



**“THE GOLDEN AGE OF THE RUSSIAN OLD BELIEVERS AND SECTARIANISM”:
REFORM OF THE LEGAL STATUS OF OLD BELIEVERS AND SECTARIANS 1905–1906
THROUGH THE PRISM OF LAW ENFORCEMENT****

Anastasia S. Tumanova, Alexander A. Safonov

HSE University, Moscow, Russia

Article info

Received –

2022 April 20

Accepted –

2023 January 10

Available online –

2023 March 20

Keywords

State-confessional relations,
history of the state and law,
Russia of the beginning
of the 20th century, Old
Believers, sectarians, sects,
S.P. Melgunov

The article contains an analysis of the legal situation of sectarians and Old Believers of various consents after the publication of decrees on April 17, 1905 "On strengthening the principles of religious tolerance" and on October 17, 1906 "On the procedure for the formation and action of Old Believer and sectarian communities." The study is based on the materials of the Russian socio-political and Old Believer press, documents of private origin (diary entries of public and state figures), etc.

The focus of the authors' attention is government decrees and circulars, as well as materials of lawsuits against Old Believers and sectarians. The authors recreate the law enforcement context of the implementation of the confessional reform of 1905–1906 and its impact on the legal life of representatives of Old Believer consents and sectarians, in particular, representatives of the so-called "Izuver" sects. Using the possibilities of formal-legal, comparative-legal and especially historical-biographical methods of historical-legal research, involving the analysis of current legislation by contemporaries, the authors come to the conclusion that the practice of applying new legislation contained numerous problem places. There were bureaucratic methods of reform, and dubious in some cases expert opinions of missionaries at trials, and a lack of understanding of the differences between Old Believers and sectarians, and other factors that make up the so-called "executor effect," which hindered the implementation of religious reform. The main drawback of law enforcement practice was seen by religious scholars in maintaining the principle of administrative guardianship of religious societies, which reflected the inconsistency of state policy in this matter.

** The research was carried out within the framework of the Fundamental Research Program and the scientific project «Modern History of Law: Ideas and Institutions» in HSE University in 2023.

1. *Problem statement and historiographical analysis*

The beginning of the XX century passed in Russia under the sign of a large-scale reform of state-confessional relations. The legal acts issued at that time concerned representatives of Old Believers' concordances and sectarians, the most legally discriminated confessional groups of the Russian Empire.

The decree of April 17, 1905 proclaimed freedom of religion, allowing the transition from Orthodoxy to other denominations. It equalized the rights of Old Believers and sectarians, brought them closer in legal status to non-Orthodox, excluding followers of «izuver» sects¹. The Manifest of October 17, 1905 granted freedom of conscience. It was followed by a decree on October 17, 1906, equalizing Old Believers and sectarians who came out of the bosom of the Russian Orthodox Church with non-Orthodox, granting them the right to openly profess their religion and unite in religious societies. It recognized for the first time the legal rights of Old Believers and sectarian communities [1, pp. 35-38]. Old Believers' communities and clergy received a legal basis for the implementation of spiritual, social, educational and other activities [2, pp. 330-624]. The Old Believer Church was legalized and received all the rights of non-Orthodox confessions, with the exception of the right to publicly promote their faith [3, p. 289].

After 1905 There have been certain legal relief in the position of representatives of the so-

called «izuver sects». By a decree of June 25, 1905, the Skoptsy exiled for religious reasons were allowed to return to the European part of Russia after serving ten years of exile in a settlement in Siberia [4, p. 75, 161]. The Skoptsy lost in the Siberian taiga greeted the news of the 1905 decree with gratitude, recognizing it as a sign of God [4, p. 163].

The Old Believers had a similar attitude. The Old Believer preacher F.E. Melnikov recognized the years 1905-1917 as the «golden age of Old Believers», assuming that in the inter-revolutionary years conditions arose for the normal socio-religious life of Old Believers [5, pp. 407, 521-556]. By 1914, in addition to the previously existing and restored, more than two hundred temples of the Belokrinitsky hierarchy – the largest Old Believers' concord - had been built, two new monasteries had arisen and 1,300 communities had been registered. Taking into account all the consents, over 1 thousand temples were founded [6, pp. 208-209; 7, p. 144]. Publishing activity has intensified. More than 20 Old Believers' parishes functioned in Moscow alone, and All-Russian congresses of Belokrinitsky Old Believers, Beglopovites and Pomorians were held periodically.

