

Civil Death, Radical Protest and the Theatre of Punishment in the Reign of Alexander II¹

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On the morning of 14 December 1861, two officers accompanied by an executioner and a blacksmith entered a prison cell in St. Petersburg's Peter and Paul Fortress. They were tasked with preparing the poet and journalist Mikhail Mikhailov for his civil execution. The State Senate had convicted Mikhailov of authoring the radical pamphlet *To the Young Generation*, and sentenced him to twelve and a half years of penal labour – commuted by Alexander II (reigned 1855-81) to six – followed by lifelong exile to Siberia. The executioner shaved half of the prisoner's head in the manner of an exile while the blacksmith fitted him with shackles. Mikhailov was then seated with his back to the coachman on a carriage, dubbed a 'chariot of shame', and driven the kilometre or so that separates the fortress on the banks of the Neva from Sytnaia Square on the city's Petrograd Side. The carriage was surrounded on all sides by guards with their swords drawn. In this abject pose, Mikhailov was conveyed to his place of execution.²

¹ I would like to thank Stephen Lovell, Rob Priest, Rebecca Reich and the anonymous reviewers of the journal for their comments on earlier drafts of this article.

² Mikhailov was not a nobleman and, therefore, not exempt from having his head shaved. Mikhail Lemke, *Politicheskie protsessy v Rossii 1860-kh godov* [Political Trials in Russia in the 1860s], 2nd edn (Petrograd, 1923), 133; Franco Venturi, *Roots of Revolution: A History of the Populist and Socialist Movements in 19th Century Russia*, revised edn, trans. Francis Haskell (London, 2001), 247, 250; P. S. Fateev, *Mikhail Mikhailov: revoliutsioner, pisatel'*,

Sytnaia Square was a marketplace bustling with traders and shoppers. Some were about their business; others milled in curious anticipation around a wooden scaffold draped in black cloth that stood in the centre of the square. An agent of the Imperial security police, the Third Department, reported that ‘there were very few people – around 200, not more, and they were all common people (*prostoi narod*).’ Before Mikhailov’s arrival on the square, members of the crowd had been saying ‘that some general or other is going to be executed, but no one knows what for.’ When the carriage arrived, Mikhailov was led onto the scaffold. An official read out the court’s sentence but not very loudly, such that ‘most people did not even know the criminal’s name.’ As the agent reported, ‘some, who had not understood the sentence, were chattering that [Mikhailov] had wanted to overthrow the sovereign and all the ministers; almost no one heard what was actually said.’³

If the public pronouncements framing the execution remained opaque to the audience, the semiotics of power were far less ambiguous. To the beating of drums, Mikhailov was made to kneel while a sabre, that symbol of military honour, specially filed down at the middle, was broken over his head. He was then dressed in a convict’s coat and chained for ten minutes to a black pillory that stood in the centre of the scaffold. The crowd might have been largely ignorant of both Mikhailov’s identity and the nature of his crimes, but it was clear to everyone on Sytinaia Square that they were witnessing a punitive drama in which the retributive might of the autocracy was visited on the diminutive figure of a single, powerless man.

publitsist [Mikhail Mikhailov: Revolutionary, Writer, Publicist] (Moscow, 1969), 312-18; B. P. Koz’min (ed.), *Politicheskie protsessy 60-kh g.g.* [Political Trials of the 60s] (Moscow, 1923), 288.

³ Aleksei Shilov, ‘Arest M. I. Mikhailova i sud nad nim’ [‘The Arrest of M. I. Mikhailov and His Trial’], *Russkoe proshloe*, 1923, no. 2, 152.

Wittingly or otherwise, Mikhailov played his own part to perfection. He was, the Third Department agent reported, ‘very still and pale and did not utter a word the whole time.’⁴ Mute and compliant, Mikhailov’s body served as a stage prop over which the power of the state was performed. The ceremony concluded, he descended from the scaffold a convict ‘stripped of all rights of rank,’ to be returned under armed escort to the Peter and Paul Fortress. He had ceased to be a legal subject within the Russian Empire: he had lost all his civil rights; his formal relations with his family had been severed; his right to own property had been terminated. The civil execution had passed off, a Third Department agent noted, ‘successfully.’ That evening Mikhailov began his long journey to the Nerchinsk Mining District in Eastern Siberia where he would join the ranks of the region’s penal labourers.⁵

Civil executions of ‘state criminals’ during the reign of Alexander II were intended to underline the absolute supremacy of the autocracy and the legal and moral defeat of individuals who dared to challenge it. They choreographed ceremonies of collective condemnation from the assembled crowds who represented the wider community of the tsar’s subjects. Many, like Mikhailov’s, were staged without incident, and followed the ritual of debasement and expulsion endorsed by the state.⁶ Yet when at the civil executions of

⁴ *Ibid.*

⁵ Lemke, *Politicheskie protsessy* [Political Trials], 133. On the Nerchinsk Mining District, see Andrew A. Gentes, *Exile, Murder and Madness in Siberia, 1823-1861* (Basingstoke, 2010), ch. 3; Daniel Beer, *The House of the Dead: Siberian Exile Under the Tsars* (London, 2016), chs. 4, 12.

⁶ See, for example, the reports on three additional civil executions of revolutionaries contained in the following: Gosudarstvennyi Arkhiv Rossiiskoi Federatsii [State Archive of the Russian Federation] (GARF), f. 109, op. 1a, 1865, d. 259, ll. 1-1ob; GARF, f. 109, op. 1a, 1866, d. 284, l. 1; GARF. f. 109, op. 1a, 1875, d. 1686, l. 1.

revolutionaries both convicts and spectators departed from the state's script of public humiliation and orderly opprobrium, the performance of monarchical power and autocratic justice proved liable to subversion. Eyewitness testimony, legal commentaries, and official reports reveal how Russian radicals and their supporters could succeed in hijacking the ceremony in order to repudiate the symbolic power of the state, proclaim their ideals and demonstrate political commitment and solidarity. The civil executions of revolutionaries expose the collapsing hierarchies and diminishing moral and judicial authority of the autocracy in the reign of Alexander II.

In Russia as elsewhere in Europe, the scaffold also served to mount carefully curated public displays of the vast disparities in power between the sovereign and his or her subjects. In Michel Foucault's words:

The public execution... has a judicio-political function. It is a ceremonial by which a momentarily injured sovereignty is reconstituted.... Its aim is to bring into play, as its extreme point, the dissymmetry between the subject who has dared to violate the law and the all-powerful sovereign who displays his strength... The public execution did not re-establish justice; it reactivated power.⁷

Civil death should, therefore, be considered one of what Richard Wortman has termed the autocracy's 'scenarios of power', the techniques successive tsars deployed to project

⁷ Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York, 1995), 48-9.

authority and legitimacy. Parade grounds, city squares, palaces, public ceremonies and the press all became venues for the stage-managed affirmation of monarchical sovereignty.⁸

Within the Russian Empire, assertions of monarchical sovereignty suffused the administration and enjoyment of rights, which were never the legally encoded protections constructed around the presumption of natural rights in states such as France, Britain and the United States. Jane Burbank has argued that what she terms ‘the Russian imperial rights regime’ was ‘founded on the state’s assignment of rights and duties to differentiated collectives.’ Subjects of the tsar only perceived and exercised anything approaching ‘rights’ in contexts shaped by their membership in different corporate bodies, from religious communities to estates. Whilst officials administered this ‘imperial rights regime’, at its very core stood the figure of the sovereign.⁹ The ultimate authority of the sovereign to grant,

⁸ Richard Wortman, *Scenarios of Power: Myth and Ceremony in Russian Monarchy*, 2 vols. (Princeton, 1995-2000)

⁹ In 1811, the historian and conservative statesman Nikolai Karamzin offered a clear distillation of the relationship between monarchical sovereignty and law: ‘in Russia the sovereign is the living law: he pardons the good, executes the bad and the love of the former constitutes the terror of the latter... The Russian monarch embodies the union of all powers; our rule is paternal, patriarchal.’ N. M. Karamzin, *Zapiski o drevnei i novoi Rossii* [Memoir on Ancient and New Russia] (St. Petersburg, 1914), 122. The Fundamental Law contained within the Russian Legal Digest of 1832 was explicit that ‘every act of [the tsar’s] will acquires mandatory force, without the consent of any other institution.’ See S. B. Gradovskii, *Nachala russkogo gosudarstvennogo prava* [The Foundations of Russian State Law], 3 vols. (St. Petersburg, 1875-1881), i, 2. As Hiroshi Oda has observed, ‘as a result of legislative power belonging to the tsar together with executive power, there was no distinction between laws on the one hand and orders of the tsar on the other.’ Oda, ‘The Emergence of *Pravovoe*

make, and change law remained throughout the nineteenth century.¹⁰ He or she could bestow and revoke rights and promote and demote individuals from one rank to another. In Russia, Burbank argues, ‘rights appear with the state and in relation to it, in gestures made by the distant ruler to appease, accommodate, and manipulate his subjects... Under the imperial rights regime, a person obtains rights only when the state appears on the social scene and grants rights to its subjects.’¹¹ As a consequence, ‘there was no implicit standard of equality to work with, no declared rights to all men and citizens to be seized.’ For Burbank, rights were not just *practically* meaningless in the absence of a state willing to recognise or enforce them; the ‘imperial rights regime’s’ tangle of complex, discretionary provisions gave ‘both rulers and subjects perspectives on politics that differ from those fortified by the ideals (and tensions) of natural and universal rights.’¹² Yet as the ensuing discussion of public punishment demonstrates, the reign of Alexander II witnessed the emergence of sites of contestation between this ‘imperial rights regime’ and an alternative framework of natural rights, championed by tsarism’s opponents. Drawing on the influences of European

Gosudarstvo (Rechtsstaat) in Russia, *Review of Central and East European Law*, vol. 25, no. 3 (1999), 385. See also E. V. Anisimov, ‘Samoderzhavie XVIII v.: Pravo pravit’ bez prava’ [‘The Autocracy in the Eighteenth Century: The Right to Rule Without Rules’], *Nestor*, no. 7 (2005); Tatiana Borisova, ‘The Digest of Laws of the Russian Empire: The Phenomenon of Autocratic Legality’, *Law and History Review*, vol. 30, no. 3 (August 2012).

