

ARTICLES

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STUDENT YEARS OF LEO TOLSTOY AND VLADIMIR ULYANOV (LENIN) AT THE SCHOOL OF LAW OF KAZAN UNIVERSITY

Abstract: Law Faculty of the Kazan University is well known in Russia and abroad for its scientific schools, students and alumni. Among the graduates, there are those who glorified themselves and alma mater by outstanding work in the field of their creative life – in politics, art, and literature. The article is devoted to two world famous law students of the Kazan University: the great writer Leo Tolstoy and politics, the revolutionary leader Vladimir Ulyanov (Lenin). They have common student destinies, as they both were not able to complete their education at the Law Faculty of the Kazan University, and also our Faculty was the only educational institution where they had been studied. Periods of life of these people in Kazan and studying in the Kazan University are the object of attention of Kazan citizens who are interested in the millennial history of the city; some works of famous historians, memoirs of contemporaries were dedicated to Leo Tolstoy's period at the university as a student, as he was in the center of secular and cultural life of the city of Kazan at the same time. Faculty of Law honors the memory of Vladimir Ulyanov (Lenin), there was reconstructed classroom in its previous form, where he had been studied, and there is a unique monument of the young Vladimir Ulyanov, established in Soviet times before the main university building.

Key words: Leo Tolstoy, Vladimir Ulyanov (Lenin), Kazan University, School of Law of Kazan University, culture life in Kazan, students, university

The Law School of Kazan University is well known in Russia and abroad for its academic programs, students and alumni. Most of them are renowned themselves and by alma mater through outstanding activities within the legal field. Others expressed themselves in creative fields; in politics, art, and literature. There are two outstanding students among the others who at various times studied legal sciences at the Kazan University. They are the future great writer Leo Tolstoy, and the world-famous politician, revolutionary activist, and the founder of the first socialist state V.I. Ulyanov (Lenin). Their academic fates are similar because neither of them could complete his education at the Law School for various reasons. Also, our department was the only educational institution where they were students. Leo Tolstoy elevated himself and Russian literature by realizing his talent through self-education, without any courses at the University, and Ulyanov (Lenin) received a law degree by passing the exams as an external student at the St. Petersburg University.

1. Count Leo Tolstoy is a talented writer, a brilliant philosopher and public figure. However for us it is very pertinent to know about his attempt at legal education at the University of Kazan and his attitude toward the law and the law school.

The life and works of the great Russian writer have been studied by many researchers in various different languages. Voluminous works about the biography of Leo Tolstoy are published. The period of his life in Kazan, and the Kazan University, is the object of attention of Kazan citizens who are interested in the millennial history of the city, as are the biographies of other people whose lives were connected to Leo Tolstoy. Some works of famous historians, memoirs of contemporaries, were dedicated to Leo Tolstoy's stay at the University¹. There are some materials about Kazan social life of the period at the Museum of Kazan University². However, that part of the young Tolstoy's life, when Leo Tolstoy was a law student, is less known. At the same time he was at in the centre of secular and cultural life in the city of Kazan. His views on principles and manners are dominated by society of the period.

Leo Tolstoy was born September 9, 1828 in the estate of Yasnaya Polyana, Tula Province. Tolstoy's parents died when he was young, so relatives brought up him and his siblings. Their aunt Alexandra Ilinichna Tolstaya (in marriage – Osten-Sacken) became guardian of the children, and after her death in 1841, Pelagia Ilinichna Tolstaya took

¹ Zagoskin N.P. Graf L.N. Tolstoj i ego studencheskie gody. [Zagoskin N.P. Count L.N. Tolstoy and his student years]– Ist. Vestnik, 1894, № 1. (in Russian)

² Bushkanec E.G. Molodoj L.N. Tolstoj i kul'turnaja zhizn' Kazani / Kopija stat'i iz fondov Muzeja istorii Kazanskogo universiteta. Emel'janova I.A. Lev Tolstoj na juridicheskom fakul'tete Kazanskogo universiteta [Bushkanec E.G. Young L.N. Tolstoy and cultural life in Kazan / A copy of the article from the collections of the Museum of History of Kazan University. Emelyanova I.A. Leo Tolstoy at the Law Faculty of the University of Kazan] // Sovetskoe gosudarstvo i pravo = Soviet state and law. 1979. № 11. S.128-132. (in Russian)

care of the orphans. She was the younger sister of Tolstoy's father, and her husband was an aristocrat, Vladimir Yushkov. In 1841 they moved to Kazan.

