

# PEASANT WOMEN CRIME IN RUSSIA (The Second Half of the XIX Century – First Half of the XX Century)

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## **Rezumat. Crimele comise de sătențe în Rusia (a doua jumătate a secolului al XIX-lea – prima jumătate a secolului XX)**

Articolul tratează principalele trăsături ale crimei comise în mediul rural de către femei, în perioada următoare reformelor din Rusia. Importanța acestei probleme este dată de relevanța subiectelor care sunt prezentate deopotrivă cu paralela între starea de fapt a societății ruse, în care sunt încă păstrate valorile țărănești și mentalitatea, și starea societății la limita secolelor XIX și XX. Valoarea unei femei în viața rurală era la fel de hotărâtoare ca valoarea unui bărbat. Schimbările radicale ale țării, care au loc în perioada post-reformă, prin prisma comportamentului deviant al femeii, creează o nouă perspectivă ce contribuie la o mai bună înțelegere a trecutului Rusiei și a impactului acestuia asupra prezentului.

**Abstract:** The article is devoted to the main features of women's peasant crime during the post-reform period in Russia. The importance of this problem is caused for that relevant topics are presented due to the parallels between the current state of Russian society, in which the peasant values and mentality are still retained, and the state of society at the boundary of XIX - XX centuries. The value of a woman in peasant life was as determinative as the value of a man. The country's radical changes that were taking place in the post-reform period through the prism of the female deviant behaviour create a new perspective, which contributes to a better understanding of Russia's past and its impact on the present.

## **Résumé: Les crimes commis par les femmes paysannes en Russie (la seconde moitié du XIX-ème siècle – la première moitié du XX-ème siècle)**

L'article ci-joint traite les principaux traits des crimes commis dans le milieu rural par les femmes dans la période suivant les réformes en Russie. L'importance de cette question réside aussi dans la relevance des sujets qu'on y présente, ensemble à la parallèle faite entre l'état réelle de la société russe, où on garde encore les valeurs paysannes et la mentalité, et l'état de la société à la limite des XIX-ème et XX-ème siècles. La valeur d'une femme dans la vie rurale était aussi décisive que la valeur d'un homme. Les changements radicaux du pays, qui arrivèrent dans la période post-réforme, par le prisme du comportement déviant de la

*femme, crée une nouvelle perspective qui contribue à une meilleure compréhension du passé de la Russie et de son impacte sur le présent.*

**Keywords:** *peasant society, peasant women, custom law, formal legislation, crime, female criminal.*

## Introduction

Studies of gender, "women's history" is out today on the cutting edge in the humanities science around the world as a result of general liberalization of public life, and greater attention to the female community as such. In Russia this interest is enhancing due to the disappearance of the ideological pressure in the country, which was influencing all aspects of life, including scientific research. Crime as a social phenomenon invariably accompanies society throughout its history. The crime has historically been variable and has always been closely linked to economic and social changes in the society.

In recent decades the phenomenon of crime has been given significant attention in western studies, its dynamic analysis and the specific manifestations are the subject of many articles and books, chronologically spanning over several centuries. Historiography of the issue can be found in C. Emsley, L. Knaffa.<sup>1</sup> But there are a few studies made over the recent decades on the crime in pre-revolutionary Russia.<sup>2</sup> In practice, there are not any meaningful studies on the female peasant crime and the aim of this work is to fill this gap in. It should be emphasized that the understanding of the Russian past requires a deep research on the peasant society. This is due to the fact that, despite the well-known events of the political and social history of Russia in the last century, which have radically changed the way of peasants' life, the mentality and values in their transformed form in some degree, may be largely, are still remain the same.

The value of a woman within all aspects of peasant life was as determinative as the value of a man even taking into consideration the women's dependency. In the post-reform period there were radical socio-political, economic, legal and

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<sup>1</sup> Emsley C., Knaffa L. (eds.). *Crime History and History of Crime: Studies in the Historiography of Crime and Criminal Justice in Modern History*, Westport, CT. 1996.

<sup>2</sup> See for example, С.С. Остроумов [S.S.Ostroumov], *Преступность и ее причины в дореволюционной России* [Crime and its causation in the pre-revolution Russia], Москва [Moscow], Изд-во МГУ [Moscow university press], 1960; Б.Н. Миронов [B.N. Mironov], *Преступность в России в XIX – начале XX века* [Crime in Russia in the XIX – beginning of the XX century], Отечественная история [National history], 1998, № 1, с. 24–42 [p. 24-42].

cultural changes in the country's life. Under the prism of deviant behaviour, these changes appear under a new angle. A 70-year period of the communist regime in Russia, especially in the first decades, was accompanied by a certain return to the past pre-reform period. The "serfdom" in fact in specific form has been revived in villages. Certain parallels can be seen with regard to the situation in Russian society at the boundary of XIX - XX centuries and at the beginning of the XXI century. All the above together makes the topic of this work relevant.

