

3 Mikhail Speranskii

Statesman, jurist, and Christian thinker

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The phenomenon of Speranskii

Mikhail Mikhailovich Speranskii (1772–1839) is one of the most extraordinary figures in Russian history.¹ The son of a village priest, he achieved a brilliant career in government service. He became one of the most influential Russian statesmen of the first third of the nineteenth century and was universally acknowledged to be the leading reformer among public officials. He developed plans for reform of the state structure of the Russian Empire—the system as a whole as well as its components, including the Senate, the State Council, the ministries, judicial and executive institutions, and provincial administration. He drafted imperial decrees on new rules of government service, developed a new model for the administration of Siberia, and worked on a plan for the administration of the Grand Duchy of Finland. He drafted the founding documents of elite schools: the Tsarskoe Selo Lycée and the Imperial School of Jurisprudence. In addition, he established new rules for theological seminaries, greatly improving the education of the clergy. He authored a draft of a Civil Code of the Russian Empire in 1809–11 and led the enormous task of compiling the Complete Collection of Laws of the Russian Empire and the Digest of Laws of the Russian Empire (1828–33).

Characterizing Speranskii's government service, the historian S. M. Serebrennikov remarked:

There is no doubt that Speranskii was an utterly exceptional phenomenon in the higher levels of our government in the first half of the nineteenth century. Without much exaggeration, he can be called the organizer of the bureaucracy in Russia.²

1 Many books have been written about Speranskii's life. The fullest treatment, relying on documentary materials, is V. A. Tomsinov, *Svetilo rossiiskoi biurokratii: Istoricheskii portret M. M. Speranskogo*, 5th rev. ed., Velikie russkie liudi (Moscow: Zertsalo-M, 2013). The most complete study in English is Marc Raeff, *Michael Speransky: Statesman of Imperial Russia*, 2nd rev. ed. (The Hague: Martinus Nijhoff, 1969).

2 S. M. Serebrennikov, *Graf M. M. Speranskii, 1772–1839: Ocherk gosudarstvennoi deiatel'nosti* (St. Petersburg: Tipografiia tovarishchestva "Obshchestvennaia pol'za," 1909), 179–80.

V. O. Kliuchevskii opined: "Since the time of [Afanasii] Ordin-Nashchokin [1605–80], no mind as powerful as his has stood beside the Russian throne. After Speranskii, I do not know if a third shall appear."³

Pragmatism was the distinctive feature of Speranskii's thought. As a reformer, he acquired the reputation of one whose goal was to subordinate social life to artificial schemes. In actuality, Speranskii was quite skeptical about plans to reform the governmental and social structures that had evolved in Russia over the centuries. He thought that the chief purpose of reform should be to preserve the existing state order and avert revolution. In his memorandum "Order and Its Consequences in the State," he reflected on how the state order evolves and is strengthened over the course of time and on the threats the state faces:

Continual, prolonged order is transformed, in the end, into destiny—into physical necessity. It subdues all people, curtails the dreams of their hearts and minds. It merges with all the interests of life and molds life in its image. The consequences of this are as follows: 1) change becomes difficult; 2) minds grow calm; 3) hearts become attached to prevailing interests. But once the order is shaken, the following ensue: 1) impatience and endless change; 2) confusion and rage; 3) warring interests—revolution.⁴

For Speranskii, reforms were the only way to avert a catastrophe such as the one that occurred in the 1790s in France:

In order to avoid such upheavals, it is necessary to take all possible measures to preserve the existing order. That is, it is necessary 1) to monitor it constantly and, harmonizing it with the spirit of the time, to fix what has become outdated; and 2) to introduce continuous and gradual reforms without radical changes.
(848)

In 1809, Alexander I entrusted Speranskii with the task of creating a general plan of government reorganization. In Speranskii's opinion, it was crucial that the transition from existing institutions to new ones should be instituted

in the simplest and most natural way, so that the new institutions would appear to arise spontaneously from the old. Furthermore, one should not take chances but should always retain the ability to put a stop to the reforms and retain the old order in all its force if insuperable obstacles to the new order were unexpectedly to arise.⁵

3 V. O. Kliuchevskii, *Kurs russkoi istorii*, pt. 5, in *Sochineniia v deviat' tomakh* (Moscow: "Mysl'," 1987–90), 5:200.

4 M. M. Speranskii, "Poriadok i ego sledstviia v gosudarstve," in *V pamiat' grafa Mikhaila Mikhailovicha Speranskogo, 1772–1872*, ed. A. F. Bychkov (St. Petersburg: Izdanie Imperatorskoi publichnoi biblioteki, 1872), 847.

5 M. M. Speranskii, "Obshchee obozrenie vsexh preobrazovaniia i raspredelenie ikh po vremianam," in M. M. Speranskii, *Proekty i zapiski*, ed. S. N. Valk, et al. (Moscow and Leningrad: Izdatel'stvo Akademii nauk SSSR, 1961), 231–37, here at 233.

Speranskii also criticized changes based on artificially conceived plans in his "Memorandum on the Establishment of Judicial and Government Institutions in Russia." "It should be noted," he wrote, "that any change that is unnecessary or not obviously useful is harmful, since almost all facile methods of government are unreliable.... Some changes might appear to be brilliant for a while, but over time, evil can arise from the remedies used to counteract it."⁶ In a memorandum with the striking title "On Gradualism in the Improvement of Society," he remarked: "Every station of civil society possesses its vices and its virtues. In which of these stations people are happiest is an open question." Following these words, he makes a declaration that astonishes us with its tragic pragmatism: "Fate has decreed that human societies can only change their vices."⁷

Speranskii was a thinker who relied more on common sense and a realistic assessment of the conditions of state and society than on some sort of doctrine. For this reason, the scholarly debate about his political orientation—was he a liberal or a conservative?—should be regarded as meaningless. Speranskii did not adhere to any system of ideas. He was very critical of the constitutional doctrines of European thinkers, calling these doctrines unfounded and superficial. He wrote in a note to members of the commission drafting a law code:

Notions concerning constitutions are products of modern philosophy and, in our opinion, are as useless as all other theories that are based on empty dreams and never come to fruition. From this I must conclude that you, having studied ancient philosophy and having acquired the habit of thinking in the company of Aristotle, Grotius, and Pufendorf, have penetrated into the all twists and turns of the new notables and have come to see the groundlessness of their ideas—the Montesquieus, the Blackstones, and other superficial minds of this type; that having spent your life laboring over a few pages of these thinkers, you have grasped their errors and the absurdity of their precepts, and by means of deep reflection have forged your own direct path to truth.⁸

Speranskii's dismissal of Montesquieu's ideas as "groundless" notwithstanding, John Gooding has called Speranskii a "disciple of Montesquieu."⁹ *On the Spirit of the Laws* was highly influential among Russian intellectuals of Speranskii's time, as confirmed by the fact that several translations of the work were published in

6 M. M. Speranskii, "Zapiska ob ustroistve sudebnykh i pravitel'stvennykh uchrezhdenii v Rossii," in Speranskii, *Proekty i zapiski*, 86–139, here at 138.

7 M. M. Speranskii, "O postepennosti usoversheniia obshchestvennogo," in Speranskii, *Proekty i zapiski*, 75–76, here at 76.

8 M. M. Speranskii, "Otryvok o Komissii ulozheniia," in Speranskii, *Proekty i zapiski*, 17–28, here at 20.

9 John Gooding, "The Liberalism of Michael Speransky," *The Slavonic and East European Review* 64, no. 3 (1986): 401–24, here at 403.

Russia in the late eighteenth and early nineteenth century.¹⁰ Catherine the Great used Montesquieu's ideas in her *Nakaz* (Instruction, 1767) to the commission on the establishment of a new code of laws.¹¹

Speranskii agreed with Montesquieu's view that, in establishing laws, one should take into account the distinctive characteristics of the national spirit. He also agreed with Montesquieu's idea that there is an interrelationship between monarchical rule and the existence of privileged classes. But he did not accept Montesquieu's view that respect for the constitution and restrictions on the will of the ruler could be guaranteed solely by preserving class privileges. Montesquieu argued that the privileged classes (nobility and clergy) could check the extension of the ruler's ambitions "just as the sea, which seems to want to cover the whole earth, is checked by the grasses and the smallest bits of gravel on the shore."¹² Speranskii argued against this view:

They greatly err who think that the rights granted to various classes or the privileges conferred on judicial or even legislative estates can provide a stable foundation for laws or establish a form of government.... This is a building erected on sand.... It is useless to write or publish codes of law or constitutions if one does not base them on the actual power of the state. The documents might be outstanding, but they cannot stand on their own.¹³

Speranskii's legacy retains its significance. He reflected on jurisprudential issues that contemporary jurists still regard as central. He sought solutions to problems of the organization and functioning of the state which are still unsolved. The most important of these are the formation of political elites corresponding to today's level of social development; the development of effective mechanisms for restraining the arbitrariness of ruling groups; the maintenance of a system of legality; the maintenance of constitutional stability; and the effective protection of civil rights and freedoms. The question of a constitution or fundamental laws that cannot be changed at the caprice of rulers was discussed by Russian intellectuals before Speranskii.¹⁴ But it was Speranskii who reflected on this question from the point of view of the actual conditions of social life and state power in Russia.

