchange for his engagement in farm improvement and other contributions to the colonist society's welfare.

Gendered Narratives? Colonized Narratives?

One of my ambitions in this study was to show, to the extent the evidence allows, the individuals in the midst of the colonization process. Focusing on the micro-level, I wanted to see the individual faces in the crowd. At the same time, I did not expect to succeed in distinguishing individual voices in the cases of broken marriages. Nor did I expect to become emotionally caught up by some narratives and interpretations, and experience a need to distance myself for the sake of scholarly analysis.

The files on divorces and marriage breakdowns primarily convey secular, and not sacred, narratives on marriage. The way the spouses assumed economic roles and contributed jointly to running the farm not infrequently reassessed the gendered roles in marriage and questioned the notion of patriarchy. Males and females used the patriarchal discourse instrumentally in order to achieve their different aims: the former sought to reassert patriarchy, the latter to contest it. What I have identified is that both males and females situationally overemphasized the discourse on economic (non) productivity and colonist farm (non) sustainability for their own interests and depending on their own positioning. Needless to say, the scale of this instrumentalization was not tipped in the women's favour. Still, males and females alike instrumentalized the argument about household economy and its (dys)functionality in order to gain a favourable hearing by the colonial authorities and achieve their aim. The argument about the uselessness of a spouse in running the farm or wastefulness in economic matters automatically ensured the support from the colonist authorities for the appealing party, without regard for gender. Disruptiveness and insufficiency in running the farm inevitably led to the officials' disregard. Once a male became unable to cope with his role as a breadwinner, a patriarch and a householder, he, in the eyes of the Trustees Committee, lost his maleness, power and authority. Females could gain from this, and use those clashes for their own ends. Both male and female narratives invoked a material, economic conception of the conjugal union, when directing appeals to the colonial authorities. At the same time, both male and female narratives posited something closer to a companionate marriage: one based on partnership, not always patriarchy, on

mutuality, not just subordination, and on love, empathy and emotional closeness, and not necessarily material need.

Looking at the micro-level, and listening to a multitude of echoing voices in a given situation, Joan Scott's gendered contrast "between work and sex, productivity and wastefulness, discipline and indulgence, and male and female,"⁵ appears as not fixed. These lines were not exclusively tied to one type of colonist body. Indeed, gendered divides were contingently (re)negotiated depending on the contested position within the trajectories of economic productivity, sustainability, solvency and good reputation. Gendered transitions were exceptional and situational, yet possible within Judith Bennett's "patriarchal equilibrium."⁶

Both clerics and local clerks manoeuvred between state interests, community interests, church interests, and the law, aiming for security and social order in the colonies, but also securing the specific interests of their agencies in the field of colonist marriage and household formation. The marriage regime in general and the decision-making processes in individual cases were usually labelled as concern for public order, state interests and the economic prosperity of the colonists. Yet, this concern was instrumentalized and articulated differently, depending on the position and the interests of the involved agency and the personal considerations of the different actors.

The role of the local communities in controlling sexuality is worth future examination. In the analysed cases, I have found that the attitudes of local communities and clerics to extramarital sexual relations were often quite tolerant and infrequently entailed any legal consequences for unfaithful spouses. This was probably due to the predominant economic factor. Functioning households were of prime importance in the colonization realities and adequate family and gender relations were its guarantee. Interference and correction, I conclude, only occurred in cases of conflict and disruption of the status quo in the local community. But this point requires further empirical verification and microhistorical problematization. The intersection of colonist sexualities, particularly voluntary sexual relations, with the economic factor and land question also needs further conceptualization and problematization.

The knowledge about the official marriage regime and its interplay with the politics of colonization generated in this study might be used as a point of reference for similar research on other groups of colonists in the Black Sea

⁵ Scott, *Gender and the Politics of History*, 146

⁶ Bennett, *History Matters*, 80.

region and other parts of the Russian empire. However, I believe that when it comes to personal experiences and reactions, legal practices in concrete situations, and colonization as a situation, while similar in many respects, studies of these matters must also take account of regional particularities and situational conjunctures.

The Decline of the Marriage Regime and the Abolition of the Colonist Status

The marriage regime deployed during the first decades of the nineteenth century in respect to the colonists was clearly affected by the Crimean War of 1853–1856. During the period between 1852 and 1855, the number of marriage permissions granted declined sharply compared to the previous years. The year 1856 is the most striking one: no cases at all were found concerning marriages and divorces, whereas records about economic and property issues prevail in the archives. During the period 1857 to 1863, only a very few records were identified, but unfortunately in a damaged and unreadable condition. Couples naturally married and separated during these years, but evidently bypassing the colonial authorities. This may indicate that the official marriage regime was disintegrating. Interestingly enough, in March 1858, the Odessa colonial board asked for the Trustees Committee’s permission to allow marriages of Odessa city colonists without the Committee’s involvement, “in order to eliminate the costs and the loss of time connected with the present order.”⁷ This request met with a negative official response from the trustees, but it is obvious that actual practice nevertheless changed.