### Law and wrongdoing

The question of the peasant crime, particular women's, is quite complex, which is due to several factors: the existence of two different systems of legal relations in the post-reform Russia - customary law and formal law; features of the peasant vision and psychology; the dynamics of the formal provisions of the legislation that changed the views on criminal activities including the legalisation of some. Before proceeding to female criminality, it will be appropriate to give a brief description of law within peasants' environment.

Peasants' legal awareness was significantly determined by customary law. The customary law was informal, imprescriptible set of rules based on customs, which were sanctioned by the state. The customary law was intended to regulate economic and agrarian areas, family and some criminal issues, and defined many moral and ethical aspects of the community members' behaviour.

Customary law, due to local traditions and peculiarity, was quite variable. Customary law was an entire system to include methods of crime investigation (in many cases superstitious), inquiry and punishment, and even methods of crime prevention.<sup>3</sup> According to customary law and official legislation approaches to the same phenomena could vary by a number of positions, i.e. ownership right issues.

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<sup>3</sup> П. И. Астров, [P. I. Astrov], *Об участии сверхъестественной силы в народном судопроизводстве крестьян Елатомского уезда Тамбовской губернии* [*Supernatural power's role in peasant public proceedings in Elatamosk county Tambov province*], Труды этнографического отдела ИОЛЕАЭ. Сборник сведений для изучения быта крестьянского населения России (обычное право, обряды, верования и пр.) [Proceedings of the Ethnographic Department OLEAE. Collection of information to study the life of the peasant population of Russia (customary law, rituals, beliefs and so on)], вып. I [vol.I], Москва, [Moscow] 1889, с. 51–52 [p. 51-52]; Л.Н. Виноградова [L.N. Vinogradova], *Гадания* [*Divinations*], Славянские древности [Slavic antiquities], том 1 [vol. 1], Москва [Moscow], "Международные отношения" ["International relationships"], 1995, с. 483 [p. 483]; С.С. Крюкова [S.S. Kryukova], *Русский крестьянин и вещественный мир его правосудия (вторая половина XIX в.)*, [Russian peasant and

In addition, according to peasants' legal awareness land, forest, etc., i.e. anything created by nature, are not usually recognized as someone else's property, so infringement on natural resources was treated very leniently<sup>4</sup>: "God grew forests"<sup>5</sup>. The peasant community has not always distinguished crime from sin<sup>6</sup>. To clarify, people understood sin as a violation of Christian morality and law,

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*the real world of his justice (the second half of XIX century.)*, Этнографическое обозрение [Ethnographic Review], 2012, № 3, с. 143 [p. 143]; В. Антипов [V. Antipov], [Суеверные средства, употребляемые крестьянами для открытия преступлений и преступников] [Superstitious methods used by peasants for crime investigation and criminal detection], Живая старина [Living antiquity], 1905, вып. 3–4 [vol. 3-4], с. 552-555 [p. 552-555]; В.В. Тенишев [V.V. Tenishev], *Правосудие в русском крестьянском быту* [Justice in the Russian peasant life], СПб., 1907 [SPb.], с. 152, 156-159 [p. 152, 156-159], *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 7 [vol. 7], "Новгородская губерния" ["Novgorod province], часть 3 [part 3], "Череповецкий уезд" ["Tcherepovets uезд"], СПб. [SPb.], ООО «Навигатор» ["Navigator" LTD.], 2009, с. 29 [p. 29].

- <sup>4</sup> А.С. Белогриц-Котляревский [A.S. Belogrits-Kotljarevskij], *Творческая сила обычая в уголовном праве* [The creative power of custom in criminal law], Ярославль [Jaroslavl'], 1890, с. 29 [p. 29]; *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 2 [vol. 2], "Ярославская губерния" ["Jaroslavl' province"], часть 1 [part 1], "Пошехонский уезд" ["Poshekhoskij uезд"], СПб. [SPb.], ООО «Навигатор» ["Navigator" LTD.], 2006, с. 45 [p. 45], 48; *Ibid.*, том 2 [vol. 2], часть 2 [part 2], СПб. [SPb.], ООО «Навигатор» ["Navigator" LTD.], 2006, с. 268 [p. 268]; *Ibid.*, том 3 [vol. 3], "Калужская губерния" ["Kaluga province"], СПб. [SPb.], изд-во «Деловая полиграфия» ["Delovaja poligraphia" press], 2005, с. 36, 349 [p. 36, 349]; *Быт великорусских крестьян-землепашцев. Описание материалов этнографического бюро князя В.Н. Тенишева. (На примере Владимирской губернии)* [The everyday life of great-peasant cultivators. Description of materials of the Prince V.N. Tenishev ethnographic office (based on an example of the Vladimir Province)], СПб. [SPb.], Изд-во Европейского дома [Evropejskij dom press], 1993, с. 59 [p. 59].
- <sup>5</sup> *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 3 [vol.3], с. 29 [p. 29].
- <sup>6</sup> *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 1 [vol.1], "Костромская и Тверская губернии" ["Kostroma and Tver' provinces], СПб. [SPb.] изд-во «Деловая полиграфия» ["Delovaja poligraphia" press], 2004, с. 420 [p. 420]; *Ibid.*, том 2 [vol. 2], часть 1 [part 1], с. 46, 48, 561 [p. 46, 48, 561]; *Ibid.*, том 2 [vol. 2], часть 2 [part 2], с. 268 [p. 268]; *Ibid.*, том 3 [vol. 3], с. 219, 349 [p. 219, 349]; *Быт великорусских крестьян-землепашцев* [The everyday life of great-peasant cultivators], с. 58 [p.58]; А.А. Титов [A.A. Titov], *Юридические обычаи села Никола-Перевоз Сулотской волости, Ростовского уезда* [Legal customs of the Nikola-Perevoz village of Sulotskoy parish, Rostov Uезд], Ярославль [Jaroslavl'], 1888, с. 93-94 [p. 93-94].