10 *O razume zakonov: Sochinenie gospodina Monteskiuia*, vol. 1, trans. Vasilii Kramarenkov (St. Petersburg: v Imperatorskoi Akademii Nauk, 1775; 2nd printing, 1801); *O sushchestve zakonov: Tvorenie Montesk'e*, trans. Dmitrii Iazykov, pt. 1 (Moscow: Tipografiia S. Selivanova, 1809); pts. 2–3 (Moscow: Universitetskaia tipografiia, 1810); pt. 4 (Moscow: Tipografiia I. Ioannesova, 1814).

11 See *The Nakaz of Catherine the Great: Collected Texts*, ed. William E. Butler and Vladimir A. Tomsinov (Clark, NJ: The Lawbook Exchange, Ltd., 2010).

12 Montesquieu, *The Spirit of the Laws*, ed. and trans. Anne M. Cohler, Basia Carolyn Miller, and Harold Samuel Stone (Cambridge: Cambridge University Press, 1989), 18 (pt. 1, bk. 2, ch. 4).

13 M. M. Speranskii, "O korennykh zakonakh gosudarstva," in Speranskii, *Proekty i zapiski*, 28–55, here at 33.

14 See V. A. Tomsinov, "The Constitutional-Monarchical Tradition in Russian Political Culture," in *"The Best in the West": Educator, Jurist, Arbitrator. Liber Amicorum in Honour of*

Speranskii on the significance of Christian ideas in politics and law

Speranskii was educated in Orthodox seminaries where theology was the main subject of study, but through diligent reading he was able to acquire a profound and extensive knowledge of the secular sciences, especially law and philosophy. Over the entire course of his government service, he retained the Orthodox Christian worldview which he had absorbed in his childhood and youth. This worldview influenced all his work, especially in the fields of statecraft and jurisprudence.

Speranskii believed that the power of the state and the juridical life of society could be organized in harmony with the spiritual foundations of the Christian religion. "Those who assert that the spirit of the Kingdom of God is incompatible with the principles of political societies err greatly. Is not rulership a kind of priesthood?" he wrote in 1816.¹⁵ This declaration becomes understandable if one takes into account that the Christian religion, state power, and legal culture have a common purpose—to strengthen, support, and preserve the humanity of human beings, to preserve universal spiritual values and the social norms that correspond to the essential nature of human beings. Historical experience throughout the world shows that the downfall of states, the destruction of the legal order, and the collapse of the system of common spiritual values in one country or another through natural or social catastrophes (e.g., political revolutions) inevitably lead to civil wars and the dehumanization of large numbers of people, who are transformed by such events into murderers and robbers.

Because he was a statesman, Speranskii also considered Christian spiritual values from the standpoint of their significance for solving governmental and legal problems. He assumed that political science could garner a multitude of useful truths from the holy books of Christianity. "I do not know of a single problem of statecraft that could not be solved by reference to the spirit of the Gospels," he declared. "All such things, even the pricing system [*do samogo tarifa*], can be treated in this spirit and under its guidance."¹⁶ In his treatises on religious questions, he developed the idea that secular legislation is viable only when it is in agreement with divine law. In *On the Liturgy*, he wrote:

Religion is a divinely ordained law, the aim of which is to separate good from evil in the spiritual world. Conforming with and subordinate to this law is another law—the law whose purpose is to separate good from evil in the physical world.¹⁷

Professor William Butler, ed. Natalia Iu. Erpyleva and Maryann E. Gashi-Butler (London: Wildy, Simmonds and Hill, Publishers, 2014), 103–29.

15 Pis'mo M. M. Speranskogo k F. I. Tseieru, 22 ianvaria 1816 g., *Russkii arkhiv*, 1870, vyp. 1, col. 188.

16 Pis'mo M. M. Speranskogo k F. I. Tseieru, col. 189.

17 M. M. Speranskii, "O liturgii," in I. V. Katetov, *Graf Mikhail Mikhailovich Speranskii kak religioznyi myslitel'* (Kazan: Tipografiia Imperatorskogo Universiteta, 1889), 313.

Speranskii's view that Christian spiritual values were vitally important for the statecraft and legal culture of every European country was not purely speculative. Neither was his argument that it is possible to ground the political and legal life of a society upon the teachings of Christ. After the defeat of Napoleonic France, the Russian emperor endeavored to institute such a policy. With the participation of the monarchs of Austria and Prussia, he attempted to establish an international union of Christian countries based on religious principles. On December 25, 1815, Alexander I published the proclamation "On the Creation of a Holy Alliance between Their Majesties the Emperors of Russia and Austria and the King of Prussia." The proclamation stated:

We [Alexander I] publicly proclaim: Having learned from experience and universally catastrophic events that the course of political relations among the Powers of Europe in the past was not based on those true principles which Divine Wisdom has revealed to be the foundation of peace and prosperity among nations, We, in concert with Their Highnesses the Emperor of Austria, Franz I, and the King of Prussia, Friedrich Wilhelm, have decreed an alliance (inviting other Christian powers also to join) in which We assume the obligation, with each other and in relation to our subjects, to accept as the sole means of realizing this [alliance] the rule of life drawn from the words and teachings of Our Savior Jesus Christ, who calls people to live as brothers, not in enmity and anger, but in peace and love.¹⁸

Speranskii welcomed this proclamation with great enthusiasm. On January 6, 1816, he sent Alexander a letter expressing full support of his initiative. To this letter he appended a commentary that began: "The alliance announced in the Proclamation of December 25 is the greatest public act since the introduction of the Christian faith."¹⁹ Speranskii went on to direct Alexander's attention to the sad state of international relations and to the futility of attempting to rectify the situation by political means alone:

Continual wars, frequent internal disturbances, the widespread degradation of moral values—these things have long demonstrated the shakiness of the foundations of societies. But those responsible for statecraft have found it necessary to adhere to these foundations because they have not found better ones. They have not noticed, or have neglected, the fundamental principle to

18 *Polnoe sobranie zakonov Rossiiskoi imperii*, Sobranie I [hereinafter 1-PSZ], vol. 33, no. 26045: 417.

19 Pis'mo M. M. Speranskogo k imperatoru Aleksandru Pavlovichu s podneseniem zapiski, v kotoroi izlozheny mysli po povodu Manifesta 25 dekabria 1815 goda, in *Sbornik istoricheskikh materialov, izvlechenykh iz arkhiva Pervogo otdeleniia Sobstvennoi ego imperatorskogo velichiiia kantseliarii*, vyp. 1, otd. 2 (St. Petersburg, 1876), 36–42, here at 37. A slightly different version of the letter was published in *Russkii arkhiv*, 1867, vyp. 3, cols. 447–53.

which all things must be subordinated in states that profess belief in *Christ*, in *Divine Power* and *Divine Wisdom*.

(38)

In the Holy Alliance of Russia, Austria, and Prussia, Speranskii saw the sign of an intellectual clarity that had finally reached the rulers themselves, leading them to accept the necessity of subordinating international relations to the principles of the Christian religion. "A sudden light penetrated the heart of the powers, the souls of the rulers, prompting them to found a new [system of] political law in Europe to replace [the rule of] *decrepit* and *ignoble* passions" (38). As he explained it, the essence of the new law consisted of two truths:

1) The true goal of human societies lies in guiding people to union with Christ by inculcating moral values and teaching people to live together in faith and love. 2) Jesus Christ is and ought to be the head of all Christian states. The true rules of government can be obtained only from His rules and teachings.

(38)

The idea of grounding relations among states on the principles of the Christian religion was utopian in nature. Yet as he developed this idea, Speranskii did not ignore the fact that the great powers base their foreign policies on their national interests and aspire to make those interests supreme and to embody them in international law. He was quite familiar with how the world order actually comes into being. Nevertheless, he clearly understood that the balance of interests among the great powers cannot be maintained for long, and that this balance will change periodically, giving rise to conflicts among nations, conflicts which inevitably lead to wars. This understanding led him to conclude that it was necessary to create an international legal order not only by harmonizing the interests of separate nations but also by implementing a system of common spiritual values that would be accepted as indubitable dogmas. For Speranskii, these values existed only in Christianity.

"I am a poor and weak mortal": family background and education

Speranskii is remembered not only because of his statesmanship but also because of his amazing destiny, the peripeteias of which resemble an absorbing novel. He came from a family in which, for two centuries, the oldest sons invariably became priests. Speranskii's father, Mikhailo Vasil'ev (or Vasil'evich) was a village priest. His mother, Praskov'ia Fedorovna, was the daughter of a village deacon. Speranskii was born on January 1, 1772, in the village of Cherkvatino, about twenty-five miles from the city of Vladimir. He spent his entire childhood in

this village. The name of the place is derived from *cherkva*, a variant of *tserkva* (church). The village got its present name, Cherkutino, at the beginning of the twentieth century.

The parents of the future statesman were very pious, and they nurtured their six children in the same spirit. Mikhailo—the original form of his name—learned to read at an early age, taking up whatever books came his way, most of them religious. From the age of six, he accompanied his blind grandfather to the local church and, standing at the lectern like a deacon, read the old man the Book of Hours and the Apostle Book.