The introduction of the Great Reforms, particularly the ones dealing with imperial administration, and the subsequent rearrangement of the entire legal order within the empire rendered the marriage regime obsolete. The last remnant of the old legal order for the colonists was eradicated in 1871 with the official abolition of the colonist status and the colonial administration. The previous social category of “colonist” passed into oblivion. The “settler-proprietors” (former colonists), were now included in the legal settings of state peasants and needed henceforth only formal permission from their village councils in order to marry.⁸ The colonists shared this fate with the

⁷ DAOO, f. 6, op. 4, spr. 18750 (Po raportu Odesskogo kolonial’nogo prikaza o dozvolenii emu davat’ ot sebia svidetel’stva na zhenit’by prozhivaiushchikh v Odesse kolonistam [1858]), arkk. 3–3 ob.

⁸ Marriage routines of the former colonists might be examined in the archives of the village and county councils in the State Archives of Odesa Region. For example Collection

steppe population of the region in the late eighteenth century, but a hundred years later. Russia's defeat in the Crimean War showed that radical changes in the state and society were needed. Now the colonists, as people of a separate rank and from distinct social and ethnic backgrounds, like the Tatars, Nogais, and Zaporozhian Cossacks previously, no longer fitted into the official picture of Russia's modernized future.

Instead, it was now time for "Russian" colonization, a "correct" one, in the words of Willard Sunderland, with Russian nationalism on the rise. Even though some Germans resettled to the Northern Caucasus, the Don, and Orenburg, more ethnic Germans were now leaving the steppe rather than migrating into it. During the 1870s and 90s, at least 50 thousand Mennonites and other Germans from the Volga and the Black Sea region emigrated to the United States, Canada, Brazil, and Argentina, fleeing from the effects of the new conscription law of 1874 and the increasing scarcity of land, and also motivated by the fear of religious discrimination and the dissolution of their denominational communities, as well as the expectations of a better life overseas. If by the middle of the nineteenth century one could still hear mostly positive things about German colonists in official circles, by the 1870s the "German element" had become problematic enough to become the "German question."⁹

Once again the Black Sea steppe became the scene for new political projects and experiments, meeting the expectations, for now, of a modernizing Russian empire.

64, op. 1, spr. 438 (O brakosochetaniakh v selenii Iozefstal'[1874]) and spr. 530 (O brakosochetaniakh [1886]); Collection 67, op. 1, spr. 108 (O brakosochetavshikhisia [1884]).

⁹ Sunderland, *Taming the Wild Field*, 188–190.

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Appendix 1

The Mother Colonies of the Black Sea, Established in the Period 1804–1825¹

1. The Liebental Enclave
 - a) Seven Lutheran:
Großliebental (1804) Neuburg (1804) Alexanderhilf (1805)
Lustdorf (1805) Peterstal (1805) Freudental (1805) Güldendorf
(1817)
 - b) Four Catholic:
Kleinliebental (1804) Josephstal (1804) Mariental (1804) Franzfeld
(1805)

2. Prischib-Molotschna Area
 - a) Sixteen Lutheran:
Prischib (1804) Durlach (1804) Altnassau (1804) Hoffental (1804)
Weinau (1804)
Altmontal (1805) Wasserau (1807) Hochstädt (1808) Rosental
(1808) Karlsruhe (1816)
 - b) Five Catholic:
Kostheim (1804) Walldorf (1808) Heidelberg (1809)
Leitershausen (1810) Hochheim (1818) Blumental (1828)

3. Halbstadt-Molotschna Area
 - a) Mennonite enclave: 33 colonies

4. Crimean Enclave
 - a) Five Lutheran:
Friedental (1804) Neusatz (1804) Sudak (1805) Heillbrunn (1805)
Zürichtal (1805)
 - b) Two Catholic:
Rosental (1805) Kronental (1810)

¹ Height, *Homesteaders on the Steppe*, 11.