for which the offender is punished by the will of God in this or in the "other world", a higher power can punish with death, disease, paralysis or natural disasters<sup>7</sup>.

Customary and official laws very clearly differ on the issue of female seduction with a promise to marry her. According to the official legislation such an offence was a criminal act, which could have led to from 16 months to two year imprisonment; if a child was born, the father was accountable for it (Articles 1531, 50)<sup>8</sup>. On the other hand, picking up berries before the designated date could be qualified as a serious crime and entail a severe punishment. For example, in the village Hlebaeva (Cherepovets district, Novgorod province) the committee has authorised the timeframe of 25-27 August for picking up cowberries. A widow Drosida Anisimova has violated this regulation and a decision for punishment was made. The widow was made to walk along the streets stripped naked, with a basket of confiscated berries hung around her neck while the villagers were shouting, laughing, singing and banging into pans, pots, etc. After this poor woman's ordeal she was sick for a few days, but did not dare to complain to anyone<sup>9</sup>. The reason for such cruelty shall be seen in the fact that material interests of the entire village were affected as peasants garnered cowberries for the winter, and for some of them it was the subject of trade.

One of the main points of peasants' vision with regard to the issues we consider is their attitude to deception and fraud. False measurements, wrong weight and other deceptions in trade were not considered as criminal acts and were treated as a blessing, smartness and resourcefulness, in accordance with the well-known saying: "That's why the pike is in the sea so the carp stays awake", "If you do not cheat - it won't be sold"<sup>10</sup>. The creativity was amazing. Before selling dried mushrooms they were put in a damp place so their weight can be increased by 10-20%. Salt was dissolved in the middle of a butter piece and it wouldn't look any different from proper butter. This trick will add up to 30 % more weight to it.

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<sup>7</sup> Н.И. Толстой [N.I. Tolstoj], *Грех [Sin]*, Славянские древности [Slavic antiquities], том 1 [vol.1], Москва [Moscow], «Международные отношения» ["International relationships"], 1995, с. 544-545 [p. 544-545].

<sup>8</sup> *Уложение о наказаниях уголовных и исправительных* [The order for Penal code], СПб. [SPb.], 1892, с. 612, 52 [p. 612, 52].

<sup>9</sup> *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 7 [vol. 7], часть 3 [part 3], с. 32 [p. 32].

<sup>10</sup> *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 2 [vol.2], часть 1 [part 1], с. 45 [p. 45]; *Ibid.*, том 2 [vol. 2], часть 2 [part 2], с. 270 [p. 270]; *Ibid.*, том 3 [vol. 3], с. 349 [p. 349]; *Ibid.*, том 7 [vol. 7], часть 2 [part 2], "Череповецкий уезд" ["Tcherepovets uezd"], СПб. [SPb.], ООО «Навигатор» ["Navigator LTD"], 2009, с. 621 [p. 621]; *Быт [Everyday life]*, с. 59 [p. 59].

In winter butter can be white so it was mixed with mashed potatoes. In the spring when butter becomes more yellowish, it was mixed with carrots. Some women did not hesitate to put a piece of rock in the middle of a large butter piece<sup>11</sup>.

In the chronicle of one of the parish courts in Cherepovets district Novgorod province a case was recorded when a female peasant sold the same cow to three different people: she has got a deposit from two people and sold the cow to the third one. As it has happened without witnesses she was not punished<sup>12</sup>.

There was a trend in peasants' legal awareness that a person would only be considered dishonoured if a case became known to the authorities and have been brought to a trial and punishment. The word "prisoner" was abusive, imprisonment lead to reproach for many years<sup>13</sup>. In 1895 in a village in the Demyansk district of Novgorod province peasants stole a few dozen bags of flour and almost all of the villagers were involved. Many of them managed to hide the stolen goods and only three were brought to justice and were sentenced to a few months in prison. According to public opinion of the villagers only these three punished have "lost honour" and were called fools, thieves and prisoners<sup>14</sup>.