In the summer of 1781, Mikhailo's family sent him to study at the diocesan seminary in Vladimir. Seminary records show that the boy was enrolled under the surname Speranskii, although neither his father nor his grandfather, nor presumably their forebears, were known to have a surname. "Speranskii" was formed from the Latin verb *spero* (hope).

In the summer of 1788, the seminary in Vladimir merged with the seminaries in Suzdal and Pereiaslavl and moved to Suzdal. Mikhailo stayed in Suzdal only briefly. In December 1788, he departed for St. Petersburg to continue his studies at the Major Seminary, an institution established at the Alexander Nevsky Monastery to prepare instructors for other seminaries.²⁰ Aside from the traditional seminary disciplines (theology, metaphysics, rhetoric, and others), the program of the Alexander Nevsky Seminary included rather advanced courses in mathematics, experimental physics, mechanics, and history. Students also had to become familiar with the most recent trends in philosophy. Studious seminarians had the good fortune of having access to an excellent library. Speranskii thus had the opportunity to read the works of Voltaire, Diderot, Leibniz, Condillac, Newton, Locke, and many other Western European writers popular at the time. His spiritual world expanded through long, diligent study of the sciences. He became one of the best-educated men in Russia.

A sermon Speranskii delivered on October 8, 1791, in the Alexander Nevsky Monastery gives us an idea of the young man's worldview at the time. The sermon is highly unusual. The ideas expressed in it seem to be those of a man grown wise through experience, not an adolescent seminarian. What is most remarkable is that the sermon is permeated with the spirit of freedom, in sharp contrast to the servile obedience in which the seminarians were educated. How strange and audacious the following exhortation and warning to the monarch must have sounded, coming from the lips of a recluse within the walls of a seminary:

If, on your throne, you fail to be a human being; if your heart fails to recognize the obligations of a human being; if mercy and peace are not dear to your heart; if you fail to descend from your throne to wipe away the tears of the least of your subjects; if your knowledge serves only to feed your love of

20 On December 18, 1797, the Major Seminary became the Alexander Nevsky Theological Academy.

power; if you use it only to gild the chains of slavery as artfully as possible and to make those chains as imperceptible as possible, to feign love for your people while, under the veil of generosity, diverting your people's goods to sate your lusts and those of your favorites; if you use your knowledge to support universal error, to expunge the idea of freedom, to appropriate your subjects' property by secret means, making them feel your heavy hand and using fear to make them think you are more than human—you will then, with all your talents and all your brilliance, be nothing but a privileged scoundrel; your sycophants will inscribe your name in gold letters on the list of the greatest geniuses, but later, with black brushstrokes, history will add that you were a tyrant of your fatherland.²¹

The sermon combines political reflections with a Christian way of thinking.

Because of his academic excellence, Speranskii was asked to stay on as an instructor at the Alexander Nevsky Seminary after completing his studies. On May 9, 1793, he was appointed teacher of mathematics, and after three months, he was asked to teach physics and rhetoric as well. On April 7, 1795, philosophy was added to his assignment. Besides his pedagogical duties, Speranskii tried his hand at writing. He wrote essays on philosophical and religious themes as well as works of fiction. In 1795, he wrote (but did not publish) *A Brief Sketch of the Sacred History and Teaching of the Christian Faith*. His conclusion was: "God, in His love for human beings, created all people in such a way as to call them from vice to virtue. But the merciful benefits of the religion of Jesus Christ are lost to those who choose not to follow its rules."²² Speranskii's most significant piece of writing as a teacher at the seminary was *Rules of Higher Eloquence*, distributed among seminarians in manuscript but not published until 1844.²³

Speranskii's early writings show that his worldview was not altered by his study of Western European philosophers critical of the church. His Orthodox Christian education defined how he viewed his society, the world around him, and himself. At the time, his chief desire was to overcome his inner vices. In September 1795, he wrote in his private notebook:

Who can say to himself: every day I am advancing towards perfection, every day I tear some vice, some weakness out of my heart?

I have three enemies to combat: laziness, timidity, and vanity.... My God! what enemies! They have joined forces against me since childhood. My temperament keeps lending them new weapons; and what can I do, one

21 "Propoved", proiznesennaia Speranskim v 1791 godu," in A. I. Bychkov, ed., "K biografii gr. M. M. Speranskogo," *Russkaia starina*, 1902, vol. 109, no. 2: 283–91, here at 287.

22 M. M. Speranskii, *Kratkii ocherk sviashchennoi istorii i ucheniia Khristianskoi very* (St. Petersburg, 1861), 16.

23 Mikhail Speranskii, *Pravila vysshego krasnorechiia* (St. Petersburg: V Tipografii Vtorogo Otdela Sobstvennoi Ego Imperatorskogo Velichii Kantseliarii, 1844).

against three—I, a poor and weak mortal, with my vivid imagination and weak reason!²⁴

In January 1795, in addition to his teaching duties, Speranskii accepted the position of domestic secretary for Prince Aleksei Borisovich Kurakin, who at the time served in the Office of State Revenues (*Ekspeditsiia o gosudarstvennykh dokhodakh*). This event played a fateful role in Speranskii's life. Catherine the Great died on November 6, 1796, and was succeeded by Paul I. New men were appointed to high positions in the government. On December 4, Prince Kurakin was named procurator general. As Speranskii had shown extraordinary ability as his secretary, Prince Kurakin proposed that he leave the seminary and accept a post in government service. Speranskii agreed. On January 2, 1797, he started working as a clerk in the chancellery of the procurator general with the rank of titular councilor.

This turning point in Speranskii's destiny defined the rest of his life and gave Russia one of its most talented and most enigmatic statesmen. On April 5, 1797, Speranskii was elevated to the rank of collegiate assessor (class eight in the Table of Ranks), a rank which made him a member of the nobility. On January 1, 1798, he was elevated to the rank of court councilor, and on September 18 to the rank of collegiate councilor. On December 8, 1799, he was elevated to the rank of state councilor (class five in the Table of Ranks). In less than three years, the son of a simple country priest was transformed from a domestic secretary of a highly placed aristocrat into an important official of the Russian Empire.

In 1797, Speranskii experienced another life-changing event. At the end of the summer, he met Elizabeth Stevens, the sixteen-year-old daughter of an English pastor. Having fallen in love with her, and learning that she loved him too, he proposed. Because Elizabeth belonged to a non-Orthodox faith, namely Anglicanism, Speranskii could not marry her without the emperor's permission. He petitioned the emperor, who handed the matter over to the ecclesiastical consistory of St. Petersburg. Mikhailo and Elizabeth had to swear affidavits in which they agreed to raise their children in the Orthodox faith. Elizabeth was not required to renounce her "Reformed faith" (*Reformatskii zakon*), but she did have to promise "not to lure, coax, or in any other way incline her husband to the Reformed faith nor to abuse or reproach him for keeping the Orthodox faith."²⁵

On October 29, 1798, Mikhailo Speranskii and Elizabeth Stevens received permission to marry. The wedding took place on November 3 in the Church of St. Sampson in St. Petersburg. Unfortunately, this highly promising marriage

24 *Druzheskie pis'ma grafa M. M. Speranskogo k P. G. Masal'skomu, pisannye s 1798 po 1819 god, s istoricheskimi poiasneniiami, sostavlennymi K. Masal'skim, i nekotorye sochineniia pervoi molodosti grafa M. M. Speranskogo* (St. Petersburg: V Tipografii II-go Otdeleniia Sobstvennoi Ego Imperatorskogo Velichiiia Kantseliarii, 1862), 134. Speranskii wrote this diary entry in French.

25 Otdel rukopisei Rossiiskoi natsional'noi biblioteki (OR RNB), f. 731, ed. khr. 2, l. 5.

was of short duration. On the day of their betrothal, Speranskii gave Elizabeth a large gold clock. It is possible that this clock played a fateful role in her life. A few days later, Elizabeth was riding in a coach with her mother to pay a visit to Princess Ditrikhstein, who was summering at a dacha near Peterhof. For some reason, the horses bolted, and the coach overturned. The clock fell on Elizabeth's chest, causing serious injury. On September 5, 1799, Elizabeth gave birth to a daughter, but two months later, on November 6, 1799, she died of consumption. Speranskii named his daughter Elizabeth in memory of his wife.