The plot of the article will not be the religious legislation of 1905-1906 itself, which gave rise to radical changes in the legal life of Old Believers and sectarians, but the problem of its application. The reaction to the religious laws of religious scholars S.P. Melgunov and A.S. Prugavin, jurist S.A. Kotlyarevsky will be analyzed.

The relevance of the topic related to the study of the law enforcement policy of the Russian state in relation to Old Believers and sectarians is explained by the fact that these religious communities had a long history dating back to the split of the Russian Orthodox Church in the XVII century and to the reign of Catherine II, when

¹ The nominal Supreme Decree «On strengthening the principles of religious tolerance». No. 26125. The Complete Collection of Laws of the Russian Empire. Ser. 3. St. Petersburg: State Printing House, 1905. Pp. 257-258.

separate mystical sects were discovered in the central provinces of Russia. The legal history of the Old Believers is important and instructive for us also because to this day this denomination remains one of the largest in Russia. At the beginning of the last century, there were about 2 million Old Believers in the Russian Empire, and they made up about 2% of the empire's population. Modern Russian society is once again going through a period of reevaluation of the role of religion, which also actualizes the task of reconstructing the legal policy of the imperial state on the example of relations with Old Believers and sectarianism. Such reconstruction makes it possible to find out the reasons for the incompleteness of the reorganization of state-church relations on the principles of freedom of conscience in the late Imperial period.

In the last two decades, the attention of researchers has been focused on the political and social history of Old Believers and sectarianism. Let us point to the monographic studies on the Old Believers M.A. Shakhov and O.P. Ershova [8; 9], which determined the vector of development of the Old Believers' society in the second half of the XIX – early XX centuries. The political sentiments observed in the community of zealots of ancient piety at the beginning of the twentieth century became the subject of research by V.V. Kerov [10; 11] and P. Waldron [12], who showed that according to political views, the largest trends in the Old Believers were close to the right and partly centrists [13, p. 88; 14; 15, p. 17].

The subject of the researchers' attention is also the spiritual and material culture of the Old Believers, accumulated in the works on the Old Believers' bookishness and worldview [16; 17].

The monographs by A.A. Safonov, A.A. Dorskaya and S.L. Firsov, as well as the article by P.N. Zyryanov, consider the legislation of the early XX century, which radically changed the legal status of Old Believers and sectarians [18, pp. 153-159;

19; 20; 3, p. 279]. A detailed section on the policy of the state in relation to the Old Believers in the chronological framework of the XVIII – early XXI century is present in the study of I.I. Vernyaev [2, pp. 330-624].

A significant part of the literature about the church of the late Russian Empire consists of publications devoted to sectarianism. Let us point to the monographs by A. Etkind on the Khlysts and L. Engelstein on the Skoptsy, written in a similar methodological way, with an emphasis on the way of life, worldview and identity of sectarians [21, 4].

Summing up the research review, we note that the attention of specialists was not focused on the legal history of these religious groups. The topic of special consideration was the situation with law enforcement during the implementation of confessional reform at the beginning of the XX century, which affected Old Believers' concordances and large sects. The authors strive to eliminate this lacuna. They rely on a wide range of sources, primarily on the materials of the socio-political press, as well as the Old Believers' press. Being an informative source about the sentiments in Old Believers and sectarian circles, as well as in government spheres about the steps being taken in the religious issue, the press reflected the vector of development of relations between the state and religious groups.

2. *A new framework for the legal mode of life of Old Believers and sectarians*

During the preparation of the decree on religious tolerance on April 17, 1905, the members of the Committee of Ministers spoke in favor of a variable approach to Old Believers and sectarians. The Old Believers were separated into an independent group as part of the schism. They were called followers of the interpretations and concordances, who accept the basic dogmas of the Russian Orthodox Church (hereinafter referred to as the ROC), but do not recognize its rituals and

worship according to old printed books. The Old Believers were granted the right to make public prayers, build temples and prayer houses on the same grounds as non-Orthodox Christians. Benefits were provided to the leaders of their communities, who became known as «mentors» and «abbots». They were exempted from military service and were called clerics. However, they were not allowed to use the names «priests» characteristic of the Orthodox hierarchy in relation to them. Such measures were perceived as the legalization of the Orthodox Old Believer Church. Old Believers and sectarians were equated in rights with non-Orthodox when performing mixed marriages with Orthodox. It was prescribed to open Old Believers' churches and prayer houses².