Kazan has always occupied a special place in the Russian space. Kazan Imperial University, founded in 1804 by decree of Alexander I, was the cultural, scientific and educational center of the city.

Kazan University was the largest European center of orientalism. Leo Tolstoy chose the eastern branch of philosophy school. His choice was obviously linked to his ability to learn languages and family traditions (his ancestor was the ambassador in Turkey). On October 3, 1844, Leo Tolstoy enrolled at Kazan University.

It turned out that Leo Tolstoy was not interested in the study on east offices of philosophical school. In April 1845, he was not allowed to take the forthcoming end-of-year examinations for "very rare attendance of lectures and low-success". After that Leo Tolstoy submitted the application for transfer to the law school. The choice of new school could have been caused by a variety of reasons: Tolstoy's unwillingness to repeatedly study the same course, advice of relatives to change education and search of a new sphere of direction for proven abilities. At the same time, he noted that the application of jurisprudence "to our private life becomes easier and more natural than any other"¹. It must be considered that at the Kazan University there were only 3 schools outside mathematics: philosophical, medical and law faculty. The Count Tolstoy could not be a doctor according to his social status.

From memoirs of professor N. P. Zagoskin we can find out that at the time a lot of students were "aristocrats". In his opinion they were interested not in studies, but in horses, women, parties and fashionable trousers.

The charter of university of 1835 showed the following departments of study at the law school: encyclopedia and system of jurisprudence, Russian state laws, laws on states and public institutions, Roman legislation and its history, civil laws, the general, special, local; laws of improvement and deanery, laws on state duties and finance, laws police and criminal, principles of public jurisprudence.

It is necessary to recognize that, in the middle of the 19th century, there were not enough qualified teachers at the law faculty of Kazan University.

At the same time, a number of professors who were actively and honestly devoted to students in fundamentals of law creatively worked at the law school. So, a great impression was made on the student Leo Tolstoy by the lectures of professor Stanislavsky of the encyclopedia of the law. He was also interested in debates about punishment in the form of capital punishment, which professor Vogel had organized. However

¹ Tolstoj L.N. *Sobr. soch.*, v 90 tomah, t. 59. [Tolstoj L.N. *Collected works*, in 90 issues, issue 59] M., 1935, S. 10. (in Russian)

Dmitry (Dietrich) Meyer was especially distinguished from teachers of the law school. Having experience at the Berlin University, during his working at law faculty of the Kazan University, he became the center of gravity for a progressive body of students and teachers. It is necessary to emphasize that origin of the Russian civil law is always connected with a name of D.I. Meyer, wherein; D. Meyer was the big scientist. Leo Tolstoy became one of D. Meyer's students.

The meeting of these two talented people, student and teacher, was fruitful. D.I. Meyer gave Leo Tolstoy a task to make the report on the subject: The comparative analysis of "Order" of Catherine II (1767) and Charles Montesquieu's work "The spirit of the law" (*Esprit des Lois*) (1748). Leo Tolstoy was so fond of this work that it led him to deep reflections about sources of precepts of law, about the principles of a state system. In his diary Leo Tolstoy especially noted that "work with 'Order' and 'Esprit des Lois' opened for me the new field of intellectual independent work and the university with the requirements, not only did not promote such work, but disturbed it"¹.

This note allows us to evaluate more about the talents of the student who began to comprehend social science and its reflection in the law. It is possible to speak as well about some elements of the attitude of the student, Leo Tolstoy, to formalism, dominating in educational institutions of Russia, strict requirements to observance of educational discipline. The students were obliged to attend lectures. For absence of lectures, students could be subject to punishments up to being arrested.

Meanwhile, young Leo Tolstoy sought to think more independently and to build his own conclusions, and to draw conclusions on the basis of his own deep, specially focused analysis of scientific sources and study of literary works. Thus, L. Tolstoy's priorities lay mainly in the sphere of individual, independent work. To the contrary, regular attendance of lectures, simple listening to professors, their conservative narration of the essence of social processes was not the main form and method of studying the law for the young scientist.

Obligation to attend lectures depressed Leo Tolstoy. He felt the content of the taught subjects disturbed cognition of reality, does not allow critically thinking about the meaning of the established and existing law, and to form in his mind different approaches to the legal regulation of social life.