The crime rate issue is very complicated. According to B. N. Mironov the crime rate is a rather theoretical concept as the total number of crimes committed has never been known exactly<sup>15</sup>. This situation was complicated for peasants due to the existence of two systems of law and unique features of peasant life which would directly affect their law awareness. Among them was uncertainty in the understanding of a permissible level with regard to domestic violence. "Teaching" of a wife and jealousy sometimes reached the level of extreme violence, accompanied by injuries, but according to peasants' vision could only qualify as a minor sin. Therefore, the data of criminal statistics, which can only be approximate, give an additional degree of freedom with regard to peasants' crime.

According to crime statistics, the number of recorded crimes for the period

<sup>11</sup> *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 7 [vol. 7], часть 2 [part 2], с. 167 [p. 167].

<sup>12</sup> *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 7 [vol. 7], часть 2 [part 2], с. 113 [p. 113].

<sup>13</sup> *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 7 [vol. 7], часть 1 [part 1], "Белозерский, Боровичский, Демянский, Кирилловский и Новгородский уезды" ["Beloziorsk, Borovichi, Dem'jansk, Kirillov and Novgorod uezd"], СПб.[SPb.], ООО «Навигатор» ["Navigator LTD"], 2011, с. 87 [p. 87].

<sup>14</sup> *Ibid.*, с. 399-400 [p. 399-400].

<sup>15</sup> Б.Н. Миронов [B.N. Mironov], *Преступность в России в XIX – начале XX века* [Crime in Russia in the XIX – beginning of the XX century], Отечественная история [National history], 1998, № 1, с. 25 [p. 25].

from 1803-1808 until 1911-1913 has increased almost by 12 times, while the population of the country has only increased by 2.9 time. It should be considered that the level of minor crime is underestimated mainly due to underreporting of offenses<sup>16</sup>. In 1900 the total number of criminal cases has increased by 48% comparing to 1884, while the country's population growth was 24-25%.

If we look at the individual regions of Russia, the crime rate in Moscow industrial area has increased by 23%, in the centre of Chernozem'e by 22%, in St. Petersburg region by 17%, in Volga-Kama region by 14%. In all these areas, the population growth was left behind the crime increase<sup>17</sup>. Since the peasantry emancipation the crime rate was increasing. The patriarchal system deformation led to a weakening of traditional ties and established relationships. The deviant behaviour has been paradoxically acted in conjunction with the old rules, attitudes and superstitions. Realising of self-respect, the willingness to be free from the control of seniors led to the minor crime increase, including youth and women.

But the main factor in the crime growth in the post-reform period was a release of large numbers of people from serfdom. There were more opportunities for private initiatives and enterprise, which broadened the scope of what is permitted and promoted the development of deviant behaviour, including the ones of a criminal nature. An important factor in the crime growth among peasants in the late XIX - early XX century was a deformation of the peasant community, which led to the disintegration of community and the control weakening over its members. There was more freedom for unpunished and uncontrolled acts, deviant behaviour, including crime, was less constrained. The increased chances of being unpunished have provoked the violation of common and traditional social arrangements<sup>18</sup>. The transitional nature of post-reform villages led to the destabilization of the established norms, the weakening of the patriarchal system foundations which led to the crime increase<sup>19</sup>.

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<sup>16</sup> Ibid., с. 27, 30 [р. 27, 30].

<sup>17</sup> М.Н. Гернет [M.N.Gernet], *Общественные причины преступности* [Social causes of crime], М.Н. Гернет [M.N. Gernet]. Избранные произведения [Selected works], Москва [Moscow], Юридическая литература [Yuridicheskaja literature], 1974, с. 43 [р. 43].

<sup>18</sup> Б.Н. Миронов [B.N. Mironov], *Преступность в России в XIX – начале XX века*, [Crime in Russia in the XIX – beginning of the XX century], с. 27, 30, 38 [р.27,30,38]; Б.Н. Миронов [B.N.Mironov], *Социальная история России* [Social history of Russia], 2-е изд. [Second edition], испр. [corr.], СПб. [SPb.], изд-во «Дмитрий Булавин» [“Dmitrij Bulanin” press], 2000, том 2 [vol. 2], с. 96 [р. 96].

<sup>19</sup> *Библиография* [Bibliography], *Этнографическое обозрение* [Ethnographic Review], 1889, № 1, с. 143-144 [р. 143-144]; М. Ратов [M. Ratov], *Женщина перед судом*

## Women who kill: from pretexts to blames and victims

Women's crime was aggravated by women not having freedom and rights, which were additional factors for crime acts within peasants' society, including the serious ones. Desperate wives were killing or attempting to kill their spouses<sup>20</sup>. Murders of spouses were often results of those girls were often getting married at a very young age and their feelings were not taken into consideration<sup>21</sup>. A son found out his father's adultery, had murdered him with his mother being his accomplice; one brother-in-law strangled another brother-in-law following on his wife's request and they carried the dead body together outside the village; a sister stabbed her own sister at night because she was informing about her immoral life<sup>22</sup>. A woman would kill her sick husband so she does not need to take care of him and feed an extra mouth<sup>23</sup>.