¹⁰ Tatiana Borisova and Jane Burbank, ‘Russia’s Legal Trajectories’, *Kritika: Explorations in Russian and Eurasian History*, vol. 19, no. 3 (Summer 2018), 478-9.

¹¹ Jane Burbank, ‘An Imperial Rights Regime: Law and Citizenship in the Russian Empire’, *Kritika: Explorations in Russian and Eurasian History*, vol. 7, no. 3 (Summer 2006), 400, 428.

¹² *Ibid*, 430.

republicanism and liberalism, the radical movement articulated natural inalienable rights not within the legal provisions of the state but, in a deliberate rebuke to autocratic prerogatives, within the moral community of its own adherents.¹³ In their design, civil executions were graphic proof that all status and rights in the Russian Empire issued from the figure of the tsar and were contingent on his favour.¹⁴ In obliterating the legal subject, the ceremony affirmed the primary power of the autocracy to institute and sustain identity; what the sovereign created, he could also annihilate. Elise Kimmerling Wirtschafter has observed that ‘the legally defined categories or identities of Russian Imperial society... functioned as tools of administrative control and governance: they defined formal rights and obligations – for example, tax and service obligations – as well as lawful economic opportunities and access to

¹³ In a conclusion that holds not just for liberals but also for their radical rivals, Eric Lohr has written that ‘late imperial Russia’s particularity lay perhaps in the absence of faith among contemporaries that existing law, institutions, and traditions could provide the basis for an evolutionary move from powerless subject to rights-endowed citizen. Lacking a usable past, for better or for worse, many Russian liberals turned to categorical imperatives and universal moral sources to define the ideal citizen.’ Eric Lohr, ‘The Ideal Citizen and Real Subject in Late Imperial Russia’, *Kritika: Explorations in Russian and Eurasian History*, vol. 7, no. 2 (Spring 2006), 194.

¹⁴ Wortman has argued that studies of imperial ritual and public culture need to disaggregate the monarchy from the state, but the public performance of justice conflated the two in ways that are impossible to disentangle. As Borisova and Burbank have noted, ‘the supreme ruler’s power to overrule existing legal procedures in conditions of threat confirms the centrality of the sovereign to the Russian legal tradition.’ See Wortman, *Russian Monarchy: Representation and Rule* (Boston, 2013), pp. xiv-xv; Borisova and Burbank, ‘Russia’s Legal Trajectories’, 480.

education and the rewards of service.’¹⁵ Their permanent removal represented a fundamental assault on the rights of an individual subject and on his or her prospects of ever being reintegrated into society, even upon completion of a sentence of penal servitude. Legal reformer Ivan Foinitskii observed in 1874 that, ‘in Russian law, the deprivation of rights was a lifelong institution, which accompanied the condemned man... up until the grave.’ Divested of his rights and ranks, the convict was condemned to ‘content himself with a fate of rightlessness, which makes it possible for everyone to treat him arbitrarily and insult his person.’¹⁶

The theatrical gravity of the civil execution - the black stage, the solemn pronouncement of both crime and punishment, the executioner, the criminal kneeling beneath a raised sword, the phalanx of soldiers standing guard – all drew their fearsome symbolic power from their invocation of the rituals of capital and corporal punishment. Early modern public executions were a key form of judicial instruction across Europe. Peter Spierenburg

¹⁵ Elise K. Wirtschafter, ‘Social Categories in Russian Imperial History’, *Cahiers du Monde Russe*, vol. 50, no. 1 (2009), 244-5. On the etymology and evolution of the legal ranks in Imperial Russia see Gregory L. Freeze, ‘The Soslovie (Estate) Paradigm and Russian Social History’, *American Historical Review*, vol. 91, no. 1 (1986), 14-16; Alfred Rieber, ‘The Sedimentary Society’, in Edith W. Clowes, Samuel D. Kassow, and James L. West (eds.), *Between Tsar and People: Educated Society and the Quest for Public Identity in Late Imperial Russia* (Princeton, 1989); Elise Kimerling Wirtschafter, *Structures of Society: Imperial Russia’s ‘People of Various Ranks’* (DeKalb, 1994).

¹⁶ I. Ia. Foinitskii, ‘Neobkhodimost’ reform postanovlenii russkogo ugolovnogo zakonodatel’sтва po voprosu o lishenii prav’ [‘The Necessity of a Reform of the Statutes of the Russian Penal Code on the Question of Deprivation of Rights’], *Zhurnal grazhdanskogo i ugolovnogo prava*, 1874, no. 5, 161.

argues that ‘the laws... authorities enacted had to be implemented visually through the public punishment of violators. The observable fact that punishments were indeed meted out constituted a necessary prerequisite for the preservation of a shaky authority. People had to see that ‘justice reigned’ in a particular city or country.’¹⁷ Before the legal reforms of the 1860s introduced open trials, public executions served, Evgenii Anisimov has argued, as ‘an important instrument for educating subjects in the spirit of obedience.’¹⁸ Legal experts such as future Minister of Justice Nikolai Murav’ev maintained that, in the pre-reform era, civil executions also had an ‘edifying’ effect on the population and were ‘important, serving as the only demonstration of the consequences of punitive justice.’ But the new ‘publicity and oral nature of proceedings in our current legal process’ served to ‘familiarise society and the people with the results of a process that had previously been enveloped in bureaucratic secrecy’ and rendered shaming punishments ‘purposeless’.¹⁹

Besides, in Russia, as across Europe, public punishments often fell short of the pedagogical designs of the authorities. The violence on display in corporal punishments was believed to coarsen the sensibilities of the crowd and arouse cruel and savage instincts.

¹⁷ Abby Schrader, *Languages of the Lash: Corporal Punishment and Identity in Imperial Russia* (Dekalb, 2002), ch. 1; Pieter Spierenburg, *Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge, 1984), 55.

¹⁸ Evgenii Anisimov, ‘Narod u eshafota’ [‘The People at the Scaffold’], *Acta Slavica Iaponica*, vol. 15, 1997, 52.

¹⁹ N. V. Murav’ev, ‘Obriad publichnoi kazni’ [‘The Ritual of Public Execution’], *Iuridicheskii vestnik*, 1874, nos. 7-8, 87, 81. On Murav’ev’s later career, see Jörg Baberowski, *Autokratie und Justiz: Zum Verhältnis von Rechtsstaatlichkeit und Rückständigkeit im ausgehenden Zarenreich 1864-1914* (Frankfurt am Main, 1996), ch. 6.

Officials began to fear that floggings could become the sites of public disorder as sympathy with the criminal threatened to spill over into a condemnation of the authorities.²⁰ In the years leading up to the 1863 reform of corporal punishment in the Russian Empire, when its use was significantly curtailed, both the tsarist authorities and legal reformers expressed mounting scepticism about the instructive benefits of public floggings.²¹

Crowds proved similarly unpredictable and obdurate spectators at civil executions, when the state's punishment was directed at the status rather than the body of the criminal. They often had no understanding of the crime for which the convict was being punished because the sentences read out on the scaffold were either inaudible or unintelligible. Spectators frequently flocked to the scaffold as to what Murav'ev dismissed as a 'frivolous spectacle,' expressed scepticism at the justice of the sentence, and showed sympathy towards the convict by throwing coins for him to gather up.²²

The role of the audience in the public performance of justice was fraught with ambiguity. Some were carefully selected, drawn from social constituencies – the nobility or the army – that the government wished to impress with the dangers of sedition. In such cases,

²⁰ Representative of the now voluminous historiography on this topic are Abby Schrader, *Languages of the Lash*; Foucault, *Discipline and Punish*; Thomas Laqueur, 'Crowds, Carnival, and the State in English Executions, 1604-1868', in A. L. Beier, D. Cannadine and J. M. Rosenheim (eds.), *The First Modern Society: Essays in English History in Honour of Lawrence Stone* (Cambridge, 1989); Vic Gatrell, *The Hanging Tree: Execution and the English People, 1770-1868* (Oxford, 1996); Richard Evans, *Rituals of Retribution: Capital Punishment in Germany, 1600-1987* (Oxford, 1996).

²¹ Schrader, *Languages of the Lash*, 176-7.

²² Murav'ev, 'Obriad publichnoi kazni' ['The Ritual of Public Execution'], 87, 92, 99, 110, 121; Schrader, *Languages of the Lash*, ch. 6.

the regimentation of proceedings and the scripting of the audience's responses to them could be vouchsafed. But the majority of men and women who underwent a civil execution did so in market squares in front of far less predictable plebeian crowds of tradesmen, workers and peasants. Attempts by spectators to intervene in, or subvert, the punitive ritual was greeted in official circles with alarm as they showcased initiative and unpredictability that challenged the ruling ethos of autocratic paternalism. Both servitors and opponents of the state were acutely aware that the audience mattered, and that rituals of punishment could serve to symbolically affirm or erode the power of the autocracy.²³ As a result, the ability either to direct or to disrupt the behaviour of the audience became itself a form of political currency.