The Old Believers took the decree on religious tolerance enthusiastically. Thanksgiving prayers to the tsar were served in the Old Believers' churches. The Old Believers' deputation presented Nicholas II with a grateful address signed by 76.5 thousand people as a sign of granting religious freedom to the Old Believers³.

After April 17, 1905, a multimillion army of Old Believers of all persuasions, who had previously been persecuted, received freedom of religion. According to the Ministry of Internal Affairs, 4240 people in the Russian Empire had transferred from Orthodoxy to the Old Believers by January 1, 1909⁴. As specified in 1912 According to the Department of Spiritual Affairs of Foreign Confessions of the Ministry of Internal Affairs, by 1909 2.5 times more people had joined the Old Believers, namely 10,837. The dynamics over the

years of transitions to Old Believers suggests a steady trend of transitions to Old Believers: in 1905 the number of transitions was 2709, in 1906 – 2072, in 1907 – 1976, in 1908 - 4180, in 1909 - 2571, in 1910 – 5638, in 1911 – 4723. During the period of 1905-1911, 23869 people fell away from Orthodoxy to the Old Believers⁵.

The acts of 1905-1906 were followed by circulars explaining the religious rights acquired by the Old Believers. The circular of the Ministry of Internal Affairs explained to the Tomsk governor that Old Believers can publicly make cross processions and other religious processions with the participation of clergy in church vestments without special police permission. It was explained to the Moscow mayor by the Minister of Internal Affairs that Old Believers have the right to preach freely within the Old Believers' churches and prayer houses. Circulars addressed to the governors indicated that Old-Believer clergy could sign metric books with their rank [22, p. 183-184].

There were several explanations for the positive attitude of the ruling authorities to the Old Believers. It was impressed by the monarchical sympathies of the Old Believers, their conservatism and discipline. Thus, the chairman of the Committee of Ministers, S.Y. Witte, spoke of the Old Believers as «the most devoted to Russian principles and Orthodoxy... parts of the Russian people» [23, p. 123]. The Old Believers were regarded as «a significant resource of stabilization and electoral support» [2, p. 564], and the emperor annually christened with them on Easter Week [24, p. 10].

At the same time, the implementation of religious decrees faced significant difficulties. They are analyzed in the works of Sergei Petrovich Melgunov, an influential Moscow publicist, a

² About religious tolerance. The Law of April 17, 1905. Moscow, 1905. Pp. 39, 57-59.

³ «Freedom» of faith. Church. 1911. No. 6. p. 133.

⁴ Draft laws on religious issues submitted by the Ministry of Internal Affairs to the State Duma of the III convocation. St. Petersburg, 1912. P. 67.

⁵ Statistical information about the Old Believers (by January 1, 1912). Russian State Historical Archive. Foundation 1276. Inventory 2. Case 597. Sheet 390.

representative of the left-liberal wing of the social movement. Melgunov is a specialist in Old Believers and religious movements of the XVII–XIX centuries. Melgunov formulated his position on the legal status of Old Believers and sectarians, first of all, in the influential Moscow socio-political newspaper «Russian Vedomosti», which set the task of defending tolerance towards faiths [25, p. 137].

The problem of the enforcement of religious legislation runs like a «red thread» through the works of Melgunov. It is derived from the problem of the existence of the law in society, expressed in its understanding and interpretation by subjects and government officials related to the state of public legal consciousness and management technologies. This problem is a key aspect of the theory and practice of law enforcement [26, pp. 3-7].