Women being physically weaker than men and their lifestyle (housework, cooking) - predetermined the means of committing murders. If men murdering somebody would usually punch in the head, hit with an axe, strangle, then women would use their brain instead of physical force. The crime was planned in advance and poisoning with arsenic, sublimate or some poisonous herbs can be a chosen method<sup>24</sup>. A convenient way of killing a husband was so-called steaming. Not all

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*присяжных (мысли и факты)* [A woman in front of a jury (thoughts and facts)], Москва [Moscow], 1899, с. 17 [p. 17].

<sup>20</sup> Л. Весин [L. Vesin], *Современный великорус в его свадебных обычаях и семейной жизни* [Modern Russian wedding traditions and family life], Русская мысль [Russian thought], 1891, № 10, с. 51 [p. 1]; М.Я. Капустин М.Я.Капустин], *Задачи гигиены в сельской России* [Problems of hygiene in rural Russia], Русская мысль [Russian thought], 1902, № 5, с. 11 [p. 11].

<sup>21</sup> П.Н. Тарновская [P.N. Tarnovskaja], *Женщины-убийцы* [Female murderers], СПб. [SPb.], 1902, с. 1-3, 94, 95 [p. 1-3, 94, 95].

<sup>22</sup> С. Максимов [S. Maksimov], *Народные преступления и несчастья* [National crime and misfortune], Отечественные записки [Fatherland notes], 1869, № 1, с. 50-51 [p. 50-51].

<sup>23</sup> П.Н. Тарновская [P.N.Tarnovskaja], *Женщины-убийцы* [Female murderers], с. 98 [p. 98].

<sup>24</sup> М.Н. Гернет [M.N.Gernet], *Преступление и борьба с ним в связи с эволюцией общества* [The crime and the fight against it in connection with the evolution of society], М.Н. Гернет [M.N.Gernet]. Избран. произведения [Selected works], с. 255, 286 [p. 255,286]; П.Н. Тарновская [P.N. Tarnovskaja], *Женщины-убийцы* [Female murderers], с. 194 [p. 194]; *Курские губернские ведомости* [Kursk province gazette], 1895, № 1; С. Максимов [S. Maksimov], *Народные преступления и несчастья* [National crime and misfortune], Отечественные записки [Fatherland notes], 1869, № 1, с. 50-51 [p. 50-51]; *Русские крестьяне. Жизнь. Быт. Нравы* [Russian peasants. Their everyday life and morals], том 7 [vol. 7], часть 2 [part 2], с. 349 [p. 349].

peasants were using bath houses, instead they were frequently washing themselves in home furnaces. When the husband climbed into the furnace, the wife could close the chimney, put something against it and go to a neighbour. On return the wife would have opened the furnace and screamed: the husband steamed himself to death while she was at the neighbour's. To prove such a crime has been extremely difficult<sup>25</sup>.

The crime motivation could be resulted in peasants supporting holiness and indissolubility of marriage, and the extreme difficulty of divorce<sup>26</sup>. The female crime researcher K.V. Davydov wrote in 1906 that the number of spouse murders in peasants' society can be reduced by making a divorce process more simple, by letting young girls to get married only when they reach their sexual maturity, by the equation of husband's and wife's rights and by cancelling any restrictions on freedom of movement<sup>27</sup>.

Victims of women crime were also other family members<sup>28</sup>. For example, mother-in-law poisoned her daughter-in-law – the younger son's wife. The daughter-in-law came from a poor family, was pretty, adored by her husband, but was obstinate. Six months after the wedding her relationship with the mother-in-law became extremely aggravating, which has led to the tragedy<sup>29</sup>. There were also murders due to financial reasons, but they were not only specific to peasant society, and a woman has often acted only as an accomplice<sup>30</sup>.

Under Russian law, an infanticide was a serious offence. For the intentional murder of the child the guilty woman would have lost all her property rights and sentenced to compulsory hard labour (Article 31, 1450, 1451, 1460)<sup>31</sup>. Leaving a new-

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<sup>25</sup> А.В. Балов [A.V. Balov], *Санитарные недочеты нашей деревни* [Sanitary limitations of our village], Русская мысль [Russian thought], 1903, № 1, с. 21 [p. 21].

<sup>26</sup> А.А. Титов [A.A. Titov], *Юридические обычаи...* [Legal custom...], с. 101 [p. 101]; П.Н. Тарновская [P.N. Tarnovskaja], *Женщины-убийцы* [Female murderers], с. 110-111, 180-182 [p. 110-111, 180-182]; Д. Бобров [D. Bobrov], *По поводу бабьих стонов* [About moaning women], Юридический вестник [Legal herald], 1885, № 10, с. 321-322 [p. 321-322].

<sup>27</sup> К.В. Давыдов [K.V. Davydov], *Женщина перед уголовным судом* [Woman facing the criminal court], Москва [Moscow], 1906, с. 35 [p. 35].

<sup>28</sup> Российский государственный исторический архив [Russian State Historical Archive], (hereafter РГИА), фонд 1405 [fund 1405], оп. 108 [inventory 108], ед.хр. 5678, 8460 [storage units 5678, 8460].