So far, so European; Russia's experience of the theatre of punishment falls, with some chronological disparities, squarely within the broader frame. The rise of official misgivings at the carnivalesque potential of execution sites is familiar from histories of France, Germany and England. Yet there were important differences between the Russian and the West European experience. By the time the European states were constructing a system of modern penitentiaries, ending deportations to overseas penal colonies and abolishing public executions, the autocracy was still flogging and shaming criminals in public squares, and marching thousands every year in chains through the empire's towns and cities into Siberian exile.²⁴ In the 1860s and 1870s, the autocracy was still deploying this pre-modern penal

²³ Studies of theatre audiences have stressed the correlation between participation in a performance and a wider culture of political empowerment. See Susan Bennett, *Theatre Audiences: A Theory of Production and Reception*, Rev. edn (London, 1997), p. vii.

²⁴ Foucault, *Discipline and Punish*; Robert Hughes, *The Fatal Shore: A History of the Transportation of Convicts to Australia, 1787-1868* (London, 1986), ch. 17; Evans, *Rituals of Retribution*, 305-21; Michael Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750-1850* (New York, 1978); Gatrell, *The Hanging Tree*, 589-611;

apparatus in its struggle with a decidedly modern political phenomenon: a revolutionary movement committed to the complete transformation of the state and society.

Revolutionaries injected a new, seditious element into the public performance of justice. Christopher Ely has shown how they sought to use ‘the advantages of the city as both a social nexus and a performance/display space, as an arena in which to declare their political colours.’²⁵ They appropriated public spaces and manipulated traditional rituals in order to stage improvised revolutionary protests.²⁶ At a time when, as Laura Engelstein has observed, ‘the symbolic repertory of absolutism... had begun to lose its hold,’ the market squares where scaffolds were erected became a politically charged venue in which revolutionaries and their supporters sought to challenge the autocracy.²⁷ They repudiated the sovereign’s proclaimed power to strip convicts of their honour and rights, and refused to play their appointed roles as chastened subjects of the tsar. Instead, they used the ceremony of their public humiliation as a stage on which to denounce despotism and proclaim an alternative vision of activism, solidarity, and revolution. Civil executions thus became a contestation of the autocracy as the source of honour, rights and, ultimately, of sovereignty.

Bruce Adams, *The Politics of Punishment: Prison Reform in Russia, 1863-1917* (Dekalb, 2011); Schrader, *Languages of the Lash*; Beer, *The House of the Dead*, ch. 2; 312-15.

²⁵ Christopher Ely, *Underground Petersburg: Radical Populism, Urban Space, and the Tactics of Subversion in Reform-Era Russia* (Dekalb, 2016), 160.

²⁶ Tom Trice, ‘Rites of Protest: Populist Funerals in Imperial St. Petersburg, 1876-1878’, *Slavic Review*, vol. 60, no. 1 (Spring 2001); Iuliia Safronova, *Russkoe obshchestvo v zerkale revoliutsionnogo terrora, 1879-1881 gody* [Russian Society in the Mirror of Revolutionary Terror, 1879-1881] (Moscow, 2014), ch. 3.

²⁷ Laura Engelstein, ‘Revolution and the Theater of Public Life’, in *idem.*, *Slavophile Empire: Imperial Russia’s Illiberal Path* (Ithaca, 2009), 52.

Civil executions of revolutionaries may be described as what the social anthropologist Emily Chao has termed ‘failed rituals.’ Ceremonies designed to endorse particular regimes of power are thrown into doubt, revealing troubling questions of legitimation and authority.²⁸ Official attempts to stage-manage orderly civil executions were part of a broader struggle to defend the autocracy’s symbolic ownership of public space and its grip on the semiotics of justice and punishment. The defence of these prerogatives was essential for the maintenance of the public edifice of Russian absolutism. Building on studies of legal culture, punishment, and the rise of the revolutionary movement in the reign of Alexander II, this article focuses on three civil executions of ‘state criminals’ staged in Moscow and St. Petersburg between 1864 and 1875 to examine how revolutionaries and their supporters recast ‘scenarios of power’ as ‘scenarios of rebellion’.

An Evolving Scenario of Power: A History of Civil Executions in Russia

The origins of civil death lie in Roman law, which authorised *capitis diminutio* as a punishment for slaves, the perpetrators of serious crimes and those guilty of unauthorised flight to foreign countries. Several European states elaborated punishments of civil death. Bills of Attainder in Medieval English common law, *Bürgerlicher Tod* in Germany and *mort civile* in France all articulated forms of civil annihilation that variously removed the rights of convicted criminals to vote, to own property, to bear legal witness and to enjoy the entitlements and responsibilities of marriage and paternity.²⁹

²⁸ Emily Chao, ‘The Maoist Shaman and the Madman: Ritual Bricolage, Failed Bricolage and Failed Ritual Theory’, *Cultural Anthropology*, vol. 14, no. 4 (Nov., 1999), 505-6.

²⁹ J. R. Lander, ‘Attainder and Forfeiture, 1453 to 1509’, *Historical Journal*, vol. 4, no. 2 (1961); Stanford E. Lehmberg, ‘Parliamentary Attainder in the Reign of Henry VIII’, *Historical Journal*, 1975, vol. 18, no. 4 (1975); Hanns Gross, *Ehrenfolgen der*

Peter the Great's 1716 military statutes first introduced into Russia a putative version of 'civil executions', or 'political death' as it was sometimes known, in the practice of cashiering soldiers.³⁰ Article 97 specified that when soldiers were found guilty of desertion in battle, 'a sabre is to be broken over their heads and, thus shamed (*shel'movannyi*), they are to be hanged.' For less serious offences, dishonoured soldiers were not executed but, as Peter himself commented on the draft legislation, 'expelled from the company of good and honest people.'³¹ Over the next few years, the ceremony of ritual shaming was extended beyond the military to include serf-owners who sought to conceal the true number of their souls from the

strafgerichtlichen Verurteilung (Graz, 1874); Ernest Nusse, *Étude dur les droits civils des condamnés aux peines du grand criminel* (Paris, 1876); Anne Simonin, *Le déshonneur dans la république: une histoire de l'indignité, 1791-1958* (Paris, 2008), ch. 1.

³⁰ Murav'ev, 'Obriad publichnoi kazni' ['The Ritual of Public Execution'], 82-3. The terms 'political death' and 'civil death' were used interchangeably through the imperial period but the latter gradually eclipsed the former over the course of the nineteenth century. See A. Starnavskii, *Lishenie prav po nashim zakonam* [The Deprivation of Rights According to Our Laws] (St. Petersburg, 1890), 7.

³¹ *Polnoe sobranie zakonov Rossiiskoi Imperii (PSZ)* [The Complete Collection of Laws of the Russian Empire], 45 vols. (1649-1825), v, articles 97, 208; 'Voinskie artikuly pri tom zhe i kratkie primechaniia 1714 g. sobstvennoruchnye popravki i dopolneniia Petra Velikogo' ['Military statutes, including short commentaries from 1714 and corrections and additions in the hand of Peter the Great'], in *Voinskie ustavy Petra Velikogo* [The Military Statutes of Peter the Great] (Moscow, 1946), article 209, 79.

state's tax collectors, those engaging in violent disorder in a courtroom and state officials who broke the laws of their office.³²

On 25 May 1753, Empress Elizabeth (reigned 1741-62) formally replaced the gallows with penal labour in Siberia; a ruling from the State Senate clarified that those guilty of capital crimes would henceforth submit to a 'political death' and exile 'to eternal penal labour.' The new statute effectively replaced what it termed 'natural death' with 'political death', or with what one legal expert subsequently termed 'a juridical fiction of the death of the criminal.'³³ Catherine the Great's (reigned 1762-92) 'Charter to the Nobility' of 1785 and her 'Manifesto on Duelling' of 1787 both extended the range of offences which incurred what was now referred to as 'the loss of noble status (*dostoinstvo*)' or the 'loss of nobility and ranks.'³⁴

But it was not until the publication in 1824 of a new statute, which was included in the 1833 Digest of the Laws of the Russian Empire, that the state finally offered a more comprehensive codification of criminal statutes governing offences that entailed the 'loss of

³² PSZ, (1649-1825), vi, article 3628; vii, article 4343, provision 6; articles 4431, 4460; x, article 7782.

³³ PSZ (1649-1825), xiii, article 10101; Some commentators drew a distinction between a 'civil execution' which presaged a sentence to penal labour and 'political execution' which followed a death sentence commuted to penal labour. See Murav'ev, 'Obriad publichnoi kazni' ['The Ritual of Public Execution'], 82-3. Evgenii Anisimov, *Dyba i knut: politicheskii sysk i russkoe obshchestvo v XVIII veke* [The Oak and the Knout: Political Surveillance and Russian Society in the Eighteenth Century] (Moscow, 1999), 498-500; Cyril Bryner, 'The Issue of Capital Punishment in the Reign of Elizabeth Petrovna', *Russian Review*, vol. 49, no. 4 (October, 1990).

³⁴ PSZ (1649-1825), xxii, article 16187, clause 6; article 16535, clause 47.

all their rights of rank and position.’ The digest contained detailed instructions designed to choreograph the practice of civil executions. It clarified that the punishment was to be ‘always in public’ and that the condemned lost both family and property rights.³⁵

Subsequent legislation introduced in 1846 elaborated that this annihilation of legal status was to be accompanied by religious exhortations to salvation: if the prisoner was Orthodox, his confession would be taken; if he was Protestant, ‘then the clergyman should seek... to arouse him and prepare him to repent and to pray for the cleansing of his soul, which has been befouled by crime.’ The condemned individual was to be ‘transported to the place of execution on an elevated black carriage surrounded by guards with their sabres drawn.’ If a parricide or a matricide, the criminal was to be covered in a black shawl; those guilty of other offences were to wear a sign around their necks naming the crime of which they had been found guilty.³⁶

Having been so delivered to the place of civil execution, the 1846 statute continues, ‘in the presence of all... the court’s sentence is read out and, if criminal belongs to the noble estate, then a sabre is broken over his head, then he is exhibited and secured to a pillory (*pozornyi stolb*), painted black, on the scaffold. After ten minutes have elapsed, the condemned man is, unless exempt by law from corporal punishment, subject to a flogging by

³⁵ *Svod zakonov Rossiiskoi Imperii poveleniem Gosudaria Imperatora Nikolaia Pervogo sostavlennyi* [Digest of the Laws of the Russian Empire Compiled on the Orders of Emperor Nicholas I], 15 vols. (St. Petersburg, 1857), 2nd edn, xv, article 541.