Describing the state of Russian decree law, Melgunov mentioned a circular issued by the Minister of Internal Affairs on February 19, 1905, ordering the provincial authorities «not to allow ... the application of provisions on state protection and police supervision to religious matters». It was recommended to stop the cases initiated and already in the proceedings, as well as to take measures to eliminate administrative restrictions in the field of religion and to release persons subjected to restrictions. The publication of such circulars, Melgunov reasoned, was intended «to calm public opinion and convince society that the government has taken ... appropriate measures to eliminate numerous... administrative abuses». At the same time, the 1905 circular did not prevent, according to Melgunov, the Odessa police from criminalizing 39 peasants who prayed according to the Baptist rite, and did not prevent the verdict of the zemstvo chief considering the case from being fined for belonging to the Stundist sect in the amount of 30 rubles. with the subsequent replacement of the fine by imprisonment for a two

- week term⁶.

Melgunov also pointed out that religious reforms were implemented by bureaucratic means. In the country where religious tolerance was proclaimed, in the fields of Manchuria, wounded and dying Old Believers were deprived of the opportunity to hear a parting word from their confessors before death. This discrepancy between declarations and reality prompted the expert to call Russian religious tolerance «official», which did not significantly change the content of legal life⁷. In January 1913 the publicist noted that «the tragedy of Russian life» lies «not only in the fact that it is full of offenses, but also in the fact that the law itself is in a balancing state of uncertainty, which especially affects religious laws»⁸. It was necessary, he added, that the principles proclaimed in the acts of 1905-1906 should be carried out with due completeness in legislation and not be limited or distorted by the administration. Melgunov's more thorough study of the situation of the Old Believers convinced him that the authorities, including representatives of the church hierarchy, often had a distant idea of the content of the Old Believers' teaching and did not always distinguish between the Old Believers and sectarians. Even after the publication of legal acts of 1905-1906, Old Believers and followers of sects remained for the bureaucratic elite a kind of terra incognita, «wild fanatics» guilty of ritual murders of infants and other sins⁹.

Melgunov's position in assessing the decree of April 17 and its legal results was shared by A.S. Prugavin, a specialist in the history of the church schism, Old Believers and sectarianism. While acknowledging that the decree of April 17, 1905

⁶ Melgunov S.P. Official religious tolerance // Russian Vedomosti. 1905. No. 103. April 16.

⁷ Ibid.

⁸ Melgunov S.P. Church and freedom of conscience // Russian Vedomosti. 1913. No. 1. January 1.

⁹ Russian Vedomosti. 1905. No. 105. April 20.

established «far from complete freedom of conscience», which «the best people of Russian society so passionately sought», Prugavin at the same time recognized it as «the first serious damage to the policy of violence against a person's conscience and gross interference in the intimate area of faith», since he proclaimed «freedom of religious thought, although with ... significant cuts». Prugavin predicted significant easing in the position of Old Believers and sectarians¹⁰.

3. *The Decrees of 1905-1906 and their influence on the legal mode of life of Old Believers and sectarians in the estimates of contemporaries*

In June 1905 S.P. Melgunov went on his first official business trip. He had to observe how the proclamation of religious tolerance was perceived in the Old Believers and sectarian environment and what changes the decree of April 17 brought to the situation of Old Believers and sectarians.

On the advice of Prugavin, Melgunov went south to the village of Pavlovki, Kharkiv province, famous for the trial of sectarians in July 1901, when, as a result of a clash with the Orthodox, 68 Pavlovian sectarians found themselves in the dock. They were accused of attacking Orthodox Christians, resisting official authorities and desecrating sacred objects. Melgunov also visited the sectarian villages of the Poltava and Kherson provinces, which were persecuted by the authorities under the pretext of the illegitimate nature of their teachings.

A trip to the southern provinces was described by Melgunov in the feuilletons «Among sectarians. In search of religious tolerance», published in the «Russian Vedomosti». The publicist recalled that his feuilletons «... turned... attention to yourself: they were quoted a lot» and

¹⁰ Prugavin A. About the law on April 17. Right. 1905. May 1. Column 1354-1357.

the government considered the facts given in them. The writer L.N. Tolstoy became interested in the feuilletons. The Pavlovians were considered Tolstoians, since the propaganda of their creed came from the Tolstoyan Prince Khilkov, who owned a farm in Pavlovki [25, pp. 163-164].