<sup>29</sup> П.Н. Тарновская [P.N. Tarnovskaja], *Женщины-убийцы* [Female murderers], с. 140-142 [p. 140-142].

<sup>30</sup> *Ibid.*, с. 106-108, 119 [p. 106-108, 119].

<sup>31</sup> *Уложение о наказаниях уголовных и исправительных* [The order for Penal code], с. 47, 567, 572, 573 [p.47, 567, 572, 573].

born child without care, which would have caused his death, was also counted as infanticide. In this case a punishment under the criminal law would be considered<sup>32</sup>.

Among the reasons for infanticide defendants in the first instance would blame being feared and ashamed by their parents, relatives and villagers<sup>33</sup>. A grandmother could urge her unmarried grand-daughter to commit an infanticide wishing to protect her from being ashamed, disgraced, scorned by neighbours and from troubles of having unwanted offspring<sup>34</sup>. Traditional cultural stereotypes with regard to behaviour norms in intimate relationships were deeply enrooted in the minds of Russian peasants. The horror feelings that would overwhelm guilty persons, because they could expect shameful punishment such as being publically stripped naked for a joy of others, having their house gates covered in tar, etc., can be easily imagined. Economic issues played an important role as it was extremely difficult to get a job having a baby. Among the reasons of committing a crime guilty people would indicate their confidence of a stillborn child birth, amnesia, unconsciousness<sup>35</sup>. However, such motives were not credible from the medical point of view<sup>36</sup>.

If in pre-reform Russia infanticides were relatively uncommon<sup>37</sup>, after serfdom abolition the number of infanticide crimes has gone up<sup>38</sup>. Available

<sup>32</sup> Ibid., с. 572-573 [p. 572-573].

<sup>33</sup> Государственный архив Курской области [State Archive of the Kursk Region] (hereafter – ГАКО), фонд 32 [fund 32], оп. 1 [inventory 1], д. 2043, 2051 [file 2043,2051], л. 3 [p. 3]; д. 3147 [file 3147], л. 62 [p. 62]; С. Бородаевский [S. Borodaevskij], *Незаконнорожденные в крестьянской среде* [Illegitimate children in peasant society], Русское богатство [Russian wealth], 1898, № 10.

<sup>34</sup> П.Н. Тарновская [P.N. Tarnovskaja], *Женщины-убийцы* [Female murderers], с. 171-172 [p.171-172].

<sup>35</sup> ГАКО [ГАКО], фонд 32 [fund 32], оп. 1[inventory 1], д. 3147[file 3147].

<sup>36</sup> В. Линденберг [V. Lindenberg], *Материалы к вопросу детоубийств и плодизгнания в Витебской губернии (по данным Витебского Окружного Суда за десять лет, 1897-1906. Диссертация на степень доктора медицины* [Materials about infanticide problem and abortions in Vitebsk province (according to the Vitebsk District Court for ten years 1897-1906). Dissertation for the degree of Doctor of Medicine], Юрьев [Yur'ev], 1910, с. 37-38 [p. 37-38]; М.Н. Гернет [M.N.Gernet], *Детоубийство. Социологическое и сравнительно-юридическое исследование* [Infanticide. Sociological and comparative legal study], Москва [Moscow], 1911, с. 117, 120-121 [p. 117, 120-121].

<sup>37</sup> Б.Н. Миронов [B.N.Mironov], *Социальная история России* [Social history of Russia], том 1 [vol. 1], с. 201 [p. 201].

<sup>38</sup> А. Любавский [A. Lyubavskij], *О детоубийстве* [Infanticide], Юридический вестник [Legal herald], 1863, вып. 37 [vol. 37], № 7, с. 21-22 [p. 21-22]; Н. Таганцев [N. Tagantsev], *О детоубийстве: Опыт комментария 2 ч. 1451 и 1 ч. 1460 ст. Уложения о наказаниях* [Infanticide: Previous comments 2 part of clause 1451 и 1

statistics on infanticide is far from being accurate, but it allows to draw some conclusions. The vast majority of found guilty in committing infanticide mothers were unmarried women - up to 92% depending on the area, up to 75% were younger than 26 years of age, more than 59% who had their first child, over 83% of those who belonged to peasant society, over 90% of poor and 96% out of illiterate women<sup>39</sup>, there were about 80% of peasant women prosecuted for infanticide<sup>40</sup>.

These data are in line with "Summary of Russian Criminal Statistics" for 1874-1894: among the convicted of infanticide, the number of unmarried women was almost 10 times higher than married<sup>41</sup>. There were 73.6% of unmarried women, 16.8% of married women and 9.6% of widows among those convicted of infanticide in the 1897-1906. This is very different from the categorisation of convicts by marital status done by district courts for all crimes: 42.2% of unmarried women, 46.6% of married women, 12.9% of widows and 0.3% of divorced<sup>42</sup>. District courts were trying to discharge women and replace severe sentences by more lenient ones in cases of infanticide, taking into account inexperience of young girls having their first child, their mental imbalance, shame and fear of relatives, poverty and being cheated up by men<sup>43</sup>.