³⁶ *PZS* (1825-1881), xxi, article 19640, clause 1385.

the executioner and, where appropriate, to branding.’³⁷ The new legislation was accompanied by detailed instructions concerning the precise dimensions of the scaffold and the pillory.³⁸

Draped in black cloth, the scaffold symbolised the non-civic realm into which the criminal was to be expelled. The soldiers who surrounded it during the ceremony guarded the criminal, but they also symbolically patrolled the imaginative border that separated the civil community of the autocracy from its obverse: a penal realm of remote provinces, exile settlements and prison forts. The ceremony thus briefly displayed within the public spaces of Russian towns and cities examples of the moral abasement that led to a netherworld that existed beyond the ranks, rights and protections afforded by the state.³⁹ The statutes made clear that the priest was to exhort ‘the criminal to prepare himself for the life opening up before him, here or in another world, that now bears no resemblance to his former life.’⁴⁰ Upon completion of the ritual, the condemned individual passed into the administrative control of the Tobolsk Exile Office, the nerve centre of the exile system.⁴¹

This fearsome display of the sovereign’s destructive power was also a display of clemency, of violence suspended and retribution muted. The origins of a sentence of civil

³⁷ *Ibid.* The provisions were repeated in the 1857 edition of *Svod zakonov Rossiiskoi Imperii* [Digest of the Laws of the Russian Empire], xv, article 541.

³⁸ ‘Opisanie ustroistva eshafota i pozornogo stolba’ [‘Description of the Construction of the Scaffold and the Pillory’], *Russkaia starina*, 1890, no. 7, 219-21.

³⁹ The existence in Russian towns and cities of visible portals to a substratum of prisons and exile colonies foreshadowed Aleksandr Solzhenitsyn’s descriptions of the invisible ubiquity of arrests almost a century later. *The Gulag Archipelago, 1918-1956: Volume 1: An Experiment in Literary Investigation*, trans. Thomas P. Whitney (New York, 1974), ch. 1.

⁴⁰ *PZS* (1825-1881), xxi, article 19640, clause 1385.

⁴¹ Murav’ev, ‘Obriad publichnoi kazni’ [‘The Ritual of Public Execution’], 90.

execution followed by penal labour lay in the practice of sparing the life of the criminal, which was already well established in the Russian penal code by the end of the seventeenth century. A 1689 law stipulated that criminals sentenced to death be ‘placed on the executioner’s block but then raised from it and told that the Great Sovereign has shown mercy on them and has ordered that they be not executed but rather severely punished, knouted, have their tongues cut out and be exiled to live forever in Siberian towns.’⁴² The personal authority of the sovereign was thus obtrusive in the dispensation of public justice.

Successive tsars found the commuting of death sentences to terms of penal labour an expedient way of dealing with capital crimes, especially with those of a sensitive nature that involved representatives of the nobility. When the dissident writer Aleksandr Radishchev was sentenced to death for sedition in 1790, Catherine graciously ‘united justice with clemency’ in ‘sparing his life’ and in ordering that ‘he be stripped of his ranks...and his noble status, and sent to Siberia.’⁴³ Nicholas I (reigned 1825-55) spared the lives of 31 Decembrist officers originally sentenced to decapitation; before their deportation to Siberia, on 13 July 1826 the men underwent a civil execution in the Peter and Paul Fortress. Twenty three years later on 22 December 1849, Nicholas again showed clemency (of a sort) to dissident noblemen in the mock execution of the Petrashevtsy on Semenovskii Square in St. Petersburg. Just as the firing squad were raising their rifles, an aide-de-camp rode onto the square to deliver a personal reprieve from the tsar.⁴⁴ Commuting a sentence of physical death to a sentence of

⁴² *PSZ* (1649-1825), iii, article 1349; Anisimov, *Dyba i knut* [The Oak and the Knout], 498-500. For examples of the granting of clemency on the scaffold, see Anisimov, ‘Narod u eshafota’ [‘The People at the Scaffold’], 60-2.

⁴³ *PSZ* (1649-1825), xxiii, article 16901.

⁴⁴ Isabel de Madariaga, *Russia in the Age of Catherine the Great* (New Haven, 1981), 542-5; Leonid Grossman, ‘Grazhdanskaia smert’ F. M. Dostoevskogo’ [‘The Civil Death of F. M.

civil death was a dramatic display of the sovereign's patrimonial power over his or her subjects.

Personal Honour and Natural Rights

A civil execution not only removed the formal rights and ranks of the condemned man or woman; officially, it also stripped them of their honour. Notions of 'honour' (*chest'*) have a genealogy that stretches back into the collective or familial traditions of Muscovy.⁴⁵ As Susan Morrissey has argued, 'all estate groups possessed notions of honour in Russia, and the concepts of character and reputation consequently played an important role in social, legal, and political life.'⁴⁶ Honour was, however, a quality applied primarily to the nobility. Over the course of the seventeenth and eighteenth centuries, the nobility would litigate in defence of their corporate honour, drawing on cultural models such as duelling and exemption from corporal punishment imported from Western Europe.⁴⁷

In the nineteenth century these corporate understandings of honour as an external attribute came to be supplemented by an alternative understanding of honour as an internal

Dostoevsky'], *Literaturnoe nasledstvo*, vols. 22-24 (1935); Beer, *The House of the Dead*, 52-3, 58-61.

⁴⁵ Nancy Shields Kollman, *By Honour Bound: State and Society in Early Modern Russia* (Ithaca, 1999), 233-47.

⁴⁶ Susan Morrissey, *Suicide and the Body Politic in Imperial Russia* (Cambridge, 2006), 150.

⁴⁷ Irina Reyfman, *Ritualized Violence Russian Style: The Duel in Russian Culture and Literature* (Stanford, 1999), 34-40; Schrader, *Languages of the Lash*, 21-6; Daniel Beer, 'Decembrists, Rebels and Martyrs in Eastern Siberia: The Zerentui Conspiracy of 1828 and the Forging of a Revolutionary Genealogy', *Slavic Review*, vol. 72, no. 3 (Autumn 2013), 541, 548.

and individual quality. In 1863, the lexicographer Vladimir Dal' provided two principal definitions of honour common in contemporary usage. The first was 'an internal moral quality of a person, valour, honesty, nobility of spirit and a pure conscience'; the second concerned external markers of distinction and was 'conditional, worldly, everyday nobility, frequently false and imaginary' or 'a high title, order, rank, position' that served as 'external proof of excellence.'⁴⁸ The dichotomy Dal' posited between internal and external, authentic and contingent, forms of honour was at the heart of a contestation of autocratic sovereignty and individual rights laid bare in the punitive rituals of the civil execution.

Corporal punishment in Russia involved a calculated dishonouring that was understood to be no less potent a weapon in the state's punitive arsenal than the knouts and lashes wielded by executioners. Abby Schrader has shown how, in the early nineteenth century, 'officials reinforced the notion that the *publicity* of punishment and its accompanying *ceremony*, rather than subjection to a particular instrument, led to the criminal's excommunication.'⁴⁹ Where convicts were either exempt from, or spared, corporal punishment, or indeed after the partial abolition of corporal punishment in 1863, the dishonouring (*beschestiashchii, opozorishchii, osramitel'nyi*) ritual of the civil execution was considered punishment itself.

The dishonouring of offenders on the scaffold reflected the state's wider attempts, as Morrissey has argued, 'to make personal honour an object of governance.'⁵⁰ As the evolution of civil executions shows, in its administration of justice the pre-reform state strove to ensure

⁴⁸ Vladimir Dal', *Tolkovyi slovar' zhivogo velikorusskogo iazyka* [Explanatory Dictionary of the Living Great Russian Language], 4 vols. (Moscow, 1863), iv, 1328.

⁴⁹ Murav'ev, 'Obriad publichnoi kazni' ['The Ritual of Public Execution'], 82; Schrader, *Languages of the Lash*, 28-9.

⁵⁰ Morrissey, *Suicide and the Body Politic*, 151.

that personal honour and dishonour correlated with the enjoyment or loss of civil rights. Honour was bestowed by the tsar and its removal was reflected in the expulsion of the individual from his or her estate. For lesser offences, noblemen or merchants might find themselves stripped of their rights of estate and relegated to the status of the peasantry. In the case of civil death – the most emphatic demonstration of dishonour – the individual lost all rights of rank and was consigned to a position of maximal abjection within the empire, that of a penal labourer.

Yet the monarch's power to dishonour his subjects was increasingly subject to legal and political challenge. Writing in the midst of the Great Reforms, legal critics of civil executions pointed to the recent abolition in France, Belgium, Prussia and Austria of public shaming as part of legally sanctioned punishments.⁵¹ Its persistence in Russia was, they maintained, a symptom of a pre-Modern backwardness that had no place in the new era of legal rationality and openness. They argued that the finer an offender's moral sensibilities, the more acutely he or she would experience this dishonour, and they lamented the fact, therefore, that the most corrupt and debased criminals were simply indifferent to the punishment for they had no honour to lose.⁵² The jurist Murav'ev invoked the now popular distinction between conferred and inherent honour to argue that:

the state can only remove [a criminal's] civil honour but not his personal, moral honour. The limits and content of the former are determined by the state and are expressed in the lawful

⁵¹ On the emergence and influence of this cohort of legal reformers see Richard Wortman's canonical study, *The Development of Russian Legal Consciousness* (Chicago, 1976) and Baberowski, *Autokratie und Justiz*.