Government service in the first decade of Alexander I's reign

Speranskii's influence on state affairs was always greater than what one would have expected of someone in the positions he held. His Orthodox Christian education and his skill at putting his thoughts down on paper singled him out among the other bureaucrats, who, for the most part, were poorly educated. From Speranskii's colleagues and his own recollections, we learn that, literally from the first year of his service in the procurator general's chancellery, Paul I employed him to compose state documents. As I. I. Dmitriev recalled,

Proclamations, decrees, memoranda—Speranskii was the sole person empowered to compose such texts, for none of his colleagues in the chancellery was better educated or wrote as well. Ministers might change, but he remained equally indispensable to all procurators general, all of whom rewarded him for his service.²⁶

On March 12, 1801, Alexander became emperor following the murder of his father, Paul I. The new emperor planned to transform the system of state power, give the country a constitution, reform the bureaucracy, and systematize legislation. This gave fresh momentum to Speranskii's career. On March 19, 1801, Speranskii was given the title of imperial state secretary and appointed to assist D. P. Troshchinskii, who "stood at the side of His Imperial Majesty." Troshchinskii's duties included reporting to the emperor and editing his drafts. Speranskii, with his adroit mind, extensive knowledge, and unparalleled skill in composing chancellery documents, became Troshchinskii's right-hand man. Troshchinskii began entrusting Speranskii with the task of composing proclamations and decrees, of which there were many during the first months of the new reign. For the capable young bureaucrat, this opened up new opportunities for advancement. On July 9, 1801, he was elevated to the rank of active state councilor, class four in the Table of Ranks.

26 I. I. Dmitriev, *Vzgliad na moiu zhizn': Zapiski deistvitel'nogo tainogo sovetnika Ivana Ivanovicha Dmitrieva v trekh chastiakh*, Izdanie M. A. Dmitrieva (Moscow: Tipografia V. Got'e, 1866), 197.

The extraordinary competence of Troshchinskii's assistant attracted the attention of the four young friends of the emperor who made up the so-called Unofficial Committee (*Neglasnyi komitet*): Count Pavel Aleksandrovich Stroganov, Nikolai Nikolaevich Novosil'tsev, Count Viktor Pavlovich Kochubei, and Prince Adam Czartoryski. Assembled to develop plans for reform, the committee met, with hiatuses, from June 24, 1801, to the end of 1803. Its goals were formulated at the first meeting: first, to study the actual state of affairs in the country; second, to reform various branches of government; and third, to develop a constitution corresponding to the true spirit of the nation. None of the members of the committee had the ability to translate political ideas into concrete plans for reform. This is where Speranskii became indispensable, even though he was not allowed to attend the committee's meetings. Assignments were usually conveyed to him by Kochubei.

The most significant reform developed by the Unofficial Committee was the institution of ministries to replace the colleges which had functioned since the time of Peter the Great. This reform was formulated juridically in the imperial proclamation of September 8, 1802, "On the Institution of Ministries."²⁷ F. F. Vigel', who had access to sources describing how the emperor and his four friends worked out this reform, described the process in his memoirs:

All five reformers were inept when it came to writing. Speranskii offered them his artful pen: after collecting their opinions, he would integrate and systematize them. It would be correct to say that he was the true author of the plan to institute ministries.²⁸

On the same day as the publication of the aforementioned proclamation, an imperial decree announced that state secretary Speranskii would be transferred to the Ministry of Internal Affairs. On January 7, 1803, a chancellery for the ministry was instituted, and Speranskii was chosen to direct it. In this capacity, his principal task was to draft plans for administrative reform. Not infrequently, the emperor himself was the recipient of Speranskii's plans. In the course of 1802–04, Speranskii penned memoranda on various aspects of policy: "On Gradualism in the Improvement of Society," "On the Fundamental Laws of the State," "Reflections on the State Structure of the Empire," "On the Power of Public Opinion," "Further Thoughts on Freedom and Bondage," and many more.²⁹

27 Manifest "Ob uchrezhdenii ministerstv," September 8, 1802, 1-PSZ, vol. 27, no. 20406: 243–48.

28 *Zapiski Filipa Filipovicha Vigelia*, pt. 2, Izdanie "Russkogo arkhiva" (Moscow: Universitetskaya tipografiya, 1892), 8.

29 "O postepennosti usoversheniia obshchestvennogo" (see note 7); "O korennykh zakonakh gosudarstva" (see note 13); "Razmyshleniia o gosudarstvennom ustroistve imperii," "O sile obshchego mneniia," "Eshche nechto o svobode i rabstve," in Speranskii, *Proekty i zapiski*, 56–67, 77–83, 83–85.

In 1806, an event occurred that was destined to play an enormous role in Speranskii's life. Kochubei, frequently ill, began sending Speranskii to make reports to the emperor. This gave Speranskii the opportunity to demonstrate his talents to the emperor directly. Alexander saw that Speranskii was the kind of man he needed and engaged him in conversation that went far beyond the purview of the Ministry of Internal Affairs. Long conversations on various political topics soon became a regular habit. When the two men met, they would often read and discuss political and legal works by Western European thinkers.

On October 19, 1807, the emperor removed Speranskii from the Ministry of Internal Affairs while keeping him on as his own state secretary, thus bringing Speranskii even closer to himself. On November 29, 1807, Speranskii was named a member of a committee on improving theological schools and the material support of the clergy. The other members were Amvrosii, metropolitan of Novgorod and St. Petersburg; Feofilakt, bishop of Kaluga; Archpriest Ioann Derzhavin; and Prince A. N. Golitsyn, chief procurator of the Holy Synod. On June 26, 1808, the committee sent draft rules for the establishment of seminaries to the emperor for approval. This plan for the reform of theological education in Russia was written entirely by Speranskii. It was confirmed by an imperial decree, which began with the words: "The education of youth dedicated to the church based on right conduct and Christian teachings has always rightly been recognized as a most worthy object of the state's attention."³⁰

On December 16, 1808, Speranskii was appointed to the post of deputy minister of justice. In the order confirming the appointment, Alexander I instructed the minister of justice to put Speranskii in charge of the commission on the drafting of laws.

Speranskii's growing importance in the hierarchy of the state was reflected in the pages of *Kamer-fur'erskii tseremonial'nyi zhurnal* (Court-manager's ceremonial journal) in reports about persons invited to dine with the emperor and the empress. According to the journal, their majesties started inviting Speranskii to dinner in 1807. That year, he was invited six times; in 1808, twenty-three times; in 1809, seventy-seven times. Commenting on these changes in his life in a letter to Alexander written years later, Speranskii recalled: "At the end of 1808, besides various particular matters, Your Majesty began occupying me more continually with matters of higher administration [and] acquainting me more closely with Your way of thinking."³¹ The emperor also proposed that Speranskii prepare a general plan for the reform of the state.

With a proclamation on January 1, 1810, Alexander I instituted Speranskii's plan to establish a State Council, which was charged with discussing all aspects

30 Imennoi ukaz, dannyi Sinodu, 26 iunia 1808 goda "O usovershenii dukhovnykh uchilishch; o nachertanii pravil dlia obrazovaniia sikh uchilishch i sostavlenii kapitala na sodержanie dukhovenstva," 1-PSZ, vol. 30, no. 23122: 368-95, here at 368.

31 "Spisok s pis'ma tainogo sovetnika Speranskogo k Gosudariu Imperatoru. V ianvare 1813 goda iz Permi," in *Druzheskie pis'ma grafu M. M. Speranskogo k P. G. Masal'skomu*, 32-52, here at 33-34.

of government "as they relate to legislation." Speranskii was appointed to the position of state secretary of the council. He had authority over all documents passing through it, prepared the agenda for meetings, and composed the reports to the emperor. Outwardly, the function of state secretary might have seemed to be a routine chancellery function, but in practice it was exceptionally important. Speranskii's contemporaries recognized this. "The great and all-powerful Speransky, Secretary-General of the Empire and *de facto* prime minister, perhaps even the only Minister"—this was how Joseph de Maistre, Sardinian ambassador in St. Petersburg, described Speranskii.³² His words were hardly an exaggeration. Between 1809 and 1811, Speranskii was the most influential statesman in Russia, the second most important person in the country after the emperor. His influence on governmental affairs was nearly all-encompassing, embracing administrative matters, the judicial system, finances, legislation, education, culture, and both internal and foreign affairs. Speranskii also had at least an indirect say in the appointment of officials, even to high positions. Among all these activities, however, there was one to which this unusually hard working and capable man devoted himself above all others: reforming the political system of Russia.

Speranskii as reformer

Entrusted at the end of 1808 with the task of preparing a general plan for the reform of the Russian state, Speranskii devoted almost a year to the task. He completed it at the beginning of October 1809. He gave the plan a title that promised much: "Introduction to a Code of State Laws."³³ Along with this introduction, he presented the emperor with an outline of the code itself titled "A Brief Outline of State Formation" and with "A General Survey of All Reforms and Their Distribution in Time."³⁴

In the summer of the following year, a new reform of the organs of executive power was unveiled, continuing the reform of 1802. Its aim, announced in the proclamation of July 25, 1810, was "to introduce greater proportionality in the distribution of state affairs, to establish greater uniformity in their operation, to simplify and facilitate their operation, to designate precisely the limits of power and responsibility, and hence to offer executive authority greater means of rapid and precise execution."³⁵ The new principles were confirmed in "The General

32 Quoted by Raëff, *Michael Speransky*, 55, from Joseph de Maistre, *Oeuvres complètes—Correspondance*, vol. 4 (Paris, 1884–93), no. 304 (2/21 April 1812), 101–02.

33 "Vvedenie k Ulozheniiu gosudarstvennykh zakonov" and "Proekt Ulozheniia gosudarstvennykh zakonov Rossiiskoi imperii," in Speranskii, *Proekty i zapiski*, 143–221 and 222–25.