It can be assumed that the active rejection of strict disciplinary rules and principles prevailing in the Kazan University and other educational institutions of Russia, the situation of deep formalism and unjustified severity of consequences contributed to the formation of certain traits, especially the independence of judgment and integrity

¹ Birjukov P.I. Biografija L.N. Tolstogo (kniga pervaja) / serija «Genij v iskusstve» [Birjukov P.I. Biography of L.N. Tolstoy (Book One) / lot "The genius in art"]. M., «Al-goritm», 2000. S.78. (in Russian)

in the emerging personality of Leo Tolstoy. It is hardly possible to explain his actions only by the desire for absolute freedom, a desire not to limit him to compliance with mandatory requirements. Of course, youth, combined with the obvious talent, does not always appreciate excessive external constraints. Count Leo Tolstoy himself wrote later that he was “very grateful for the fact that early youth was spent in a place where it was possible from an early age to be young, without affecting the back-breaking issues and living, though idle, luxurious, but not evil life.”¹ It is known that the Kazan period of his life is reflected in a number of works of the writer Leo Tolstoy: *Isproved’* (1884), *«Otrochestvo»* (1854), *«Junost’»* (1857), and *«Posle bala»* (1911).

However, the University authorities drew attention to the reluctance of student Leo Tolstoy to obey the mandatory requirements. Therefore, even in his first year of study, he was punished for violating university rules. For skipping lectures on history, he was once imprisoned in solitary confinement.

The student Leo Tolstoy had a difficult relationship with a teacher of history, professor Ivanov (even though he was the husband of his cousin – Alexandra Sergeevna Tolstaya).

Meanwhile, Leo Tolstoy completed the task of Professor Dmitry Meyer for the writing of the essay. After comparing the “Order” of Catherine II and Charles Montesquieu’s “The Spirit of Laws”, the student Leo Tolstoy noted that the positive laws must conform to morals. Public morality and laws should not contradict each other. There appear elements of the Tolstoy’s future ideology, according to which public life should be based on moral law.

For example, penalties imposed by the state must be “proportionate” crimes. At the same time, the young researcher is opposed to the death penalty. Leo Tolstoy strongly criticized the monarchical form of government that existed in Russia. He believed that limitation of the power of the monarch by only certain ethical standards does not really limit the power. For this reason Leo Tolstoy recognizes that, in a despotic state, people have right not obey the all-powerful despot.

In his work, the student, Count Leo Tolstoy, considers reduced aristocracy economic participation, economic life. He is critical of the growing influence on the economy of the representatives of the emerging bourgeoisie. From an economic point of view, the existence of serfdom, according to Leo Tolstoy, inhibits the development of agriculture and trade in Russia. He also makes an original and ingenious conclusion that the “Order” of Catherine II “Brings her more fame, than benefit for Russia”.

Meanwhile, he continued to violate the rules of the university. He spent most of his time having fun. Professor N.Zagoskin said: “Kazan old-timers remember him at all the balls, parties and fashionable gatherings, invited everywhere, everywhere dancing.”

¹ Birjukov P.I. Ukaz.soch. [See: aforesaid work] S.73. (in Russian)

First romantic attraction of Tolstoy's, which he felt toward Zinaida Molostvov, was also connected with Kazan.

Leo Tolstoy actively attended different concerts and theaters. Sometimes he acted in the theater himself. For example, on April the 19th (1846) in the events hall of Kazan University he took part in performances of «Magazinshhica» and «Predlozhenie zheniha».

Meanwhile, some historians and biographers of Leo Tolstoy believed that the spirit of our provincial city negatively affected the behavior of the future genius of Russian literature and did not contribute to his studies at the university. However, it should be noted that in spite of an active social life, first-year student of the law school, Leo Tolstoy, was able to pass the established educational examinations successfully and his knowledge was assessed as positive: the logic and psychology were graded as a five on a five point system, on the encyclopedia of law, history of Roman law and Latin language – four, in general and Russian history and theory of rhetoric and German language – three. In the end, Leo Tolstoy advanced to the 2nd year of the law school.

In January of next year, Leo Tolstoy attended the half-year examinations, but did not take them, because he regarded them as a mere of formality, as he already had devised a plan in his head to leave the university to finish his studies. Indeed, on April the 12th (1847), Leo Tolstoy sent to rector I.M. Simonov, who was a famous geographer, a petition to dismiss him from the university. He refers in his letter to “poor health” and “family circumstances”¹. In the biography of L.Tolstoy, one can see the text of the certificate, which was given to Leo Tolstoy about his stay at the university. Here are excerpts from the text of the document: “The initiator of the following, Count Lev Nikolaevich Tolstoy ... from the Arab-Turkish Literature class moved in the first year to the Law School ... was transferred to the second year, but it is unknown how successful he was, as there were no annual examinations. His, Tolstoy, conduct while being at the University was excellent. ... Mr. Tolstoy, as a person who did not complete the full course of university science, can not enjoy the rights accorded to students ... valid for admission to the civil service ... and belongs to the second category of civil servants. In witness whereof, and given to him, Count Leo Tolstoy, these things evidence of the board of the University of Kazan ... on plain paper.”² On April the 23rd (1847) Leo Tolstoy left Kazan.