⁵² Murav'ev, 'Obriad publichnoi kazni' ['The Ritual of Public Execution'], 74-8; Foinitskii, 'Neobkhodimost' reform' ['The Necessity of Reform'], 161-2.

use of particular civil rights and benefits; it is only they that the state may remove while not offending higher justice and exceeding the bounds of its authority. The latter depends on an ineffable consciousness of honour which has developed within society and among the people and which defies specific legal determination... A deeply moral and individual notion, personal honour stands beyond state norms.⁵³

Murav'ev's colleague Foinitskii criticised civil executions precisely for 'teaching people to value the individual not in accordance with his strengths and flaws but only in so far as he is valued by the authorities.' Besides, the state now had to contend, he pointed out, with the fact that 'a verdict removing honour, often in no way coincides with public opinion.'⁵⁴ Both jurists sought to circumscribe the coercive power of the state by suggesting that there were core elements of individual dignity and honour that it could neither legitimately nor effectively seek to destroy.

In Russia, as elsewhere in Europe, personal honour came to imply limitations on the legitimate exercise of state power and suffused the articulation of natural rights and, ultimately, political rights.⁵⁵ The increasingly manifest disjuncture between the state's desire

⁵³ Murav'ev, 'Obriad publichnoi kazni' ['The Ritual of Public Execution'], 78-9.

⁵⁴ Foinitskii, 'Neobkhodimost' reform' ['The Necessity of Reform'], 167, 180.

⁵⁵ On the relationship between honour and rights, see William Reddy, *The Invisible Code: Honor and Sentiment in Postrevolutionary France, 1814-1848* (Berkeley, 1997); Marisa Linton, *The Politics of Virtue in Enlightenment France* (Basingstoke, 2001); Dan Edelstein, *The Terror of Natural Right: The Cult of Nature and the French Revolution* (Chicago, 2010); Julia Berest, *The Emergence of Russian Liberalism: Alexander Kunitsyn in Context* (Basingstoke, 2011); Frances Nethercott, 'The Concept of *Lichnost*' in Criminal Law Theory, 1860s to 1900s', *Studies in East European Thought*, vol. 61 (2009).

to dishonour and its power to dishonour was something on which a radical elite, steeped in the revolutionary discourse of the Enlightenment and republicanism, learned to seize. Rebels had already begun in the reign of Nicholas I to disavow the tsar as the primary arbiter of honour. The Decembrist leader Mikhail Lunin – a nobleman stripped of all rights of rank and banished to Siberia – insisted, in a letter to his sister in 1837, on the understanding of honour as a matter of inner dignity and integrity, rather than a matter of reputation and standing: ‘No one has the power to disgrace (*pozorit*) people who have not deserved it. I have stood before the gallows and have worn fetters. But do you really think me disgraced (*opozorenniy*)?’⁵⁶ For Lunin, honour was a quality that no external power could remove; it constituted the moral core of his autonomous self, capable of rational civic and political activity.

The Decembrists’ understanding of honour remained bound up with ideas of the dignity of their noble estate but, by the middle of the nineteenth century, the concept of honour was being democratised to denote a quality innate in all human beings, not just those of rank. It became a powerful rhetorical weapon wielded by successive generations of radicals in their struggle with the autocracy.⁵⁷ In their published manifestos and declarations, trial testimonies, suicide notes and private correspondence, they repeatedly invoked the state’s violation of their honour and dignity as part of their *casus belli*.⁵⁸ Removed or retained, assailed or defended, by the mid-nineteenth century, ‘honour’ had become a key

⁵⁶ M. S. Lunin, *Sochineniia, pis'ma, dokumenty* [Works, Letters, Documents] (Irkutsk, 1988), 246.

⁵⁷ Reyfman, *Ritualized Violence*, 133; Morrissey, *Suicide and the Body Politic*, 151; Beer, ‘Decembrists, Rebels and Martyrs’, 548.

⁵⁸ Daniel Brower, *Training the Nihilists: Education and Radicalism in Tsarist Russia* (Ithaca, 1975), 138-9; Morrissey, *Suicide and the Body Politic*, ch. 10; Beer, *The House of the Dead*, 127, 209-13; 320-1 and *passim*.

political currency in the contest between the government and the revolutionary movement, a corollary of rights that could not be legitimately revoked or denied. Opposing conceptions of honour, the first conferred and the second inalienable, collided in dramatic fashion on the scaffolds erected in town squares. This collision was nowhere more dramatic than during the civil execution of the editor of the radical journal The Contemporary, Nikolai Chernyshevskii.

The Civil Execution of Nikolai Chernyshevskii

On 17 May 1864, *News of the St. Petersburg Police* published the following notice:

At 8 o'clock in the morning of 19 May, the public announcement of the State Senate's ruling, approved by his Majesty, will be made to retired provincial councillor Nikolai Chernyshevskii (35 years) on Mytninskaia Square.... It determines that Chernyshevskii is guilty of composing incendiary appeals and of supplying them for secret publication with the aim of disseminating them, and of taking steps to overthrow the existing order of government in Russia. He is to be deprived of all rights of rank and exiled to penal labour in the mines for seven years, followed by settlement in Siberia forever.⁵⁹

Whereas news of Mikhailov's civil execution three years earlier had only reached the reading public of the capital once it was a *fait accompli*, Chernyshevskii's own ceremony was advertised a full two days in advance. As a consequence, the crowd that formed on Mytninskaia Square on 19 May was not the customary collection of accidental bystanders but included spectators who had made their way to the square specifically to observe the civil

⁵⁹ B. Bazilevskii (B. Bogucharskii), *Gosudarstvennye prestupleniia v Rossii v XIX veke* [State Crimes in Russia in the Nineteenth Century], 3 vols. (St. Petersburg, 1906), i, 123.

execution. Estimates of the size of the crowd varied wildly from a few hundred to several thousand; Third Department agents confirmed the presence of ‘many students.’⁶⁰

Those who gathered on Mytninskaia Square witnessed the irony of a man whose journalism had been censored now challenging the state without words.⁶¹ Several recorded Chernyshevskii’s demonstrative indifference to proceedings. The young revolutionary Feliks Volokhovskii noted that Chernyshevskii reacted to the reading out of the charges brought against him ‘completely calmly, and looked in both directions and, as certain parts of the confirmation of the sentence were read out, he smiled.’⁶² Student Aleksei Tveritinov similarly observed that Chernyshevskii ‘was completely indifferent to the unfolding spectacle, in which he was obliged to play the leading part.’⁶³ The reports of police agents present that morning corroborate these accounts: ‘during the reading of the sentence, Chernyshevskii stood looking more than indifferent [to proceedings], constantly peering

⁶⁰ F. Volokhovskii, ‘Na Mytninskoi ploshchadi’ [‘On Mytninskaia Square’], in Iu. G. Oksman (ed.), *N. G. Chernyshevskii v vospominaniakh sovremennikov* [N. G. Chernyshevskii in the Memoirs of Contemporaries], 2 vols. (Saratov, 1958), ii, 32; ‘Grazhdanskaia kazn’ N. G. Chernyshevskogo’ [‘The Civil Execution of N. G. Chernyshevskii’], *Volia naroda*, 19 May 1917, no. 18, 1.

⁶¹ V. N. Shaganov, *Nikolai Chernyshevskii na katorge i v ssylke* [Nikolai Chernyshevskii in Penal Labour and Exile] (St. Petersburg, 1907), 1-3; Mikhail Gernet, *Istoriia tsarskoi tiur’mu* [The History of Tsarist Prisons], 5 vols. (Moscow, 1951-56), ii, 277-81.

⁶² Volokhovskii, ‘Na Mytninskoi ploshchadi’ [‘On Mytninskaia Square’], 35.

⁶³ A. N. Tveritinov, ‘Provody Chernyshevskogo’ [‘Bidding Farewell to Chernyshevskii’], in Oksman (ed.), *N. G. Chernyshevskii*, ii, 30. See also N. V. Reingardt, ‘N. G. Chernyshevskii po vospominaniiam raznykh lits’ [‘N. G. Chernyshevskii in the Memoirs of Different People’], *Russkaia starina*, 1905, no. 2, 461.

about him as if searching for someone [in the crowd], and frequently spitting (*pleval*), which gave the writer [Aleksandr] Pypin, who is well known, cause to exclaim loudly, “Chernyshevskii doesn’t give a damn about this! (*pliuet na vse!*)”⁶⁴ Chernyshevskii’s pointed nonchalance during the ceremony carried a political charge. It recast the scaffold as a stage on which was enacted not the ritual of his humiliation but rather a repudiation of the state’s power to strip him of his honour and dignity.⁶⁵

Chernyshevskii’s own subversive performance on the scaffold was itself sustained and applauded by members of the crowd who removed their hats while the sabre was broken. Observers referred to the ‘deathly silence,’ punctuated by isolated shouts of ‘until we meet again! (*do svidaniia!*)’ (a statement that seemed to undercut the purported finality of Chernyshevskii’s sentence).⁶⁶ Most dramatic of all, invoking a custom that had recently established itself in Russian theatres, flowers were thrown from the crowd in the direction of

⁶⁴ ‘Grazhdanskaia kazn’ N. G. Chernyshevskogo’ [‘The Civil Execution of N. G. Chernyshevskii’], in Oksman (ed.), *N. G. Chernyshevskii*, ii, 24.