34 "Kratkoe nachertanie gosudarstvennogo obrazovaniia" and "Obshchee obozrenie vseh preobrazovaniia i raspredelenie ikh po vremianam," in Speranskii, *Proekty i zapiski*, 225–31 and 231–37.

35 Manifest "O razdelenii gosudarstvennykh del na osobyie upravleniia," July 25, 1810, 1-PSZ, vol. 31, no 24307: 278.

Institution of Ministries," implemented by the Imperial Proclamation of June 25, 1811.³⁶ Speranskii also drafted a plan for reform of the Senate. The plan called for separating the judicial and administrative functions of the Senate, creating two separate bodies.³⁷

Speranskii's plans for government reform were based on an understanding of society as a self-evolving organism, a view corresponding to his Christian worldview. For him, the main condition of fruitful reforms was their implementation with the cooperation of society itself and of time. In his opinion, the problem of reforming state power was reducible to the elimination of obstacles on the path of social progress and to the maintenance (and, where necessary, the restoration) of the normal conditions of social life.

Russian society was not aware of Speranskii's ideas. He developed his plans and projects in secret at the behest of the emperor. From the very beginning, therefore, his reform activity appeared in a false light. Where knowledge is absent, rumor takes its place. Speranskii appeared to be a liberal reformer trying to cast the state order of the Russian Empire into the mold of speculative schemes based on Western European ideas, to squeeze the life of Russian society into alien forms that did not correspond to Russian traditions, the spirit of the Russian people, or the special conditions of Russian society. A significant portion of Karamzin's note "On the Old and the New Russia" (1811) was prompted by this utterly fanciful notion of Speranskii's reform activity. According to Karamzin,

the principal error of the lawgivers of this reign consists in the fact that they have too much regard for the outward forms of government; this leads to the invention of various ministries, the institution of the council, and so on.³⁸

In fact, Speranskii clearly recognized that it was impossible to reform the state structure in a short period of time by means of state power alone, however strong that power might be. "If one compares the [ideal] image of monarchical rule with the form of rule existing in Russia at the present time," he declared, "there cannot be the slightest doubt that no human power can transform the latter into the former without having recourse to the passage of time and the gradual progress of all things toward perfection."³⁹ The techniques of state reform Speranskii devised were based on his knowledge of life and social reality and on his understanding of the true condition of the Russian state. "One of the first rules for state administrators," he declared,

36 "Obshchee uchrezhdenie ministerstv," June 25, 1811, 1-PSZ, vol. 31, no. 24686: 686-718.

37 M. M. Speranskii, *O gosudarstvennykh ustanovleniakh*, in *Arkhiv prakticheskikh i istoricheskikh svedeniĭ, otnosiashchikhsia do Rossii, izdavaemyi Nikolaem Kalachovym* (St. Petersburg: V Tipografii II Otdeleniia Sobstvennoi E. I. V. Kantseliarii, 1859), kn. 3: 53-54.

38 N. M. Karamzin, *Zapiska o drevnei i novoi Rossii v ee politicheskoi i grazhdanskoi otnosheniakh*, ed. Iu. S. Pivovarov (Moscow: "Nauka," 1991), 98.

39 M. M. Speranskii, "Zapiska ob ustroistve sudebnykh i pravitel'stvennykh uchrezhdenii v Rossii," in Speranskii, *Proekty i zapiski*, 119.

is to know their people and to know the age.... Theories are rarely useful in practice. They take into account only one component and do not reckon with the friction points of the system as a whole, and end with complaints about the human race.⁴⁰

At the same time, Speranskii understood quite well that the state should not carry out reforms unsystematically and thoughtlessly, without a plan worked out in advance. "Why are all human enterprises so imperfect?" he asked:

Among many other reasons, because they are for the most part implemented fragmentarily and without a general plan. People's natural impatience, their illusions of national happiness and rapid improvement, their hope that, by improving just one component, the whole system will work more smoothly—all these things can lead the wisest and most prudent of governments to partial solutions which, so to speak, do not allow a general plan to mature.⁴¹

The state reforms prepared by Speranskii were intended to solve a multitude of problems in Russia at the time. If one were to total up these problems, one could say that Speranskii was developing a plan for nothing less than *the modernization of the state structure of the Russian Empire*. By an irony of history, the principal vice of the Russian state in our own day is the same one that afflicted the state order of the Russian Empire at the beginning of the nineteenth century: the excessive *personalization of the supreme state power*, leading to the heightened influence, on both domestic and foreign policy, of the deficiencies of persons in high office. The experience of revolutions shows that such a condition can, in some circumstances, pose a threat to the very existence of a country.

The attempt to modernize the state order in Russia in the early years of Alexander's reign took place at the same time as the state reforms in France and proceeded on exactly the same principles. Like Napoleon, the Russian emperor strove first of all to modernize the bureaucracy, to establish a new organization of central and regional administration. Second, these reforms were to be crowned by a constitution. Third, like the French emperor, the Russian emperor viewed the comprehensive systematization of law to be a necessary condition of this modernization. Speranskii's labors were deployed in all three directions, but his chief task was the preparation of a constitution, or to use the Russian juridical expression common at the time, the preparation of "a code of state laws" (*ulozhenie gosudarstvennykh zakonov*).

40 M. M. Speranskii, "O postepennosti usoversheniia obshchestvennogo," in Speranskii, *Proekty i zapiski*, 76.

41 M. M. Speranskii, "Zapiska ob ustroistve sudebnykh i pravitel'stvennykh uchrezhdenii v Rossii," in Speranskii, *Proekty i zapiski*, 111.

Among Western European and American intellectuals from the second half of the eighteenth century to the beginning of the nineteenth, a constitution was viewed primarily as a document of supreme judicial authority which regulated the interaction of powers in the state, guaranteed civil rights and freedoms, and protected people from the capriciousness of the powers that be. Speranskii was not an ivory-tower scholar who studied constitutions with the aim of grasping their inner essence. He was interested in constitutions not from a scientific but from a practical point of view. He saw a constitution above all as a means of reducing the personalization of the supreme state power. However, his practical standpoint led him inevitably to ask how effective a constitution would be as a means of controlling the capriciousness of rulers and limiting the influence of their vices on domestic and foreign policy. The question Speranskii asked himself was: "How can the fundamental laws of the state be made so stable and immutable that no authority could transgress them, and the ruling monarchical power would have no effect on them?"⁴²

Speranskii viewed a constitution as a juridical model of a new state order, where the main role was played not by persons in authority but by institutions, principles, and juridical norms. He also regarded the legitimization of state power as one of the chief goals of a constitution. In his opinion, "every legitimate government must be based on the general will of the people."⁴³ For Speranskii, this meant that a constitution must emanate not from the supreme state power, but from the people. As he noted,

In all sound monarchical systems, all fundamental laws must be created by the people, for it is a contradiction to propose that the people should entrust the same person to define the limits of power for whom the limits are intended, because the limits of power cannot be found in power itself.⁴⁴

It is clear, however, that what Speranskii had in mind was only the people's approval of a constitution drafted in advance on the instructions of the supreme state power.

Speranskii had been working on such a draft since the end of 1808. This was a grand work of research involving the study of both the essence and the fundamental concepts of state laws. As he noted at the beginning of his "Introduction to a Code of State Laws," "In order to define a plan for a state constitution, it is first necessary to formulate a true general conception of state laws."⁴⁵ Indeed, this work was more like a learned treatise than an introduction to a constitution for the Russian Empire.

42 M. M. Speranskii, "O korennykh zakonakh gosudarstva," in Speranskii, *Proekty i zapiski*, 28.

43 Ibid., 34.

44 M. M. Speranskii, "Otryvok o Komissii ulozheniia," in Speranskii, *Proekty i zapiski*, 22.

45 M. M. Speranskii, "Vvedenie k Ulozheniiu gosudarstvennykh zakonov," in Speranskii, *Proekty i zapiski*, 144.

In "A General Survey of All Reforms and Their Distribution in Time," Speranskii listed the subjects defined in his plan:

1. the rights of the sovereign power;
2. the rights of the throne and its heirs;
3. the mode of establishing laws, their force and effect;
4. the rights of subjects; the separation of classes; definition of the political rights of each class and of the general civil rights emanating from them;
5. organic laws, that is to say, the organization of the statutes from which the law is formed and by which it is executed.⁴⁶

While seeing the constitution as a juridical model of a new state order, Speranskii had no intention of incorporating the actual life of society and the state into this model by force. The techniques of government reform he envisaged did not contemplate the negation of the past for the sake of the future, but its preservation into the future—not a leap from the old state to the new, but a gradual migration into the new. Such a cautious approach resulted not from indecisiveness on Speranskii's part but from his recognition of a sad truth, namely, that people's knowledge of how a society actually functions and how a state organizes itself and operates is extremely limited. For this reason alone, reformers risk doing irreparable harm to their country if their reforms fail. In practice, however, most reforms are dictated not by knowledge of the real condition of a country but by the interests of the dominant groups in a society. The influence of group interests on the content of reforms often proves strong enough to overwhelm the common interest. In this case, reforms do not renew the state order but disfigure it, transforming state power, which is called to serve the common good, into an instrument of selfish interests and, at times, criminality.