Regarding the reasons that prompted him to leave in 1847, the Law School and Kazan, Tolstoy spoke himself in 1909, shortly before his death. In his “Letter to a student about law”, written in response to an appeal to him from one of the students/lawyers,

¹ A copy of the petition from the collections of the Museum of History of Kazan University.

² Birjukov P.I. Biografija L.N. Tolstogo (kniga pervaja) / serija «Genij v iskusstve». [Birjukov P.I. Biography of L.N. Tolstoy (Book One) / lot “The genius in art”] M., «Algoritm», 2000. S.76-77. (in Russian)

he wrote: "I myself was a lawyer, and I remember in my second year I was interested in the theory of law, and I did not study it only for the exam, thinking that I would be able to find in it an explanation that seemed normal and clear in the device of life. But I remember that the more I delved into the meaning of the theory of law, the more and more convinced I became that, either there is something wrong in this science, or I could not understand it. Simply saying, I gradually became convinced that one of us two must be very stupid: either Nevolin, author encyclopedia of law, which I have studied, or I was devoid of the ability to understand the wisdom of this science. I was 18 years old and I could not admit that I was stupid, and therefore decided that the juridical studies are beyond my mental capacity and left the class.

It is important that, spending only 2 years at the Law School of the Kazan University, Tolstoy firmly chose a different form of education – "independent field of mental work." However, the study of law in the student's desk, getting acquainted with the basics of Russian law of that period, had already formed a sharply critical attitude to the violation of legal norms in the idea of equality of citizens before the law. The evaluation of the system of law of that time, its negative role in the regulation of social life had become even more pronounced, uncompromising toward the end of the life of the genius of literature; the author of "War and Peace", "Anna Karenina" and other outstanding works. In his "Letter to the law student" he advised him not to engage in further jurisprudence under the supervision of the professors, who hid from the lectures the true nature of Russian law of that period. According to Leo Tolstoy, other professors preached of the non-existent value in it, so the students have formed false legal views.

2. In 1887 a graduate of Simbirsk gymnasium (now Gymnasium № 1 of Ulyanovsk) Vladimir Ulyanov (later – Lenin) himself wrote: "I wish to enroll in the Kazan University in the School of Law". Five of his classmates also wanted to become lawyers. The choice of Law School of Kazan University, Vladimir Ulyanov explained to his cousin N. Veretennikov in the following way: "Now it is the time one needs to study the science of law and political economy. May be in a different time, I would have chosen the other sciences." ¹

The multi-talented young man, Vladimir Ulyanov, really could choose any profession. Teachers of Simbirsk gymnasium of Russian and ancient languages believed that he should enroll the philological school. The assistant professor of mathematical physics at Kazan University, G.N. Shebuev, recommended Ulyanov to the Mathematics School as Vladimir Ulyanov had "a definitely mathematical turn of mind."

Choosing the judicial profession, the future founder and leader of Soviet Russia also hoped to have a free legal practice, which provides a strong bond with people of different social strata.

¹ Veretennikov N. Volodja Ul'janov. M., 1960. (in Russian)

In addition to St. Petersburg and Moscow universities, there were still other institutions: Dorpat, Kharkov, Kiev, Novorossiysk (Odessa). Vladimir Ulyanov had chosen Kazan University, as its scientific schools were well known throughout Russia. The Ulyanov family also knew that: his father, Ilya Ulyanov, who graduated from the Physics and Mathematics School, studied at Kazan University. Also, his uncle Dmitry Ulyanov, studied there.

In connection with the intention of their son to enter the University of Kazan, his family decided to move to Kazan.

On July the 29th Vladimir Ulyanov petitioned the rector of Kazan University his enrollment for the first year of law school. A brilliant certificate and a gold graduate medal were attached to this petition. In characterization, the headmaster stressed Ulyanov as a promising student with regard to the further passage of sciences. On receipt of such a characterization, the Rector of the University, Professor N.A.Kremlev, issued the decision: "Accept".