Melgunov was the first for a number of years who managed to get into the village, fenced off from the world by police quarantines. It cost him a lot of work to negotiate with the Kharkiv governor, the police guard and the bailiffs of Pavlovka about short-term communication with sectarians. Having entered into communication with sectarians, Melgunov was confused by the fact that information about the decree on religious tolerance issued two months earlier had not been brought to them. The journalist came to the conclusion that the decree proclaiming religious tolerance had no effect on the situation of sectarians. The sectarians perceived Melgunov himself as a government official, and the local police authorities as a suspicious person who sowed anxiety in the minds of sectarian peasants¹¹.

Melgunov informed the readership that the Pavlovians belonged to the Tolstoyan sect from the moment of the birth of religious freethinking in their midst. Their thoughts «wandered in the sphere of non-worldly needs of the spirit» and preaching the principle of non-resistance to evil, far from the ideology of active freedom fighters in Russia. Meanwhile, the sectarians continued, according to the journalist's observation, to remain «in the same oppressed situation» and stand out from the environment to which religious privileges were extended on April 17. «Religious excitement, manifested in such a sharp form... in Pavlovki», Melgunov wrote, «it has long lost its sharp

¹¹ Melgunov S. Among sectarians. In search of religious tolerance. Russian Vedomosti. 1905. No. 162. June 18.; He. Among the sectarians. In search of religious tolerance. Russian Vedomosti. 1905. No. 172. June 28.

character. The former leaders of the sectarians have long languished «in the depths of the Siberian ores»... What motives can now be given to preserve the measures of cruelty and oppression in the same force? There are no such motives! And each new restriction will be a blatant violation of the inalienable rights of every person to internal self-determination»¹².

The focus of Melgunov's attention in 1905 was also on the followers of the so-called fanatical sects. Describing the criminal trials of the sect of the Skoptsy, the publicist pointed out the expertise that played a decisive role in the sectarian processes and the groundlessness in some cases of the positions of expert missionaries. As an example, the trial of 83 peasants of the Skopinsky district of the Ryazan province, accused of belonging to a sect, was cited. 65 people, among whom were persons who did not belong to the sect, were sentenced to deprivation of property rights and expulsion to settle in Siberia. Among them were both decrepit old men and old women, as well as teenagers and even children. According to the correspondent who covered the trial, most of the accused «made an extremely favorable impression with their modesty and affectionate attitude towards each other». At the same time, they were convicted on the basis of the opinion of expert missionaries, not supported by rigorous evidence. The journalist was interested in the question of guarantees that after the declaration of religious tolerance in Russia, such phenomena will not happen again. «Since the religious reform has not touched the substance of the matter», he reflected, «are we not right to expect that our experts—missionaries and other figures of Orthodoxy will try... to find signs of fanaticism even where another would see only ideal moral

purity?»). The proclamation of religious tolerance gave rise, in his opinion, to a fundamentally different approach to the definition of a fanatical sect and the degree of its public danger. Determining the criminal properties of a particular sect, the court now had to accurately establish the practical manifestations of religious beliefs, which included fanatical and anti-moral actions¹³.

Melgunov turned to the position of the Old Believers in 1906, when he joined the party of Constitutional Democrats and actively participated in the election campaign of the cadets. At a meeting in the Presnensky district of Moscow in October 1906, Melgunov stated that the party relied on Old Believers and sectarians as possible allies [27, pp. 28-29]. Melgunov built his election campaign on the slogan of the realization of freedom of conscience; he devoted lectures to it, delivered in the cities of Bogorodsk and Bronnitsy in late 1906 – early 1907.

In February 1907, Melgunov spoke at a meeting of the Law Society with a description of the bill on Old Believer communities of 1906. The split was interpreted by him as a form of protest by the church hierarchy against an attempt to subordinate the ROC to the state and was recognized as a progressive phenomenon. Describing the problem of the relationship between Church and state, Melgunov came to the conclusion that just as the Church should not interfere in secular affairs, so the state should not interfere in the affairs of the Church [27, p. 29].

The decree of October 17, 1906 «On the procedure for the formation and operation of Old Believers and sectarian communities» granted Old Believers and sectarians the right to register their communities, as well as freely perform religious rites. As Canonist Professor I.S. Berdnikov assessed the contribution of the Russian state to the

¹² Melgunov S. Toleration and sectarians in Pavlovki // Russian Vedomosti. 1905. No. 188. July 15.