Speranskii considered it useless "to write or to publish law codes or constitutions without grounding them upon the actual power of the state."⁴⁷ But how did he think this power could be induced to respect the constitution? The idea of a constitution, as it took shape in political and legal thought around the beginning of the nineteenth century, assumed that the people themselves would be the surest foundation of the constitutional order and the chief source of state power in a country. Speranskii declared that "the government can have no other power than that assigned to it by the people" (34). However, he recognized that the people on their own are incapable of ensuring respect for the constitution. In order to perform this role,

the people must know the precise limits of power and be prepared to defend those limits at all times, and all groups must be unified in a single mass. Otherwise, given the slightest separation of the interests of the various

46 M. M. Speranskii, "Obshchee obozrenie vsekhn preobrazovanii i raspredelenie ikh po vremianam," in Speranskii, *Proekty i zapiski*, 232.

47 M. M. Speranskii, "O korennykh zakonakh gosudarstva," in Speranskii, *Proekty i zapiski*, 33.

classes, the people will exhaust themselves in internecine struggle and will not be able to stand up to the government.

(36)

But the people do not and cannot possess these qualities. They are divided into various classes with different, often opposing interests, while the power entrusted by the people to the government is unified in a single mass and monopolized by state organs.

If the people as a whole cannot be the force capable of restraining the arbitrariness of the supreme state power and assuring respect for the constitution, where might such a force be found? Is it possible to create one? Speranskii thought so. To do this, however, it would be necessary to eliminate the circumstance—namely, the fragmentation of the people—which in all forms of government renders the power of the people negligible and produces autocracy.

Not trusting the people *as a whole* to defend the constitutional order against the arbitrariness of the state, Speranskii thought that this role could be played by a segment of the population:

a special class, interposed between the throne and the people, enlightened enough to know the precise limits of power and independent enough to be fearless, whose own interests coincide with the people's interests to such an extent that this class can never profit from betraying the people.

(39)

As Speranskii averred, this special class could fulfill its mission only if its interests coincided with those of the people. Otherwise, this elite could turn out to be destroyers of the state and even greater oppressors of the people than the most autocratic ruler. Yet Speranskii was optimistic about his plan. He believed it would be "very simple" to establish solidarity between the people and the political elite provided that "1) the children of this higher class, excepting the first-born, are members of the people, thus making oppression of the people tantamount to oppression of one's own children, [and provided that] 2) everything touching upon the property of this higher class is adjudicated in courts chosen by the people" (40).

Summing up what Speranskii had to say about this national political elite, we can see that, in character and social function, it corresponded most closely to the Orthodox clergy. This is what Fyodor Dostoevsky guessed when he wrote in a notebook of 1876–77 about the consequences of putting this idea into practice:

It was easy for Speranskii to design the creation of estates in Russia following the English example, the lords, the bourgeoisie, and so on. With the elimination of the landowners, the seminarist immediately took over and did much harm with his abstract understanding and interpretation of things and events.⁴⁸

48 F. M. Dostoevskii, *Polnoe sobranie sochinenii v tridtsati tomakh* (Leningrad: Izdatel'stvo "Nauka," 1982), 24:241. Dostoevsky refers here to seminary graduates who did not take up a church vocation but entered the secular world.

As Speranskii tried to find a social basis for a "legislative class" of fifteen hundred to two thousand persons possessing an "estimable" degree of education, property, and public trust, he concluded that it could not be formed from any one social class unless additional measures were taken. The highest degree of education, he admitted, "without any doubt belonged to the nobility," but most nobles were military officers and civil servants, who, owing to their dependence on those in authority, could not make up the special class that would guarantee observance of the laws. As for the rest of the nobility, they were

children and old people, people habituated to urban or rural idleness, people familiar with agriculture but not at all concerned with important political questions; people whom neither theory nor experience has equipped to deal with such matters, and in any case too few in number.⁴⁹

Nor did Speranskii think that merchants and the petty bourgeoisie could be the basis of the legislative class.

The nature of their trade, for the most part domestic and tending to fragmentation, requiring mechanical activity and petty local knowledge rather than broad, general considerations and reflections, does not lead us to believe that we will find [the requisite] knowledge or skill in this class.

(816)

Speranskii did not regard the peasantry as a serious political force owing to its lack of property. The only deficiency he saw in the priesthood—like the nobility, an educated class—was its poverty; but obviously this deficiency could be remedied. Hence, Speranskii concluded that the special class that would "guard and protect the law" would most easily be formed from the clergy. To accomplish this, however, it would be necessary to increase the income of the church. In 1808, Speranskii developed a plan to this end. Published on June 26, 1808, and presented to the Holy Synod, an imperial decree stipulated decisive measures for improving the organization and content of seminary education and at the same time augmented the material resources of the clergy.⁵⁰

Speranskii's fall and life in exile

When he began his reforms, Speranskii clearly understood that the emperor was his sole basis of support. He recognized that any intrigue that convinced Alexander I that the reforms posed a serious threat to autocratic rule could lead to the removal of the reformer and the termination of the reforms. Intrigues

49 M. M. Speranskii, "Ob iziashchnom, osnovannom na soedinenii mnozhestva v edinstve," in *V pamiat' grafa Mikhaila Mikhailovicha Speranskogo*, 816.

50 See note 30.

always play an important role in a regime based on personal power, where general interests are dissolved into molecules of personal ambitions, passions, and motives, and where political life is subordinate to no rules except those that satisfy exclusively personal, egoistic interests. Intrigue takes the place of politics, and the most artful intriguer becomes the most artful politician. It was precisely such intrigue that Speranskii's foes in high society used to remove him from the pedestal of power and put an end to his reform plans. The intrigue turned Alexander I against Speranskii and prompted him to exile the reformer from the capital.⁵¹

On March 17, 1812, Speranskii was summoned to the imperial palace for a conversation with the emperor. The specific topic of their conversation has remained a secret. Only a few details were later revealed, thanks to Speranskii's own account. The rest has come down to us from people who were not present; hence, their account is not reliable. The only certainty is that the conversation lasted over two hours and was highly unusual. At the end of the meeting, Alexander declared his intention to distance himself from Speranskii in light of the seriousness of the rumors against him and because of the imminence of war with Napoleon. At home, Speranskii received the emperor's order that he depart at once into exile in Nizhnii Novgorod.⁵² This event has gone down in history as "the fall of Speranskii," but we should recognize that what took place was not simply the fall of a high public official from the heights of power, which happens often in the complex game of chance called politics, but the fall of a reformer.

On September 17, 1812, Speranskii was sent to the city of Perm, in the Urals, where he spent almost two years. In January 1813, in a personal letter to Alexander, the exile beseeched the emperor to allow him to move from Perm to his personal estate, Velikopol'e, not far from Novgorod. He characterized this modest favor as a reward for his diligent labors in government service, assuring the emperor that he sought no compensation besides "freedom and oblivion." But it was only on August 31, 1814, the day of the imperial proclamation of the end of the war with Napoleon, that Speranskii was allowed to move to his estate.

In a letter to his daughter, Elizabeth, dated January 1, 1817, Speranskii declared: "I consider the period of my misfortune and the two years I devoted to you to be the most beneficial time of my life."⁵³ He was thinking of the years he spent with his daughter in Velikopol'e, where he devoted his time not only to her but also to religion. Although Speranskii lived on his own estate, he was still an exile. He was permitted to leave Velikopol'e only to attend the Sunday liturgy in the nearby Savvo-Visherskii Monastery. He supported this monastery

51 Speranskii's fall is described in detail in Tomsinov, *Svetilo rossiiskoi biurokratii*, 195–228.

52 "Ssylka Speranskogo v 1812 godu. (Iz bumag akademika A. F. Bychkova)," *Russkaia starina*, 1902, vol. 110, no. 4: 5–44, here at 5–12.

53 "Pis'ma grafa M. M. Speranskogo k ego dochери," *Russkii arkhiv*, 1868, vyp. 7–8, cols. 1103–1212, here at col. 1125.

as far as his means permitted. He had a new bell constructed and the iconostasis refurbished. In the monastery library, he discovered the works of the Holy Fathers, from which he copied passages that seemed most relevant to the time in which he lived.

In the quiet of the country, far from the venality and vileness of the capital, one does well to read about love of neighbor, about the sublimity and power of such love. One of the best books on this subject is the fifteenth-century devotional work by Thomas à Kempis, *On the Imitation of Christ*. The entire work is permeated with the idea of love. "Love is a great thing, a truly great good. It alone makes all burdens light and bears all inequities with equanimity. It bears its burden without feeling the weight of it and transforms bitterness itself into sweetness and pleasure."⁵⁴ Such sayings fill the entire book. The book is now largely forgotten, but in past centuries, it ranked second only to the Bible in the canon of Christian literature.