If the traditional place of legitimate births were a house or sauna or it could have unexpectedly happened while working in the field or forest, the illegitimate child could also be born in a stable, barn, porch, attic, restroom, on the river or

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part of clause 1460. The order for Penal code], Журнал Министерства юстиции [Journal of the Ministry of Justice], 1868, том 36 [vol. 36], с. 260 [p. 260]; И.Я. Фойницкий [I.Я. Fojienitskij], *Женщина-преступница* [Female criminal], Северный вестник [Northern herald], 1893, № 2, с. 133 [p. 133]; Ibid., № 3, с. 115 [p. 115].

<sup>39</sup> В. Линденберг [V. Lindenberg], *Материалы к вопросу детоубийств и плодоизгнания...* [Materials about infanticide problem and abortions], с. 53-54 [p. 53-54].

<sup>40</sup> С.С. Остроумов [S.S.Ostroumov], *Преступность и ее причины в дореволюционной России* [Crime and its causes in the pre-reformed Russia], с. 54 [p. 54].

<sup>41</sup> *Итоги русской уголовной статистики за 20 лет (1874-1894)* [Results of the Russian criminal statistics for 20 years: (1874-1894)], СПб. [SPb.], 1899, с. 157 [p. 157].

<sup>42</sup> М.Н. Гернет [M.N.Gernet], *Детоубийство. Социологическое и сравнительно-юридическое исследование* [Infanticide. Sociological and comparative legal study], с. 117, 120-121, 154, 156 [p. 117, 120-121, 154, 156].

<sup>43</sup> К.В. Давыдов [K.V. Davjydov], *Женщина перед уголовным судом* [Woman facing the criminal court], с. 38-39 [p. 38-39]; Д. Михель, И. Михель [D. Mikhel, I. Mikhel], *Инфантицид глазами образованного российского общества второй половины XIX начала XX в.* [Infanticide from the point of view of educated Russian society in the second part of the XIX – first part of the XX century], Бытовое насилие в истории российской повседневности (XI–XXI вв.) [Domestic violence in the history of Russian everyday life (XI-XXI centuries)], СПб. [SPb.], изд-во Европейского ун-та в Санкт-Петербурге [edition of the European University Press in St. Petersburg], 2012, с. 120 [p. 120].

lake banks, on the road in the snow, etc. Places of hiding of the child's dead body have also varied widely: a barn, shed, garden, restroom, forest, cemetery, field, river, marsh or the dead body could be taken to the lover<sup>44</sup>. Infanticide could have been committed not only by women who gave birth to a child, but also by their mothers and women who were doing business on it. A great number of infanticide examples are given in P.N. Tarnovskaya's book<sup>45</sup>.

Another common female crime was arson<sup>46</sup>. This way they were trying to free their anger, retaliated against their husband's cruelty or affairs of their lovers. They would set on fire houses of their rivals, husbands, grooms, who did not keep their promises given; deceived bride would set fire to the house of the happily married woman. Unlike women, men would have not consider such a crime, and if it was not because of the boys accounted for most of the male imprisonment for arson, this type of crime could be exclusively considered a female one<sup>47</sup>. In the archives there are a large number of cases of arson committed by peasant women<sup>48</sup>. There are numbers of arsons examples committed by young peasant girls<sup>49</sup>.

### Crime, gender and statistics

According to the criminal statistics peasant women were accounted for nearly 3/4 of all poisonings, murders, arsons and other serious crimes committed by women of all classes<sup>50</sup>. If we compare the data on male and female crime, depending on age, crime numbers committed by 14-21 year old women were

<sup>44</sup> В. Линденберг [V. Lindenberg], *Материалы к вопросу детоубийств и плодоизгнани...* [Materials about infanticide problem and abortions], с. 29-31 [p. 29-31].

<sup>45</sup> П.Н. Тарновская [P.N. Tarnovskaja], *Женщины-убийцы* [Female murderers].

<sup>46</sup> См., например [See for example], *Нижегородские губернские ведомости* [Nizhny Novgorod Provincial Gazette], 1880, № 40; *Ibid.*, 1892, № 19, с. 5 [p. 5]; *Yaroslavl' Provincial Gazette*, 1880, № 38.

<sup>47</sup> С. Максимов [S. Maksimov], *Народные преступления и несчастья* [National crime and misfortune], 1869, № 3, с. 115 [p. 115]; *Нижегородские губернские ведомости* [Nizhny Novgorod Provincial Gazette], 1880, № 3, с. 20 [p. 20]; *Ibid.*, № 44, с. 37 [p. 37].

<sup>48</sup> РГИА [RGIA], фонд 1405 [fund 1405], оп. 108 [inventory 108], ед. хр. 3161, 7236, 7572, 7976, 10141 и др. [storage units 3161, 7236, 7572, 7976, 10141 and other]; ГАКО [GAKO], фонд 32 [fund 32], оп. 1 [inventory 1], д. 150, 308, 310, 2054, 2382 [file 150, 308, 310, 2054, 2382 and other].

