



[DOI: 10.35549/HR.2026.2026.60.002](https://doi.org/10.35549/HR.2026.2026.60.002)

Original paper



Ksenia V. Vanicheva

European University at St. Petersburg, St. Petersburg, Russian Federation

E-mail: kvanicheva@eu.spb.ru

“The Case of Insulting a Sacred Object”: Disputes over Church Property in the Post-Reform Courts, 1870s–1880s

Abstract

The article analyses a court case concerning ownership of the Andronikov Icon of the Mother of God between the clergy of the Trinity Cathedral in St. Petersburg and a private owner, Collegiate Assessor M.A. Fedorov. The case is examined in the context of other high-profile trials involving members of the clergy in post-reform Russia, including the cases of Abbess Mitrofanina and Hieromonk Nil (Nilus), which serve as a starting point for examining the position of the clergy within the new legal reality created by the Judicial Reform of 1864. Methodologically, the study follows the increasingly influential approach of the social history of law in contemporary historiography. The article draws on a broad range of archival sources from the collections of the Russian State Historical Archive and the Manuscript Department of the Russian State Library, including administrative records and numerous petitions submitted by the principal figure in the case, M.A. Fedorov. Particular attention is paid to the critical narrative constructed by Fedorov, a lawyer, in his writings concerning the legitimacy of the decisions of the reformed secular courts



in matters relating to church property. The article demonstrates that the issues raised by Fedorov formed part of the broader public debate over the boundaries of the jurisdictions of secular and ecclesiastical courts, the admissibility of Orthodox clergy participating in public court proceedings in the post-reform period, and, more broadly, the consequences of the Judicial Reform of 1864. The article concludes that the materials of the case under examination make it possible to take a critical view of the existing historiography of the Church during the Synodal period and to identify a number of new questions within the legal history of the clergy.

Keywords:

Orthodox clergy; Judicial Reform of 1864; Court cases in the Russian Empire; Church property litigation; Andronikov Icon of the Mother of God; Trinity Cathedral in St. Petersburg

For citation

Ksenia V. Vanicheva. “The Case of Insulting a Sacred Object”: Disputes over Church Property in the Post-Reform Courts, 1870s–1880s. *The Historical Reporter*. 2026. Vol. 60. P. 94–113. [DOI: 10.35549/HR.2026.2026.60.002](https://doi.org/10.35549/HR.2026.2026.60.002)



Introduction



In the research literature, the problem of church property in the Russian Empire has generally been studied from a legal perspective¹. Scholars have noted that the question of the legal regulation of church-property relations was a complex one, and the status of the Orthodox Church as a property owner remained unclear. This situation, together with divergent views of the

¹ Literature review on the subject: see: Дорская А.А. Правовой режим имущества религиозного назначения в России: история и современность. СПб., 2012. С. 4–15.



Andronikov Icon of the Mother of God.

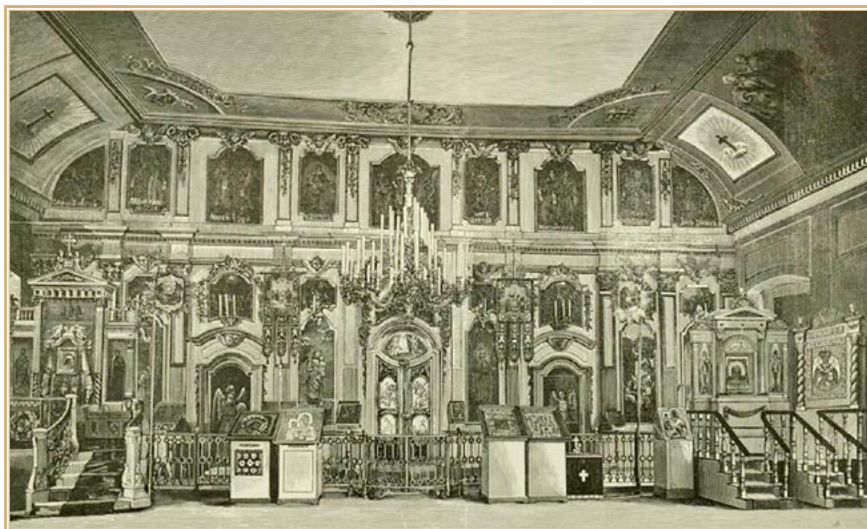
From open sources

“proper” treatment of church property, often led to disputes. Thus, the historian E.A. Pravilova, in her monograph on the development of the idea of public property in the Russian Empire, examined a number of conflicts between Synodal officials, who were interested in the Church’s monopoly over sacred property, and art historians seeking to preserve and turn church antiquities into museum objects². Nevertheless, court cases concerning church property did not figure among the researcher’s main concerns.