Speranskii kept *On the Imitation of Christ* by his side throughout his life, and not just by his side: he constantly extracted wisdom from it. While he was still in government service, Speranskii began translating the Latin text of *On the Imitation of Christ* into Russian, sacrificing rare hours of leisure to the project. He continued translating the treatise in Nizhnii Novgorod, Perm, and Velikopol'e. The content of the book conformed perfectly with his state of mind. And who knows? Perhaps Speranskii's search for "freedom and oblivion" in exile was sustained by this Christian thinker who had lived four centuries earlier, the thinker who said: "You will enjoy inner freedom when you desire and seek nothing except to please God and to benefit your neighbor."⁵⁵

Return to government service

On August 30, 1816, Alexander I issued a decree that returned Speranskii to government service. The disgraced official was appointed governor of Penza Province. The emperor still did not wish to have Speranskii in his presence, so during his service in Penza the governor was not allowed to visit St. Petersburg. On March 22, 1819, Speranskii was named governor general of Siberia, a post that took him thousands of miles from the capital. Not until March 1821, exactly nine years and nine days following the beginning of his exile, did Speranskii reappear in St. Petersburg. The year before his return, he concluded his reorganization of the government of Siberia. On January 26, 1822, Alexander issued a decree on the division of Siberia into eastern and western parts. On March 22, Speranskii appointed governors general for these two entities. He had once again become an influential statesman.

54 Foma Kemiiskii, *O podrazhanii Khristu* (St. Petersburg: V Tipografii Sviatishnego Sinoda, 1835), 181–82. The quotation is from *On the Imitation of Christ*, bk. 3, chap. 5: "On the Wonderful Effect of Divine Love."

55 Foma Kemiiskii, *O podrazhanii Khristu*, 119. The quotation is from *On the Imitation of Christ*, bk. 2, chap. 4: "On Purity of Mind and Simple Intention."

The death of Alexander I and the accession of his brother Nicholas did not change Speranskii's status as a statesman. Under the new emperor, he continued to work on plans for state reform.

The accession of Nicholas I was accompanied by a coup attempt carried out by revolutionary military officers. On December 14, 1825, the day on which the army was to pledge its loyalty to the new emperor, the revolutionaries led their troops to a square near the Winter Palace in St. Petersburg. The leaders' indecisiveness led to their defeat. On December 23, an investigative committee instituted by Nicholas I began the interrogation of those who would come to be called the Decembrists. In the perpetrators' testimonies, Speranskii's name came up. One of the Decembrists, Second Lieutenant A. N. Andreev, declared:

The hope of [our conspiratorial] society rested on the assistance of the Council and the Senate, and I was told there were members of the former—Messrs. Mordvinov and Speranskii—who were prepared to take action if it came to that. Monsieur Ryleev [a Decembrist leader] assured me that these members of the government had been informed of our society and approved of our intentions.⁵⁶

Subsequently, when confronted with testimony by Ryleev, Andreev retracted his words, but the suspicion that Speranskii was connected with the revolutionaries remained. The investigation ascertained that the Decembrists planned to offer Speranskii and Admiral N. S. Mordvinov posts in their provisional government. On January 4, 1826, Ryleev told investigators: "I must admit that I thought Speranskii would not refuse a post in the provisional government. I based my belief on his love for the fatherland."⁵⁷

Of course, Speranskii never agreed, and could never agree, to enter the provisional government the conspirators intended to form. This was due not only to his political caution. He was a staunch opponent of violent changes of government, changes that threaten the very existence of the state. The emperor's proclamation of July 13, 1826, that passed judgment on the Decembrists expressed this conviction with great clarity:

It is not from brazen and destructive dreams but from above that the country's laws are gradually improved, deficiencies overcome, and abuses corrected. In this gradual improvement, every modest aspiration for what is better, every thought directed toward making the force of law more secure, toward the expansion of true enlightenment and productive activity, reaching Us by a lawful path open to all, will always be received by Us with reverence, for We do not have, and cannot have, any other desire than to see Our

56 *Vosstanie dekabristov. Dokumenty*, vol. 15 (Moscow: "Nauka," 1979), 228.

57 *Vosstanie dekabristov. Dokumenty*, vol. 14 (Moscow: "Nauka," 1976), 55–56.

Fatherland at the very apex of happiness and glory to which Providence has destined it.⁵⁸

Speranskii wrote this document. It should not surprise us, therefore, that Nicholas I rejected the Decembrists' imputations against the reformer and let him remain at his post.

The new emperor entrusted Speranskii with the same function he had performed under Alexander I: drafting laws and instructions. The plans and drafts he produced at Nicholas's behest were wide-ranging: "Remarks on the Organization of the Judicial System in Russia" (1827), "Memorandum on the Cause of the Poor Performance of the Factories of Nerchinsk and Measures for Improving the Situation" (1827), draft of a "Regulation on the Procedure for Promotion to the Ranks" (1830), "Plan for the Establishment of District Administration" (1830), "Note on the Organization of Towns" (1831), "Plan for the Establishment of Provincial Administration" (1831), "Draft of the Rescript to the Minister of National Education Regarding the Draft of the Statute on Gymnasia and District Schools" (1837), and others.⁵⁹ But Speranskii's main work during the reign of Nicholas I was the systematization of Russian law.

Creator of the Complete Collection of Laws and the Digest of Laws

Speranskii spent five years, from 1828 to 1833, creating the Complete Collection of Laws of the Russian Empire and the Digest of Laws of the Russian Empire, an endeavor that his biographers would rightly call the chief accomplishment of his life. With the production of the Complete Collection and the Digest, Speranskii completed the work of nearly a century and a half of Russian history, crowning the numerous attempts to systematize Russian legislation dating back to Peter the Great.⁶⁰ This grand work, comparable to the famous systematization of Roman law under Emperor Justinian exactly thirteen hundred years earlier (528–34), grounded Russian jurisprudence solidly upon legislation that had evolved since the middle of the seventeenth century, that is, from the *Ulozhenie* (Law code) of 1649, which in turn summed up the earlier development of Russian legal culture.

58 *Vostanie dekabristov. Dokumenty*, vol. 17 (Moscow: "Nauka," 1980), 253.

59 "Zametki po organizatsii sudebnoi sistemy v Rossii," "Zapiska o prichine ubytochnosti Nerchinskikh zavodov i merakh po uluchsheniiu ikh polozheniia," "Polozhenie o poriadke proizvodstva v chiny," "Proekt uchrezhdeniia uездnogo upravleniia," "Zapiska ob ustroistve gorodov," "Proekt uchrezhdeniia dlia upravleniia gubernii," "Proekt reskripta ministru narodnogo prosveshcheniia o proekte ustava gimnazii i uездnykh uchilishch."

60 See V. A. Tomsinov, *Iuridicheskoe obrazovanie i iurisprudentsiia v Rossii v XVIII stoletii*, Uchebnoe posobie, 2nd ed. (Moscow: Zertsalo-M, 2012), 43–58, 126–33, 211–23, and Tomsinov, "Sistematizatsiia rossiiskogo zakonodatel'stva vo vtoroi polovine 20-x—nachale 30-x godov XIX veka," *Vestnik Moskovskogo universiteta*, Seriia 11: Pravo, 2008, no. 4: 38–77.

Speranskii's work on the Complete Collection continued until March 1, 1830. The printing of its forty-five volumes began on May 21, 1828, and was concluded on April 1, 1830. The printing of the fifteen volumes of the Digest was completed at the beginning of 1833. On January 19, 1833, all volumes of the Complete Collection and the Digest were officially presented to Nicholas I. An imperial proclamation issued on the same day announced that the Digest would go into effect on January 1, 1835.

The Digest of Laws of the Russian Empire was based upon a solid historical foundation. First, it rested upon the Complete Collection of the Laws of the Russian Empire, which included all the legislative acts, judicial decisions, treaties, and normative acts issued since 1649. Second, the compilation of the Digest took into account more than a century of work by earlier codification commissions. Third, in his work on the Digest, Speranskii drew on principles formulated by Francis Bacon (1561–1626). Bacon expounded these principles in the form of aphorisms in his *Treatise on Universal Justice, or the Sources of Law* (*Exemplum Tractatus de Justitia Universali, sive de Fontibus Juris*) in the eighth book of *On the Dignity and Advancement of Learning* (*De Dignitate et Augmentis Scientiarum*). Speranskii singled out and paraphrased the following recommendations of the English jurist and philosopher:

- 1) exclude from the digest all laws which have fallen out of use;
- 2) exclude repetitions, and in place of numerous articles that say the same thing, incorporate the one that is most complete;
- 3) preserve the words of the law, deriving articles of the digest from the text of those words, even the smallest and most fragmentary; then bind and unite these small parts together in proper order, for in law the important thing is not so much elegance of expression as force and authority, and for authority, antiquity is precious;
- 4) laws that are too wordy and prolix must be shortened;
- 5) among contradictory laws choose the one that is best;
- 6) the corpus of laws compiled in this way must be confirmed by the appropriate authority, so that new laws do not creep in by appearing to be old.⁶¹

Speranskii was fully aware that the publication of the Digest of Laws could bring only a temporary order to existing law. New laws, appearing in ever-greater numbers, could eventually produce a new state of chaos in the legislative sphere.