<sup>49</sup> РГИА [RGIA], фонд 1405 [fund 1405], оп. 108 [inventory 108], д. 7825 [file 7825]; *Нижегородские губернские ведомости* [Nizhny Novgorod Provincial Gazette], 1883, № 42, с. 325 [p. 325].

<sup>50</sup> И.Я. Фойницкий [I.Ja. Fojienitskij], *Женщина-преступница* [Female criminal], *Северный вестник* [Northern herald], 1893, № 3, с. 132-133 [p. 132-133].

higher; men had a higher crime rate for the age group 21-40, and again in the group of 40 years plus women's crime rate was prevailing. There were surprisingly high levels of arsons among young girls under 14 years (8.1% of the total number of female offenders), while boys of the same age were accounted for 4.1% of all male offenders. A number of girls and boys involved in fraud were also quite different (1.3% and 0.1% respectfully)<sup>51</sup>.

At the age of 14 to 21 years, the ratio between male and female crime varied depending on the type of crime. A number of men found guilty in murder of their own parents were higher than a number women charged for the same crime - 32.2% and 22.2% respectfully. There was a low involvement of women of the above age found guilty for fraud (4.1%), insulting the authorities (4.6%), adultery (6.5%). A number of men and women involved in some crimes was similar: attempted murder (women - 35.5%, men - 31.3%), theft (15.7% and 11.5% respectfully).

Women were prevailing in committing some of the crimes: crimes against morality (women - 35.8%, men - 10.8%), the murder of spouses and relatives (25.3% and 14.1%), poisoning (19.3% and 13.7%), incest (16.7% and 3.7%). A number of female crimes were accounted to theft (29.9%). The dynamics of crime varied depending on age. 21-25 year old women would be responsible for the most crimes against morality, infanticide, murder of spouses and relatives.

The mature women level of crime was getting down but there were still quite a few cases of different types of murders, injuries, adultery, and incest. The age of 35-40 years had the maximum accountability for theft and fraud, the age of 40-45 years – for religious offenses, theft and arson. Infanticide, adultery and incest were less frequent; while men reached their maximum scores for incest's which were prevailing until old age.

After 45 years of age (up to the very old age) women's prevailing crimes were the ones based on emotional outbursts – authority insults, murders, poisoning, physical injuries, arsons and religious crimes<sup>52</sup>. Going to work away without a passport, and vagrancy, which according to the official legislation were criminal acts are not considered in this article. We also need to take into account that the official legislation related to such actions was gradually changing towards easing.

Emancipation led to the orientation value changes among peasants. The whole atmosphere of life in the post-reform period was full of ideas of enrichment and materialistic well-being. The crime rate was directly linked to the economic situation of the peasantry. Price increase years 1881-1882, 1893, 1907 as well as price decrease years - 1883, 1888, 1894, 1895, 1900-1901 were followed by the

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<sup>51</sup> Ibid., c. 135 [p. 135].

<sup>52</sup> Ibid., c. 135-136 [p. 135-136].

corresponding changes in crime rates. The highest crime rate was in 'hungry' 1891 and 1892. There has been a clear correlation between the years of crop failure and crime raise in Moscow Province. In 33 provinces of European Russia thefts were directly dependent on grain prices<sup>53</sup>.

The ideology of the post-reform period was the wish to get rich but to get rich quickly, and be out of poverty and misery. The complexity of those times was that traditional patriarchal settings and impacts of modernisation processes were mixing together. The traditional way of life was responsible for the lack of freedom, inequality, oppression of women, and extreme intolerance of public opinion in violation of established rules by women.

In the post-reform period traditional community and family relations were deformed. In this regard, in order to maintain law and order the role of the state has been inevitable increased. On the other hand, social movements have been increasingly activated, their activities were aimed the liberalisation of life that should had a positive impact on the crime reduction: the legalisation of abortion, the simplification of divorce procedures, etc.

Modernisation processes, like any dramatic changes, were extremely hard to perceive, they led to the destruction of the traditional lifestyle, moral and ethical standards as well as dramatically exacerbated economic issues.

## Conclusions

Women were particularly vulnerable, and the negative features of the post-reform period affected them quite badly, leading them to extreme. Such factors of peasant life as poverty, social turmoil, a big amount of cultural changes and a marginal state of the majority of peasant women have created a fertile ground for criminal phenomenon. A peasant woman appeared under a different and unexpected angle. She is now not only a right less, humble and uneducated creature. A peasant woman could have had a different face – she could be a cruel criminal, predator and fraudster, she could be unexpectedly intelligent and inventive in planning, committing and concealing of crimes. A peasant woman could have inspired and provoked men to a crime commitment, sometimes staying aside herself; she could put all her passion towards criminal acts. She could have murdered her own child either with tears and a heavy heart or deliberately and staying cool.

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<sup>53</sup> М.Н. Гернет [M.N. Gernet], *Преступление и борьба с ним в связи с эволюцией общества* [The crime and the fight against it in connection with the evolution of society], с. 274-275 [p. 274-275].