Law Enforcement Review
2023, vol. 7, no. 1, pp. 5–14

¹³ Melgunov S. Fanatical sects and religious tolerance // Russian Vedomosti. 1905. No. 207. August 2.

organization of the Old Believer community, it was «the experience of organizing religious communities by civil order and at the state expense», which was not in any of the European states¹⁴. On the basis of the decree of October 17, 1906, in 1907-1910, about 1,500 Old Believer communities were organized in Russia. The Old Believers, meanwhile, considered it imperfect, not affecting all aspects of their church and social life [22, pp. 182-183].

Melgunov recognized the decree of October 17, 1906 as a great step forward in comparison with the previous practice of regulating the life of Old Believers and sectarians. He noted that if earlier, according to the act of May 3, 1883, it was categorically forbidden to start sketes and monasteries in Russia, and officials of the Ministry of Internal Affairs were appointed as caretakers of the almshouses that replaced them, then from October 17 the fact of the existence of Old Believers and sectarian societies was officially recognized and they were granted the right to keep metric books, eliminating dependence on spiritual consistories and the police [29, p. 189].

At the same time, the publicist was in no hurry to talk about the purely beneficial influence of the decree of October 17 on the mode of life of the Old Believers. Its main drawback seemed to be the preservation of administrative guardianship over religious societies. There was a paradoxical situation, in his opinion, when huge Old Believer communities, such as Rogozhskaya and Preobrazhenskaya, did not receive the right to function. Regulating the life of religious societies, the decree did not resolve the issue of regulating the public proof of a creed that disagrees with the teachings of the ruling church [29, pp. 185, 188].

After the publication of the decree of 1906, Melgunov explained the problematic places in the

legal position of the Old Believers with political arguments, and the persecution of sectarians in 1908 with the identification of religion with politics. Thus, due to considerations about the political unreliability of the Baptists, the Orel governor, according to Melgunov, closed their prayer meetings. The Kiev governor took a similar step due to the fact that several Orthodox Christians were present at the Baptist prayer meetings. Such arguments were not provided for by the legislation. In response to the complaints of the sectarians, the Ministry of Internal Affairs explained that the decrees of April 17 and October 17 granted them the right to freely profess their faith, as well as to switch to another profession; political unreliability could not serve as an obstacle to the performance of prayers. Such arguments three and a half years after the proclamation of freedom of conscience in Russia looked anachronistic. Melgunov predicted that there would be no freedom of conscience in Russia until the government adopted a firm constitutional course.

The lawyer S.A. Kotlyarevsky came to a close conclusion, who spoke with a series of articles on draft laws on Old Believers. Kotlyarevsky also recognized the inconsistency of the policy of distrust and restrictions in relation to the Old Believers. He pointed out that it was the Old Believer population in the western provinces that was one of the main opponents of the polonization of the region. Kotlyarevsky was confused by the arguments of the representatives of the Russian Orthodox Church, who compared the Old Believers with revolutionaries. Such rhetoric, he said, brought Russia back to the days when the benefits of civil freedom granted by the decree of April 17 and the Manifesto of October 17 were considered groundless utopias¹⁵.

¹⁴ Church records. 1907. No. 28. Pp. 1126, 1129.

¹⁵ Kotlyarevsky S.A. Bills on Old Believers. Moskovsky Weekly. 1910. No. 21. May 29. Pp. 1-8.

4. Conclusion

Summing up the above, we note that the decrees of 1905-1906 led to a noticeable revival of the spiritual and non-church life of Old Believers and sectarians, as well as to the development of the infrastructure of the institutions they created. However, they did not grant absolute freedom to Old Believers and sectarians.

Law enforcement practice has absorbed all the contradictions of the legal policy of the Duma period, in some cases coming into conflict with the content of the decree on religious tolerance. The implementation of the proclaimed freedoms was hindered by the principle of administrative guardianship, rooted in the system of imperial administration, as well as bureaucratic methods of religious reform. After 1910, the Government continued to fight against independent religious expression. Conservative tendencies in government policy intensified and the ROC sought to assert superiority. Orthodox hierarchs expressed dissatisfaction with the «anti-canonical» management system of the ROC and the

dependent position on the state, the weak material provision of parish priests. It seemed to them that the Old Believers acquired more rights in 1905-1906 than the dominant denomination.