5. Swedish District
 - a) Three Lutheran: Schwedendorf (1782/1783) Schlangendorf (1804) Mühlhausendorf (1804)
 - b) One Catholic: Klostendorf (1804)
6. Glückstal Enclave (All Lutheran):
Glückstal (1808) Kassel (1808) Bergdorf (1809) Neudorf (1809)
7. Kutschurgan Enclave (All Catholic):
Selz (1808) Kandel (1808) Strassburg (1808) Baden (1808) Elsass (1808) Mannheim (1809)
8. Beresan Enclave
 - a) Seven Catholic:
Speier (1808) Landau (1809) Sulz (1809) Rastadt (1809) München (1809) Karlsruhe (1810) Katharinental (1817)
 - b) Four Lutheran:
Rohrbach (1808) Worms (1808) Johannestal (1810) Waterloo (1819)
9. The Bessarabian Colonies
 - a) Twenty-three Lutheran (1814–1822)
 - b) One Catholic: Krasna (1814)
10. Mariupol Enclave (1823/1824)
 - a) Nine Lutheran:
Grunau (1823) Kronsdorf (1824)
 - b) Six Catholic (1823):
Göttland, Kaisersdorf, Eichwald, Neuhof, Tiegenort, Tiergart
11. South Caucasus Area
 - a) Two Lutheran: Annenfeld (1818), Helenendorf (1818)
12. Georgian Area
 - a) Four Lutheran:
Alexanderdorf (1817), Elisabethtal (1817), Mariental (1817), Katharinenfeld (1818)
13. Ekaterinoslav Area
Old colonies established by Catherine the Second
 - a) Lutheran: Josephstal and Rybalsk (Rübalsk) (1779)
 - b) Catholic: Jamburg (1792)
 - c) Mennonite: Chortitza (1789) and nine others

Appendix 2

From the Report of the Minister of the Interior on the Rules for Admission and Settlement of the Foreign Colonists, 20 February 1804¹

(1) Freedom of belief. (2) Freedom from payment of taxes and from all local service obligations for the first 10 years at the settlement (so-called “grace” years). (3) On expiry of these ten “grace” years, they shall pay the treasury a land tax, in the first ten years of 15–20 kopecks per desiatina per annum, on expiry of this (second period), this tax will be adjusted to the level of taxation common to other peasants settled on state lands in that region. Land service obligations shall be performed equally with the Russian subjects among whom the colonists shall be settled, immediately on expiry of the (first) exemption period, except for military quartering, from which they are freed, except for those occasions when military detachments pass through their settlements. (4) Freedom from military and civil service. (5) The payment of the state loan on expiry of the years of exemption is spread over the following ten years. (6) All colonists shall receive, free, 60 desiatinas of land for each family (semeistvo), excluding the mountainous part of Crimea. (7) From the day of arrival at the Russian border begins payment of a maintenance allowance per head of 10 kopecks for adults and six for children per day, up until arrival at the place of settlement. That money shall not be demanded back from the colonists, unless they wish to leave Russia. In that case it must be fully repaid to the treasury. (8) On arrival at the place of settlement, until their first harvest, each person will be provided with a state loan of 5–10 kopecks per person per day. This sum shall be repaid to the treasury, together with the general loan. (9) The general loan granted for the building of houses, purchase of cattle, and in general for all aspects of domestic establishment, totals 300 roubles per family. For persons arriving with considerable property, this sum may be increased if they need it to finance any useful

¹ “Vysochaishe utverzhdennyi doklad Ministra vnutrennikh del. O pravilakh dlia priniatiia i vodvoreniia inostrannykh kolonistov [20 February 1804],” in *Nemtsy v istorii Rossii*, 144–147.

enterprise. (10) On settlement, they are permitted to import their property, of whatever form, free of customs duties. In addition, each family may import once only goods belonging to themselves, for sale, at a price up to 300 roubles. (11) If any person, at any time, wishes to leave the state, he is free to do so; on condition, however of payment to the treasury of a sum equivalent to three times the annual tax payment by persons of his condition, over and above payment of all debts outstanding. (12) It is permitted to set up factories, and to follow any trade; to enter merchant and craft guilds, and to sell one's products throughout the empire.

In addition to this, if any foreign settlers, after prior offer or agreement, wish to settle on the lands of private owners, in any province whatsoever, then the owners are permitted to receive such people on voluntary terms.

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In the beginning of the nineteenth century, tsar Alexander I set new conditions for Russian immigration policy. Immigrants from troubled German lands were to be sent into the Northern Black Sea Steppe during a state-sponsored colonization. Categorized by officialdom as “German colonists,” the newcomers soon established colonies all over the region.

This book illuminates the ways in which marriage and household formation were instrumentalized by the imperial politics in the Northern Black Sea Steppe and conditioned by socioeconomic rationality of its colonization. The interplay of colonization as politics, and colonization as an *imperial situation*, with respect to the marriage of the German colonists, is explored by concentrating on both norms and practices. Intending to control colonist marriage and household formation through the *marriage regime*, the Russian government and its regional representatives lacked the actual means to exert this control at the local level.

A number of strategies and performances which challenged and negotiated the marriage regime in the region are examined for the first time.

Julia Malitska is a historian at Södertörn University (Sweden), with an affiliation to the Centre for Baltic and East European Studies (CBEES) and the School of Historical and Contemporary Studies.

History, Historical and Contemporary Studies and the Centre for Baltic and East European Studies (CBEES), Södertörn University.

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