⁶⁵ Other radicals shared Chernyshevskii’s disdain for the dishonouring power of the ceremony. Ivan Khudiakov convicted together with a dozen others for his involvement in Dmitrii Karakozov’s attempt on the life of Alexander II, was similarly unmoved by his civil execution on Smolensk Field in St. Petersburg on 4 October 1866. I. A. Khudiakov, *Zapiski Karakozovtza* [Notes of a Karakozovist] (Moscow, 1930), 166.

⁶⁶ N. A. Alekseev, *Protsess Chernyshevskogo* [The Trial of Chernyshevskii] (Saratov, 1939), 337; V. N. Nikitin, ‘Vospominaniia’ [‘Memoirs’], *Russkaia starina*, 1906, no. 10, 86; Reingardt, ‘N. V. Chernyshevskii’, 461-2; Tveritinov, ‘Provody Chernyshevskogo’ [‘Bidding Farewell to Chernyshevskii’], 30

the scaffold.⁶⁷ The police reported a single bouquet; other eyewitnesses claimed that several were thrown. A plainclothes police officer arrested a young woman named Mikhaelis who had thrown a bouquet. She declared her sympathy for Chernyshevskii and admitted to throwing the flowers but was later released into the custody of her mother.⁶⁸ Public manifestations of support for Chernyshevskii continued even as he was being driven away from the market. The chief of police reported that ‘several carriages bearing his supporters caught up with Chernyshevskii’s carriage as it proceeded across town, although the gendarmes forced them to disperse.’⁶⁹

The bouquet(s) cast towards the scaffold did not merely applaud Chernyshevskii’s role as the ‘hero’ in the drama that played itself out on Mytninskaia Square. With their clear invocation of the customs of the theatre, they highlighted the artifice of the ceremony in ways

⁶⁷ Rossiiskii Gosudarstvennyi Istoricheskii Arkhiv [Russian State Historical Archive] (RGIA), f. 497, op. 1, d. 10618 (1845), l. 2.

⁶⁸ ‘Ober-politsmeister – S.-peterburgskomu voennomu general-gubernatoru 19 maia 1864 g.’ [‘Chief of Police to the St. Petersburg Military Governor-General, 19 May 1864’], in Alekseev, *Protsess Chernyshevskogo* [The Trial of Chernyshevskii], 337; E. N. Pypina, ‘Chernyshevskii v Alekseevskom raveline. Perepiska E. N. Pypinnoi s rodnymi 1862-1864 gg.’ [‘Chernyshevskii in the Alekseevskii Ravelin. E. N. Pypina’s Correspondence with Relatives, 1862-1864’] in S. Z. Katsenbogen (ed.), *N. G. Chernyshevskii: Neizdannye teksty. Stat’i. Materialy* [N. G. Chernyshevskii: Unpublished Texts. Articles. Materials] (Saratov, 1926), 316.

⁶⁹ ‘Ober-politsmeister’ [Chief of Police’], 337; Reingardt, ‘N. G. Chernyshevskii’, 462.

Indeed, the theatrical dimensions of the ceremony were further manifest in the unofficial sale of seats around the scaffold. See Volokhovskii, ‘Na Mytninskoi ploshchadi’ [‘On Mytninskaia Square’], 32.

that subverted its self-proclaimed gravity. As one sympathetic eyewitness observed, ‘all that was needed for an ovation to begin was some sort of signal.’⁷⁰ In the alternative transcript Chernyshevskii and his supporters collectively authored, the scaffold, the chains, the sign around convict’s neck, the broken sabre and the black pillory all became stage props in a piece of theatre that showcased not the power of the state but its diminishing authority.

Subsequently, tsarist officials appeared nervous that such public expressions of sympathy with the convict and defiance of the authorities might be repeated in the punishment of other political criminals. When, two years later, the revolutionary Nikolai Ishutin was being transported to his own (mock) execution on Smolensk Field on St. Petersburg’s Vasilevsky Island, gendarmes were quick to arrest two young men who removed their hats and bowed as the ‘carriage of shame’ passed by in the street.⁷¹ In their preparations for the civil execution of students convicted of involvement in Sergei Nechaev’s conspiracy in Moscow in 1871, officials expressed concern that ‘the ceremony might trigger some kind of protest and will, without doubt, draw to the execution site all the followers of nihilism.’⁷²

⁷⁰ Reingardt, ‘N. V. Chernyshevskii’, 462.

⁷¹ GARF, f. 109, sekretnyi arkhiv [secret archive], op. 1, d. 299 (1866), ll. 4-5ob.

⁷² B. P. Koz’min, (ed.), *Nechaev i Nechaevtsy. Sbornik materialov* [Nechaev and the Nechaevists. Collected Materials] (Moscow, 1931), 183-4. The authorities also took care to limit the publicity surrounding the civil execution of the Siberian regionalist Grigorii Nikolaevich Potanin in Omsk on 15 May 1868. G. N. Potanin, ‘Vospominaniia’ [‘Memoirs’], *Sibirskaiia zhizn’*, 23 April 1914, no. 76, 3; N. A. Lapin-Sibiriak, ‘Grazhdanskaia kazn’ v Omske 15 maia 1868 goda’ [‘A Civil Execution in Omsk on 15 May 1868’], *Voprosy istorii*, 1966, no. 9, 209-10; Venturi, *The Roots of Revolution*, 318-21.

In other cases, officials were concerned by the level not of support but rather of hostility towards the political prisoner, fearing that the crowds attending civil executions might become so agitated that they could jeopardise the orderly conduct of the ceremony. Spectators were required to play a passive and attentive role in the performance of justice, and the prospect that they might step out of this role threatened to subvert the state's direction of proceedings.⁷³ In 1862, a boisterous and hostile crowd attended the civil execution of the radical officer and journalist Vladimir Obruchev and, believing in the wake of fires that had recently engulfed two of St. Petersburg's markets that the prisoner was guilty of arson, 'expressed the barbaric desire that Obruchev's head should be cut off, or that he should be knouted, or, at the very least, that he should be shackled to the pillory upside down for having dared to go against the tsar.' Obruchev was hastily driven from the square before the situation got out of hand.⁷⁴

The Civil Execution of Sergei Nechaev

By 1873, Nechaev's notoriety as the murderous head of a fanatical revolutionary conspiracy and the author of the scandalous pamphlet Catechism of a Revolutionary (1869) amplified threats to the orderly conduct of his civil execution. Head of the Moscow Gendarmes General Ivan Slezkin was accordingly keen to limit publicity surrounding the event. The procurator

⁷³ The authorities were similarly concerned at the prospect of disorder among the crowd of some 30,000 which gathered on Smolensk Field to witness the civil execution of the eleven radicals (including Ishutin) sentenced for involvement in Dmitrii Karakozov's attempt on the life of the tsar in 1866. GARF, f. 109, sekretnyi arkhiv [secret archive], op. 1, d. 299 (1866), ll. 5ob, 7.

⁷⁴ L. F. Panteleev, *Vospominaniia* [Memoirs] (Moscow, 1958), 279; Vladimir A. Obruchev, 'Iz perezhitogo' ['From My Experiences'], *Vestnik Evropy*, 1907, no. 5, 150.

had recommended publishing details of the ceremony only on the morning of its staging in order to limit the size of the crowds. Even so, Slezkin was still concerned that large numbers of people would congregate if Nechaev were transported to Konnaia Square through the streets of Moscow, a journey that often took as long as two hours: ‘The appearance in the street of the chariot of shame with the criminal and his passage across almost all of Moscow, along the busiest streets will, as is well known, attract a crowd even without any preceding publication.... Such a crowd can form itself into an entire mass of people.’⁷⁵

Nechaev’s disruptive behaviour at his trial had convinced Slezkin that the convict, ‘who is obsessed with the idea that Russia is now on the verge of a political revolution, will shout out and make various appeals to the people.’ If a large number of people, most from the lower classes, gathered, such appeals threatened to provoke ‘particular hostility and then the kind of disorder that we might struggle to contain.’ Accordingly, Slezkin suggested that ‘some other means be found to enact Nechaev’s judicial verdict.’ The Third Department declined to cancel the civil execution, but it did instruct that, in order to limit the size of any crowd that formed during the passage of Nechaev’s prison carriage across Moscow, the condemned man be transported to a building in the vicinity of Konnaia Square the evening before the ceremony. It also ordered that, the following morning, Nechaev’s carriage be accompanied the short distance from the prison building to the square by a convoy that included three drummers who were to drum incessantly in order to drown out the sound of any unwanted

⁷⁵ Murav’ev, ‘Obriad publichnoi kazni’ [‘The Ritual of Public Execution’], 98-9; P. E.