Unfriendly actions against Old Believers and sectarians were supported by the local administration. The governors put obstacles in the way of religious processions by the Old Believers, did not satisfy their petitions for the return of the shrines taken from them. In Old Believer circles, the attitude towards them was recognized as unstable [31, p. 207]. The numerous explanatory circulars that followed the decrees of 1905-1906 created ambiguous interpretations. By the power of things, the Old Believers were increasingly drawn into politics. The prospects for the introduction of religious freedom were increasingly associated by them with the establishment of the constitutional order. It is fair to conclude that the Old Believers received a full-fledged legal status at the level of individual communities at the beginning of the last century, but the creation of the Old Believers or its individual consents as All-Russian confessions did not happen in the empire [2, p. 564].

REFERENCES

1. Yasevich-Borodaevskaya V.I. *The Struggle for Faith*, historical and everyday essays and a review of legislation on Old Believers and Sectarianism. St. Petersburg, State typography Publ., 1912. 696 p. (In Russ.).
2. Vernyaev I.I. *Essays on the History of Ethno-confessional Politics in Russia*. St. Petersburg, Dmitrii Bulanin Publ., 2017. 637 p. (In Russ.).
3. Firsov S.L. *The Russian Church on the Eve of Changes (late 1890s – 1918)*. Moscow, 2002. 623 p. (In Russ.).
4. Engelshtein L. *Castration and the Heavenly Kingdom*. Moscow, Novoe literaturnoe obozrenie Publ., 2002. 328 p. (In Russ.).
5. Mel'nikov F.E. *A brief history of the Old Orthodox (Old Believer) Church*. Barnaul, Barnaul State Pedagogical University Publ., 1999. 556 p. (In Russ.).
6. Prozorov I.A. *The history of the Old Believers*. Moscow, Tretii Rim Publ., 2002. 227 p. (In Russ.).
7. Kerov V.V. Old believers in 1917. *Rossiiskaya istoriya = Russian history*, 2018, no. 1, pp. 143–160. (In Russ.).
8. Shakhov M.O. *Old Believers, society, state*. Moscow, 1998. 111 p. (In Russ.).
9. Ershova O.P. *Old Believers and the government*. Moscow, Unikum-tsentr Publ., 1999. 203 p. (In Russ.).
10. Kerov V.V. Russian history through a lens of the Old belief. *Rossiiskaya istoriya = Russian history*, 2014, no. 4, pp. 203–213. (In Russ.).
11. Kerov V. *Land to the Working People: The Agrarian Question in the Political Programme of Old Believers*. *Quaestio Rossica*, 2019, vol. 7, no. 4, pp. 1243–1258. DOI: 10.15826/qr.2019.4.436. (In Russ.).
12. Waldron P. Religious Reform after 1905: Old Believers and the Orthodox Church. *Oxford Slavonic Papers*, 1987, vol. 20, pp. 110–139.
13. Seleznev F.A. D.V. Sirotkin and the all-Russia conventions of Old Believers in the early XXth century. *Otechestvennaya istoriya*, 2005, no. 5, pp. 78–90. (In Russ.).
14. Seleznev F.A. The Old believers as a counter-elite. *Rossiiskaya istoriya = Russian history*, 2014, no. 4, pp. 188–192. (In Russ.).
15. Red'kina O.Iu. Old Believers of the Lower Volga and Don region in the late of the XIX–XX century. *Rossiiskaya istoriya = Russian history*, 2012, no. 4, pp. 15–27. (In Russ.).
16. Pigin A. Old Believer Letters of Request and Thanks during the Imperial Period. *Quaestio Rossica*, 2020, vol. 8, no. 1, pp. 176–189. DOI: 10.15826/qr.2020.1.455. (In Russ.).
17. Zakharov V.N. (ed.). *Old Believers in the History and culture of Russia: problems of study*, on the 400th anniversary of the birth of Archpriest Avvakum. Moscow, Institute of Russian History of the RAS Publ., 2020. 572 p. (In Russ.).
18. Safonov A.A. *The State and Confessions in Late Imperial Russia: Legal aspects of Relations*. Moscow, Prospekt Publ., 2017. 349 p. (In Russ.).
19. Dorskaya A.A. *The problem of legislative consolidation of freedom of conscience in Russia at the beginning of the XX century*, Cand. Diss. St. Petersburg, 2001. 184 p. (In Russ.).
20. Zyryanov P.N. Regulations on Old Believer communities in the State Duma and the State Council and the issue of religious freedom (1906–1911), in: *Religiya, obshchestvo i gosudarstvo v XX veke*, Proceedings of the Conference on October 22–25, Moscow, 1991, pp. 45–54. (In Russ.).
21. Etkind A.M. *The Russian Flagellant: Sects, Literature, and Revolution*. Moscow, Novoe literaturnoe obozrenie Publ., 1998. 642 p. (In Russ.).
22. Mel'nikov F. Law and life. *Tserkov'*, 1911, no. 8, pp. 182–185. (In Russ.).
23. *From the archive of S.Y. Witte. Memories*, vol. 1. St. Petersburg, 2003. 649 p. (In Russ.).
24. Kuchinskii S.A. Empire and Religion: A history of incomplete Reforms, in: *Imperiya i religiya*, to the 100th anniversary of the St. Petersburg Religious and Philosophical Meetings of 1901–1903, Proceedings of the All-Russian Conference, St. Petersburg, 2006, pp. 7–20. (In Russ.).
25. Mel'gunov S.P. *Memoirs and diaries*. Moscow, 2003. 527 p. (In Russ.).
26. Paneyakh E. Preface by the scientific editor, in: Paneyakh E.L., Kadnikova A.M. (eds.). *Pravo i pravoprime-nenie v zerkale sotsial'nykh nauk*, reader of modern texts, Moscow, Statut Publ., 2014, pp. 3–7. (In Russ.).
27. Emel'yanov Yu.N. *S.P. Melgunov: in Russia and emigration*. Moscow, Editorial URSS Publ., 1998. 350 p. (In Russ.).
28. Mel'gunov S. *Old Believers and Freedom of Conscience*, Historical essay. Moscow, G. Lissner and D. Sobko Publ., 1907. 86 p. (In Russ.).