61 M. M. Speranskii, *Obozrenie istoricheskikh svedenii o svode zakonov* (St. Petersburg: Tipografiia II Otdeleniia Sobstvennoi Ego Imperatorskogo Velichiiia Kantseliarii, 1833), 104–10. For the Latin original of *Exemplum Tractatus*, see *The Works of Francis Bacon*, ed. James Spedding, Robert Leslie Ellis, and Douglas Denon Heath, 14 vols. (1857–74; reprint, New York: Garrett Press, 1968), 1:803–28; English trans., *Example of a Treatise on Universal Justice or the Fountains of Equity, by Aphorisms: One Title of It*, in *The Works of Francis Bacon*, 5:88–110. Speranskii's paraphrases nos. 1, 2, 4, and 5 are drawn from Bacon's Aphorism 60; no. 3, from Aphorism 62; no. 6, from Aphorism 63.

Bacon addressed this problem by following Justinian, who, in his systematization of Roman law, prescribed that the stable and permanent part of the legal heritage should be expounded in one digest (the Digest/Pandects); the variable part, composed of individual statutes adopted from time to time, in another (the Codex). As Bacon advised,

It will be very useful in a new digest of laws to digest and arrange separately on the one side all the laws received as Common Law, the existence whereof is as it were from time immemorial; and on the other side the statutes, which have from time to time been superadded.⁶²

On this point, however, Speranskii did not accept Bacon's approach:

We do not make such a distinction, but we do have laws that apply throughout the empire and laws that are particular to some of its regions. For this reason, it has been decided to assemble the laws of the first type in the general Digest and the laws of the second type in two particular digests: one for the West Russian provinces, the other for the Baltic provinces.

Speranskii did acknowledge that "the Digests embrace only the past and do not determine anything in the future." For this reason, he prescribed an arrangement whereby laws adopted in the future would be incorporated in the appropriate sections of subsequent editions of the Digest.⁶³

The creation of the Digest of Laws of the Russian Empire was Speranskii's grandest and most important work. No other work of his can compare with it in terms of its scope and benefit for the future of Russia. The creation of the Digest led to the reform of legal education in Russia, to the further development of Russian jurisprudence, and to the comprehensive reform of the Russian court system.⁶⁴

Speranskii at the end of his life

Speranskii lived another six years after completing his work on the Digest of Laws, still developing plans for reform and drafts of imperial laws. In 1834, he was appointed one of the teachers of the tsarevich, Alexander Nikolaevich, the emperor's oldest son. From the beginning, Speranskii's task was to prepare Alexander for the throne. From October 12, 1835, to April 10, 1837, for twelve hours a week, he gave Alexander a complete course of lectures on jurisprudence and statecraft. He discussed the true state of the country with the future tsar

62 *The Works of Francis Bacon*, 5:100 (Aphorism 61).

63 M. M. Speranskii, *Obozrenie istoricheskikh svedenii o syode zakonov*, 111–13.

64 On legal education, see V. A. Tomsinov, *Iuridicheskoe obrazovanie i iurisprudentsiia v Rossii vo vtoroi treti XIX veka*, Uchebnoe posobie (Moscow: Zertsalo-M, 2015).

with great candor, planting the idea of the need for sweeping reforms. Speranskii called these exhortations "conversations." As his biographer Baron Korf wrote:

They were in fact conversations in the full sense, but they were not conversations conducted by a scholastic professor with a student whose only goal was to do well on examinations. They were conversations that a statesman with profound practical knowledge of the life and needs of Russia conducted with a future monarch, a student eager to learn the science of monarchical government. With his eloquence and intellectual clarity, Speranskii did not find it difficult to capture the attention of his inquiring student. The teacher devoted his whole soul, his noblest aspirations, to this task.⁶⁵

On January 24, 1835, Speranskii presented Nicholas I with a memorandum on the need for an educational institution to prepare legal specialists. He addressed this need with specific reference to the Russian judiciary of his day:

Judges everywhere need capable and well-educated assistants, but in Russia the need for such people is greater than elsewhere, because we do not have, and for a long time will not have, either learned judges or learned lawyers. In the lower and middle ranks, our judges are chosen from the nobility, the military nobility for the most part; in the higher ranks, they are appointed from the ranks of officials, military and civil. And there is no reason to change this practice, even if it were possible to change it. If he is capably assisted, a judge chosen because of the trust his class has invested in him, a man of common sense and clear conscience, albeit without technical knowledge, is generally better than a judge who is merely learned. If he is poorly assisted, however, the same trustworthy judge will be able to conceal his bias or ignorance only from himself. Our universities cannot produce good specialists for our judicial system, first, because university students study but do not get a real education; second, because the graduates enter the military or other [general] types of employment, since they were not required to pursue a definite goal. The same may be said about our lycées. Their graduates, who in any case are not numerous, enter government service but rarely work in the judicial system. Hence, it is clear that the establishment of a special school where students would receive theoretical and practical training for service in the judicial system would be an indisputable benefit.⁶⁶

On May 29, 1835, Nicholas I announced the establishment of the Imperial School of Jurisprudence and approved the first version of its charter. A solemn

65 M. A. Korf, *Zhizn' grafa Speranskogo*, 2 vols. (St. Petersburg: Izdanie Imperatorskoi Publ'ichnoi biblioteki, 1861), 2:344–45.

66 M. M. Speranskii, "O spetsial'nykh uchilishchakh," *Russkaia starina*, 1885, vol. 48, no. 12: ii–iii. For more discussion of this institution, see Tomsinov, *Iuridicheskoe obrazovanie i iurisprudentsiia v Rossii vo vtoroi treti XIX veka*, 173–93.

ceremony inaugurating this unusual school was held on December 5. The School of Jurisprudence was not just a place where a student could receive a good general education and the specialized legal knowledge necessary for work in the courts. It was a school for molding jurists of a new type—educated, honest, incorruptible individuals who saw service to the law and to the fatherland as their calling. The first graduating class, in 1840, numbered fourteen. Every year thereafter saw the graduation of some twenty-five jurists on average. By May 1866, when the Judicial Reform of 1864 came into effect, 684 graduates specially trained for judicial work had emerged from the school. They injected a spirit of truth and justice into Russia's judicial system, thereby assuring the success of the judicial reform carried out by Speranskii's student, Alexander II.

Many of Speranskii's ideas for the reform of the Russian state were implemented only after his death. His heart ceased to beat on February 11, 1839. The following day, Korf wrote in his diary: "The shining light of the Russian administration has gone out."⁶⁷

News of Speranskii's death spread rapidly throughout Russia and also had an impact in Europe. Nearly every important foreign periodical reported it. On March 14, *Allgemeine Zeitung* (Augsburg) published the following report from St. Petersburg:

Our government has lost one of its most outstanding and honored statesmen. Last Saturday, Count Mikhail Speranskii, actual privy councilor and chairman of the department of law in the State Council, died here at the age of 68, after years of suffering, which, however, did not prevent him, indefatigable in his activities until his death, from holding various high imperial positions. He has left a lasting memory in the history of our internal state administration.... The burial of the earthly remains of this statesman, whose loss the monarch and the empire will feel for a long time, will take place today in the St. Alexander Nevsky Monastery, the final resting place of all our high imperial dignitaries of the Greek confession.⁶⁸

K. P. Masal'skii, who was close to Speranskii during the last years of his life, noted Speranskii's surprisingly calm attitude toward his own death—the quality of a truly religious person: "His last days, like all of his life, were full of activity, bright serenity, and tenderest concern for others; with a smile he awaited his end, in which he saw only an easy transition to the most perfect state of being."⁶⁹

67 "Iz dnevnika barona (vposledstvii grafa) M. A. Korfa, *Russkaia starina*, 1904, vol. 117, no. 2: 275–302, here at 285.

68 *Allgemeine Zeitung*, March 12, 1839 (no. 71): 567–68. The report from St. Petersburg was dated February 15 (February 27, New Style). The report was reprinted in *Bayreuther Zeitung*, March 14, 1839 (no. 63): 250–51.

69 K. P. Masal'skii, "Vospominaniia o grafe Speranskom," *Syn Otechestva*, 1844, no. 1: 20–24, here at 22. Konstantin Petrovich Masal'skii was the son of Speranskii's most devoted friend, Petr Grigor'evich Masal'skii. Konstantin Petrovich knew Speranskii from childhood and

Masal'skii was present at the burial of Speranskii and left a heartfelt description of this sad and solemn event:

Everyone was deeply moved by the death of this man when, a few days later, the solemn funeral procession approached the Alexander Nevsky Monastery, the first shelter of his youth in the capital—when his body was brought into the church under a gilded baldachin through the very same gates he passed through a half-century ago when he arrived as a poor, unknown, defenseless youth with nothing but his exceptional gifts and noble self-assurance!⁷⁰

Political power is difficult to combine with morality, science, and religion, and it is very rare for a statesman to be wise, conscientious, and religious. Speranskii was an exception in the cruel world of politics. He was a Christian in his outlook and in his soul. He managed to unite what might seem impossible to unite—the qualities of a brilliant scholar, an outstanding statesman, and a true human being.

enjoyed his confidence. It was to him that Speranskii presented the cherished notebook of his youth containing his early works. Masal'skii prepared the notebook along with Speranskii's letters to his father for publication (see note 24).

70 Masal'skii, "Vospominaniia o grafe Speranskom," 22–23.