Shchegolev, ‘Nechaev v raveline (1873-1882)’ [‘Nechaev in the Ravelin (1873-1882)’], in A. A. Martyshchev (ed.), *Alekseevskii Ravelin: Sekretnaia gosudarstvennaia tiur'ma Rossii v XIX veke* [The Alekseevskii Ravelin: Russia’s Secret State Prison in the Nineteenth Century], 2 vols. (Leningrad, 1990), ii, 143

declarations from the prisoner. Soldiers were to be stationed in the prison building, ready to be deployed, should any disorder ensue.⁷⁶

In spite of these careful preparations, when just before 8 o'clock on 25 January 1873 Nechaev was driven out to Konnaia Square, things did not go to plan. Over the noise of the beating drums, Nechaev repeatedly appealed to the crowds who congregated around his carriage, shouting 'Down with the tsar! You are the free Russian people! You are the slaves of a despot! It is time to liberate yourselves from the yoke that calls itself the pious reign of Alexander II!'⁷⁷

Once on the scaffold, Nechaev gestured to the men who were shackling him to the pillory and declared, 'not three years will pass before the first Russian guillotine will cut off their heads on this very spot!' Nechaev re-cast the scaffold as the site of future retribution, summoning the court of history to show the servitors of the state no mercy. His words re-imagined the physical space of the scaffold as the sacral portal not to civil annihilation but to a violent revolutionary future. The beating of the drums drowned out Nechaev's subsequent fantastical proclamations, and he was driven away at 8:10 am.⁷⁸

Nechaev's infamy and the secrecy surrounding the organisation of his civil execution ensured that no sympathetic audience was in attendance. A relieved Governor General of Moscow Vladimir Dolgorukov reported to the head of the Third Department Petr Shuvalov later that day that 'there was no violation of public order, although Nechaev's impertinent

⁷⁶ Shchegolev, 'Nechaev v raveline' ['Nechaev in the Ravelin'], 143-4.

⁷⁷ 'Obriad publichnoi kazni nad S. G. Nechaevym' ['The Public Execution of S. G. Nechaev'], *Krasnyi arkhiv*, 1922, vol. 1, 281; Shchegolev, 'Nechaev v raveline' ['Nechaev in the Ravelin'], 146; Philip Pomper, *Sergei Nechaev* (New Brunswick, 1979), 185-6.

⁷⁸ 'Obriad publichnoi kazni' ['The Public Execution'], 281.

appeals did indeed provoke general outrage in those present.⁷⁹ Relieved as they were that things did not get out of hand, the authorities could do little to dispel the impression of a furious challenge to the state's authority. What should have been a ceremonial performance of implacable judicial authority was transformed into a public spectacle of political defiance.

A more dramatic threat to the state's judicial and moral authority lay in the possibility that denunciations of the state from the scaffold would meet with explicit encouragement and endorsement from spectators. This scenario unfolded two years later in St. Petersburg, at the civil execution of another group of radicals, the Dolgushintsy.

The Civil Execution of the Dolgushintsy

Named after their leader Aleksandr Dolgushin, the Dolgushintsy had emerged in the late 1860s on the margins of Nechaev's conspiracy. By the early 1870s, the group had joined the radical group led by Nikolai Chaikovskii, and were active in the writing, printing and dissemination of revolutionary literature before their eventual arrest in the autumn of 1873. The following May twelve of their number were turned over to the State Senate for a trial which on 15 July 1874 returned guilty verdicts and lengthy sentences of penal labour and exile.⁸⁰ The convicted men were then held in prison for a full nine months before their civil execution, which was staged over two days on 5 and 6 May 1875 on St. Petersburg's Konnaia Square. The initial group engaged in minor acts of defiance during proceedings. One of them, Lev Dmokhovskii, smiled during the entire journey in the 'chariot of shame' from Litovskii Zamok prison to the square and, once on the scaffold, another, Dmitrii Gamov, refused to kiss the cross. Yet, in general, the Third Department noted, 'it all passed off quietly and

⁷⁹ Shchegolev, 'Nechaev v raveline' ['Nechaev in the Ravelin'], 147.

⁸⁰ On the Dolgushintsy, see A. A. Kunkl', *Dolgushintsy* (Moscow, 1931); Venturi, *Roots of Revolution*, 496-501.

calmly'; there were 'very few' students and youths and they 'conducted themselves in a dignified and decorous manner.'⁸¹

At the civil execution the following day of two remaining Dolgushintsy, Nikolai Plotnikov and Ivan Papin, however, events took a very different turn. The two men remained silent during the journey to Konnaia Square, but both refused to kiss the cross on the scaffold and, once shackled to the pillory, Plotnikov began to shout, 'Down with the tsar, down with the aristocrats! We are all equal, long live freedom!' and did not desist for the entire ten minutes. Although the order was given to beat drums, they 'only partially drowned out his voice.' While the 'simple people' standing around the scaffold reacted with 'scorn and indignation', a group of youths and students, among them women, were 'openly sympathetic to Plotnikov, loudly expressing their approval with cries of "Well done!" and "Bravo!"' As Plotnikov was driven away, he continued to shout through the bars of the prison carriage and a crowd of youths pursued the cortege with expressions of support. The procurator ordered the arrest of those engaged in the disorder and thirteen individuals were detained.⁸²

Alexander II himself took a keen interest in the events and expressed the hope that 'those arrested will not go unpunished'. As the tsar was summering in the German spa town of Bad Ems, the Third Department also submitted reports to the Tsarevich, one of which invoked the authority not of the law but rather of public opinion. It observed that the

⁸¹ I. Bekker, 'Demonstratsiia dolgushintsev na Konnoi ploshchadi' ['The Demonstration of the Dolgushintsy on Konnaia Square'], *Katorga i ssylka*, 1926, vol. 23, 68; Kunkl', *Dolgushintsy*, 184.

⁸² GARF, f. 109, op. 160, 3 eksp., 1875, d. 181, ll. 1-2; N. A. Troitskii, *Bezumstvo khrabrykh: Russkie revoliutsionery i karatel'naia politika tsarizma 1866-1882 gg.* [The Madness of the Brave: Russian Revolutionaries and the Punitive Policies of Tsarism, 1866-1882] (Moscow, 1978), 107-8.

ceremony's intended, if indeterminate, audience, 'reasonable people', were 'extremely shocked and outraged at the insolence and impertinence not only of the condemned man Plotnikov but also at the outbursts of the young people present'. There were calls, the report noted, 'to severely punish the instigators' and criticisms of the police for failing to contain the disorder. Minister of the Interior Petr Valuev enquired whether Plotnikov was not now liable – as someone stripped of his noble rank – to corporal punishment, but Minister of Justice Konstantin von Pahlen determined that Plotnikov could not be flogged 'as he committed the crime at the very moment when the sentence was being passed and could not be considered deprived of his rights of rank until the end of the ceremonial punishment.'⁸³

If the government found itself frustrated in its desire to punish Plotnikov as a convict, it also struggled to apply what it deemed adequate legal sanctions to the individuals who had been arrested at his civil execution. The procurator argued that they were indeed guilty of breaching the peace, but found it 'extremely undesirable' to bring them before a magistrates' court: 'Plotnikov's criminal statements on the scaffold would need to be repeated in court and that would only give rise if not to another demonstration then at least to different kinds of speculation.' Besides, the charge of breaching the peace only entailed a maximum punishment of nine days' imprisonment, which was too lenient a penalty. As head of the Third Department Nikolai Mezentsov fulminated, 'given the specific attitudes of many of [Plotnikov's supporters] and their obvious readiness to stage demonstrations, an unforgiveable blunder was committed in the public passing of Plotnikov's sentence on 6 May.' Charging the detainees with breaching the peace would be folly, Mezentsov insisted, as 'there would be a new demonstration. The magistrate will be intimidated by the public and will acquit the accused.' The government had every right to 'defend itself, and is not obliged

⁸³ GARF, f. 109, op. 160, 3 eksp, 1875, d. 181, ll. 18-ob; Bekker, 'Demonstratsiia dolgushintsev' ['The Demonstration of the Dolgushintsy'], 70.

to show mercy to those who would show it no mercy.’ The answer, he argued, was to turn to administrative (that is, extra-judicial) measures. Von Pahlen agreed that further court proceedings were too risky and ordered that the detainees be released and the legal case against them closed. Alexander II approved the administrative exile of four of the detainees ‘upon their release’ from custody.⁸⁴

This retreat from the public enactment of justice only accelerated in the years that followed. The relatively lenient sentences handed down at the ‘Trial of the 193’ in 1877 to Populists arrested while conducting a campaign of revolutionary agitation in the countryside, and the acquittal a year later of Vera Zasulich on charges of attempted murder of the Governor of St. Petersburg persuaded the authorities that the courts were an unreliable ally in their struggle with the revolutionary movement.⁸⁵

In a wide-ranging report, published in the wake of the disturbances on Konnaia Square, the Third Department also called into the question the strategic value of conducting further civil executions in public.⁸⁶ Where they had once been a demonstration of the legal

⁸⁴ Bekker, ‘Demonstratsiia dolgushintsev’ [‘The Demonstration of the Dolgushintsy’], 71-73.

⁸⁵ N. A. Troitskii, *Tsarskie sudy protiv revoliutsionnoi Rossii: Politicheskie protsessy 1871-1880 gg.* [Tsarist Courts Against Revolutionary Russia: Political Trials, 1871-1880] (Saratov, 1976); P. A. Zaionchkovskii, *Krizis samoderzhavii na rubezhe 1870-1880-kh godov* [The Crisis of the Autocracy at the Turn of the 1870s-1880s] (Moscow, 1964), ch. 1.

⁸⁶ A few months after the protest staged by Plotnikov, a student named Viacheslav D’iakov, who had been sentenced to ten years of penal labour for his role in spreading revolutionary propaganda among workers in St. Petersburg, also used the scaffold at his own civil execution on 25 October 1875 on Konnaia Square to make revolutionary proclamations. Over

and moral power of the autocracy, civil executions now showcased subversion. The ‘open display of sympathy’ for the Dolgushintsy at their civil execution had shown that the punishment ‘only leads to an increase in the number of victims of revolutionary propaganda, and the ceremony is turned into an extremely effective instrument [of that propaganda].’ The role of the priest at the ceremonies, far from serving as an adjunct of state power who exhorted the revolutionaries to repent publicly of their crimes, now provided them with an opportunity to ‘profane the faith and show their public disdain for spiritual guidance.’⁸⁷ Indeed, momentarily freed from the threat of legal sanction, revolutionaries like Plotnikov were able publicly to express, often before large crowds, sentiments that the threat of punishment would otherwise have silenced. What should have been the most graphic display of the autocrat’s domination of his subjects – the ‘reactivation of power’ Foucault discerned in the public executions of pre-revolutionary France – had in fact become the moment of the subject’s radical empowerment.