29. Mel'gunov S.P. Old Believers and Sectarian Communities (Law of October 17, 1906), in: *Tserkov' i gosudarstvo v Rossii: k voprosu o svobode sovesti*, collected articles, iss. 2, Moscow, 1907, pp. 184–190. (In Russ.).

30. Mel'nikov F. Ministerial responses to the petitions of the Old Believers. *Tserkov'*, 1913, no. 9, pp. 204–207. (In Russ.).

INFORMATION ABOUT AUTHORS

Anastasia S. Tumanova – Doctor of Law, Professor;
Professor, Department of Theory of Law and Comparative Law, Faculty of Law

HSE University

3, Bol'shoi Trekhsvyatitel'skii per., Moscow, 123022,
Russia

E-mail: atumanova@hse.ru

ORCID: 0000-0003-3469-7144

ResearcherID: K-6105-2015

Scopus AuthorID: 39764677100

RCSI SPIN-code: 4615-9417

Alexander A. Safonov – Doctor of Law, Professor;
Professor, Department of Theory of Law and Comparative Law, Faculty of Law

HSE University

3, Bol'shoi Trekhsvyatitel'skii per., Moscow, 123022,
Russia

E-mail: asafonov@hse.ru

ORCID: 0000-0003-3577-5490

ResearcherID: K-6059-2015

RCSI SPIN-code: 9507-3097

BIBLIOGRAPHIC DESCRIPTION

Tumanova A.S., Safonov A.A. "The Golden Age of the Russian Old Believers and Sectarianism": reform of the legal status of Old Believers and sectarians 1905–1906 through the prism of law enforcement.

Pravoprименение = Law Enforcement Review, 2023, vol. 7, no. 1, pp. 5–14. DOI: 10.52468/2542-1514.

2023.7(1).5-14. (In Russ.).