Thus on August the 13th Vladimir Ulyanov became a first year student of law school, and he was given a student ID card № 197.

The list of specialized departments and discipline suggests that Vladimir Ulyanov, in the first half of 1887/8 had the opportunity to attend a course of lectures: history of Russian law, the Roman law and the encyclopedia of law. The divinity course was required for all. Vladimir Ulyanov as a student signed up in the following courses:

1. Professor Zagoskin: the history of Russian law (6 lectures per week).
2. Professor Zagoskin: encyclopedia of law (2 lectures per week).
3. Professor Dormidontov: History of Roman law (5 lectures per week).

Students were given the opportunity to improve their languages at the literature department of History and Philology. Vladimir Ulyanov signed up for an English course. He was forced to enroll in the required lecture course on theology (4 lectures per week).

At that time, the education at the law school was on paid basis. So, in September of 1887, Vladimir Ulyanov petitioned for exemption from tuition fees. The board of the university, on the basis of the evidence submitted on poverty, marks and good characterization, freed Vladimir Ulyanov from tuition fees.

At university, the first year student Vladimir Ulyanov signed the following commitment: «I undertake not to be a member and not participate in any of the communities without permission in each case, the nearest superior».

However, in September 1887, Vladimir Ulyanov entered a group that studied the political economy of Karl Marx as well as some works of the revolutionary democrats. That unofficial organization became one of the preparation centers of student meetings and demonstration at the Kazan University on December the 4th, 1887.

Vladimir Ulyanov was also a member of the Simbirsk association of fellow-countrymen and was elected to the Board of affinity group, which had a general power on a nationwide scale in Kazan.

Vladimir Ulyanov began to appear in front of the students with his first reports. In one of them he tried to present a popular «Capital» of Marx, revealing that not only tsarism in Russia, but capitalism as a whole that showed the plight of the working class.

At that moment students were preparing for overt actions throughout Russia with criticism of the current order within the county. On November the 5th (1887) a boycott was organized at Kazan University which was convened to express devotion to the emperor. The Vladimir Ulyanov, like most of the students, did not come to the university at that day.

The culminating phase of the revolutionary movement of students in Kazan University was the gathering on December the 4th, 1887. That event was conceived as an act of protest and was prepared in secret. A few years later the Kazan police chief, reporting to the student-proctor about anti-government meetings of students in 1887, said: «In apparent calm and complete tranquility, preparations were made for the demonstration at the same meetings and then on December the 4th (1887), all of a sudden, it concluded with disorder and resulted in the expulsion from Kazan a significant number of students and the closing of the university».

The main cause of the student meetings was student disturbance in St. Petersburg and Moscow because of an encounter with the police that killed two students.

On December the 4th 1887 at 9 am, students began to gather at the lecture of professor Zagoskin and Kremlev. The large accumulation of students did not cause anxiety of university staff. However, later the trustee of educational district reported to the Deputy Director of the Ministry of Education about V.Ulyanov: “A couple of days before the gathering he gave reason to suspect him of a preparing something bad: he spent much time in the smoking room, chatting with the most suspicious students, went home and came back again, brought something at the request of others, and generally behaved very strange.”

The audience were read the petition and appeal “To society.” The petition began with the words: “We have gathered here because of the awareness of the impossibility of any conditions of Russian life in general, and student’s life in particular, as well as the desire to draw public attention to these conditions and to provide the following general requirements to the Government”. The petition was presented to the rector. The rector of the University Professor Kremlev, read the first paragraph of the petition, said: “How can you speak on behalf of the entire Russian society, and then what will you achieve by the open resistance?” The students said: “Bulgaria has made constitutional change by open resistance!”

After a few hours under the threat of the invasion and in order to avoid bloodshed, students ended the gathering. 99 students, including Vladimir Ulyanov, threw their students cards on the floor.

After that student meetings V. Ulyanov's education in Kazan University was over. For revolutionary activities, before the winter session he was expelled, despite the fact that on December the 5th (1887) he sent an application for dismissal from Kazan University. Vladimir Ulyanov was arrested on political grounds and was exiled to Kokushkino (near Kazan). Previously it was thought, that V. Ulyanov left Kazan as a Marxist, ready for professional revolutionary activities.

A classroom in Kazan University, where V.Ulyanov (Lenin) had studied, was reconstituted in its present form. Kazan University museum guides always show the student's desk where V. Ulyanov had sat during a lecture on the history of law. In front of the university, the unique monument of the young V. Ulyanov – law student- is situated where it was erected during Soviet times.

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