The Third Department report concluded that ‘public civil executions do more harm than good.’ If the judgements of the courts required ‘greater publicity (*glasnost*)’ then different means should be used which are not accompanied by the difficulties of public civil executions.’ The punitive ritual could be taken ‘inside the walls of the prison’, and notices could be placed in prominent locations to advertise its execution. The report thus recommended that the autocracy abandon the theatre of punitive power in the squares of

the noise of four drums, he began to shout ‘Down with despotism! Hail freedom!’ GARF, f. 109, op. 1a, d. 669 (1875), ll. 1-1ob.

⁸⁷ GARF, f. 109, op. 3a (sekretnyi arkhiv) [secret archive], d. 277, ll. 4ob-5; Bekker, ‘Demonstratsiia dolgushintsev’, 76.

Russian towns and cities and rely instead on the prosaic communication of legal sanctions by means of the printed word.⁸⁸

Accepting these recommendations, Minister of Justice Dmitrii Nabokov wrote to the State Council, underlining ‘shortcomings in the practice of civil executions that need to be addressed not simply in order to preserve the dignity of the judicial verdict, but also in particular for considerations of a political nature.’ Nabokov argued with explicit reference to the disorderly civil execution of the Dolgushintsy:

the public staging of this kind of ceremony sometimes leads to results that are directly contrary to the interests of the government. It makes it easier for criminals, who are fanatical in their pursuit of revolutionary goals, to exploit a position which they already have nothing to lose in order to inflame the passions of the people and present themselves as martyrs to freedom.⁸⁹

Nabokov accordingly recommended that, henceforth, the ceremony of civil execution should be staged out of public view inside prison grounds. Fellow ministers agreed, the tsar approved the recommendation and, on 6 October 1878, the government formally abolished public civil executions as a precursor to exile to Siberia.⁹⁰

⁸⁸ GARF, f. 109, (sekretnyi arkhiv) [secret archive], op. 3a d. 277, l. 5; Bekker, ‘Demonstratsiia dolgushintsev’ [‘The Demonstration of the Dolgushintsy’], 77.

⁸⁹ RGIA, f. 1149, op. 9, (1880), d. 34, l. 4.

⁹⁰ ‘Ukaz ot 6 oktiabria 1878 g. No. 730’, [‘The Ruling of 6 October 1878, no. 730’] *Sobranie zakononii i rasporiazhenii pravitel’stva* [Collected Legislation and Decrees of the Government], 6 October 1878, no. 178, 1210.

Conclusion

Amidst the violent turmoil of the 1905 Revolution, the Populist author Vladimir Korolenko, himself a former political exile, published an essay on the life of Chernyshevskii in the liberal ‘thick journal’ Russian Wealth. Drawing heavily on eyewitness testimony, Korolenko reconstructed Chernyshevskii’s civil execution and dwelt on the constellation of forces that had gathered on Mytninskaia Square on that May morning in 1864:

The tableau... – the pale figure of the thinker on the scaffold and the ring of his educated ‘accomplices’ between the chain of gendarmes and the hostile common people – gives one pause for thought in our time when the historical significance of what we call the intelligentsia is subject to attacks from the most diametrically opposed sides.⁹¹

Korolenko discerned a familiar image of the intelligentsia trapped between the unpredictable violence of the masses and the repressive despotism of the Russian state.⁹² Yet the image he conjures yields an altogether different perspective if attention is directed not to the intelligentsia but rather to the gendarmes guarding the scaffold. They found themselves deployed to defend the orderly performance of autocratic justice from both an educated audience determined to subvert the ceremony, and from an unruly mob whose hostility

⁹¹ V. G. Korolenko, ‘Sluchainye zametki’ [‘Random Notes’], *Russkoe bogatstvo*, 1905, no. 6, pt. 2, 101. Chernyshevskii’s life and civil execution were later described, in far less sympathetic terms, by Dmitrii Nabokov’s own grandson, Vladimir Nabokov, in his 1937 novel *The Gift*. See Vladimir Nabokov, *The Gift*, trans. Michael Scammell and Dmitri Nabokov (London, 2017), ch. 6, esp. 277-9.

⁹² Daniel Beer, *Renovating Russia: The Human Sciences and the Fate of Liberal Modernity, 1880-1930* (Ithaca, 2008), 16-26.

towards the criminal might erupt into violent unrest. As such, they personified the official nervousness at the prospect of disorder, either discursive or physical, that surrounded the civil executions of revolutionaries in the 1860s and 1870s. The tsarist authorities' attempts to orchestrate orderly punitive rituals in public were part of a broader effort to defend the autocracy's symbolic authority. As crafted in the statutes of the Russian penal code, civil executions were a political spectacle intended to underline the absolute supremacy of the autocracy and the abject fate of those who dared to challenge it. Yet in the reign of Alexander II, the rise of the revolutionary movement recast the execution site as not a ceremony of communal denigration and expulsion but rather a stage on which were enacted the widening cleavages now running through imperial society: those that separated the intelligentsia from officialdom and those that separated both from the common people.

The authorities might have exaggerated the threat posed to the state by either the radical sympathies of educated Russians or the unruly behaviour of the plebeian crowds who attended the civil executions of dissidents and revolutionaries. Mounting official disquiet speaks, nevertheless, to the state's diminishing symbolic authority. Formally, the state wished to confront the revolutionary movement out in the open, deploying the spectacle of civil execution as a form of moral instruction in the perils of sedition. Yet official correspondence repeatedly betrayed deep disquiet at the risks of publicity and the dangers of making appeals to the uneducated masses who were at best an unreliable ally in the struggle with radicals. As the Council of Ministers noted in a discussion in 1879, 'the masses are ready to aid the government [in its struggle] against its enemies but this assistance is too disorderly, violent and always borders on the wanton. It is, therefore, too dangerous for the government to be able to rely on it.'⁹³ Time and again, officials dutifully carried out civil executions against

⁹³ RGIA, f. 1263, op. 1, d. 4042 (1879), l. 348ob. Reports of civil executions of political offenders appear to have been suppressed in the pages of the popular press.

their better judgement, while in practice attempting to limit the publicity surrounding them for fear of the disorder that might ensue. When the authorities finally abandoned the public ritual of the civil execution on the eve of a wave of revolutionary terror, it was less the modernisation of punitive practices championed by legal reformers than a forced concession to a new political reality.

Condemned radicals demonstrated their political commitments and solidarity on and around the scaffold in a direct challenge to the official hierarchies of subordination and obedience demanded by the state. In so doing, they exposed the fragility of the pageantry upon which rested so much of the political culture of tsarism. The choreography of civil executions now proved dangerously liable to subversion, a manifestation not of power but of weakness. The eventual retreat of the sovereign from public view in the administration of punishment reflected the increasing exhaustion of dynastic authority as the mainstay of official culture. The tsar's authority could no longer be projected to awe-inspiring effect into the squares and market places of Russian towns and cities; it now sought refuge behind prison walls from symbolic assault by the tsar's own subjects.

The 'failed rituals' of the civil executions of 'state criminals' in the reign of Alexander II laid bare the crumbling cornerstone of Russian absolutism's symbolic authority: the power to institute, sustain and destroy identity. In the confrontation between the state and the revolutionary movement, honour or dignity, understood as an inalienable human quality possessed by the individual, had come to eclipse the 'status' that could be conferred or withdrawn by the sovereign. The absolutist monarchy had striven to ensure that the two remained coterminous, but, as both legal reformers and political subversives in the reign of Alexander II highlighted, their meanings were increasing in direct conflict with one another.

The figure of the ruler as the source of law also loomed over the staging of civil executions. The tsar's authority to strip his subjects of their rights was a manifestation of his own prerogatives, and the radicals' acts of indifference and rebellion on the scaffold were,

accordingly, a contestation of the very essence of autocratic sovereignty. Their insistence on their own inalienable dignity implied a set of natural rights that placed limitations on the legitimate exercise of state power and offered a direct symbolic challenge to the ‘imperial rights regime’ of the absolutist state. This political discourse of dignity and natural rights circulated ever more widely in the final decades of the nineteenth century and, by the time the regime stumbled into the 1905 Revolution, it had become established as a key component of the revolutionary worldview, espoused not just by noblemen and educated radicals but also by countless insurgent workers and peasants.⁹⁴

As the reign of Alexander II entered its third decade, the ‘soft power’ of ceremonial punishment was exposed as a spent force, undermined by rebellious political prisoners, their ardent supporters and the sceptical and unruly masses. Its position as arbiter of honour and status among the tsar’s subjects diminished, the autocracy found itself increasingly reliant in the unfolding political contest with the revolutionaries on the ‘hard power’ of exile, imprisonment and executions. The absolutist state was left struggling to adjust to a new political drama in which it was no longer the director but merely one actor among many.

⁹⁴ O. G. Bukovets, *Sotsial’nye konflikty i krest’ianskaia mental’nost’ v rossiiskoi imperii nachala XX veka: novye materialy, metody, resul’taty* [Social Conflicts and Peasant Mentality in the Russian Empire at the Beginning of the Twentieth Century: New Materials, Methods, Results] (Moscow, 1996), 141-7; Beer, *The House of the Dead*, 367; Mark D. Steinberg, *Moral Communities: The Culture of Class Relations in the Russian Printing Industry, 1867-1907* (Berkeley, 1992), 235-9; Morrissey, *Suicide and the Body Politic*, ch. 10.