Historiography has traditionally devoted considerable attention to major public political trials in the Russian Empire³, generally leaving in the shadows the equally high-profile cases of the post-reform period

² Правилова Е. Империя в поисках общего блага. Собственность в дореволюционной России. М., 2022.

³ See: Троцкий Н.А. Царские суды против революционной России: Политические процессы, 1871–1880 гг. Саратов, 1976; Медведь Н.Т. Материалы политических судебных процессов в дореволюционной России как исторический источник по истории КПСС. Учебное пособие. М., 1973; Сафронова Ю.А. Русское общество в зеркале революционного террора. 1879–1881 годы. М., 2014. С. 94–108; Борисова Т.Ю. «Необходимая оборона общества»: язык суда над Засулич // Новое литературное обозрение. 2015. № 5(135). С. 101–118; Рубцов А.А. Антиправительственное движение 1860–1870-х годов и деятельность органов политического дознания в Российской империи (законодательные нормы и следственная практика). Дис. ... канд. ист. наук. СПб., 2023.



Iconostasis of the Trinity-Petrovsky Cathedral.
Lavras, Monasteries and Churches in Holy Rus'. St Petersburg Diocese

that concerned not revolutionary activity and terrorism, but non-violent commercial offences. In recent years, this gap has been substantially filled by the pioneering work of the historian S. Antonov. The culmination of this series of commercial trials was the case of the “Jacks of Hearts Club”, analysed by Antonov⁴: the largest non-political trial involving a group of fraudsters from “respectable” society, accused of dozens of instances of fraud and forgery intended to appropriate other people’s property⁵.

The present article continues this historiographical trend and broadens our understanding of the functioning of the judicial system in situations where members of the clergy became defendants in public trials, with church property the subject of dispute. At the centre of attention is one such non-political court case: the dispute over ownership of the Andronikov Icon of the Mother of God between the clergy of the Trinity Cathedral in St. Petersburg and Collegiate Assessor Mikhail Fedorov. The case is noteworthy because, for the first time, a public secular court in the Russian Empire ruled that an icon should be transferred from a cathedral

⁴ Antonov S. Russian Capitalism on Trial: The Case of the Jacks of Hearts // Law and History Review. 2018. Vol. 36. No. 1. P. 35–76; Антонов С. Банкроты и ростовщики Российской империи: Долг, собственность и право во времена Толстого и Достоевского. М., 2022.

⁵ Antonov S. Russian Capitalism on Trial: The Case of the Jacks of Hearts // Law and History Review. 2018. Vol. 36. No. 1. P. 35–76.



Andronikos III Palaiologos. 14th-century miniature.
From open sources

into private hands, contrary to canon law, according to which church property was inalienable⁶. The highly publicised litigation not only drew public attention to the problem of the legal regulation of church property, but also called into question the very principles of the judicial reform of 1864. It is important that the central figure in the story, M.A. Fedorov, had a legal education, and that the narrative constructed in his writings reflected, on the one hand, a “secular” view of judicial proceedings and, on the other, focused attention on the key points of the debate over the legitimacy of the post-reform courts in cases affecting the interests of the Orthodox Church. Thus, the aim of this article is to analyse public perceptions of the participation of the clergy in legal proceedings and of the role of publicity in litigation involving members of the clergy.

According to tradition, the Andronikov Icon of the Mother of God was painted by the Evangelist Luke and belonged to the Byzantine Emperor Andronikos III Palaiologos, who donated it to the Monemvasia Monastery. In 1821, during the Greek uprising, the Monastery’s abbot, Bishop

⁶ Despite the prescriptions of canon law, in practice, as E. Pravilova notes, the Synod often turned a blind eye to the sale of objects intended for religious purposes, while the market in church property in the nineteenth century existed “almost without supervision”. See: *Правилова Е. Империя в поисках общего блага. Собственность в дореволюционной России. М., 2022. С. 294.*



Great Church of the Winter Palace. Artist E. Hau, 1866.
From open sources

Agapius, took the icon to Patras and bequeathed it to the Russian Consul General in Greece, I.N. Vlassopulo⁷. In 1839, the Consul's son Alexander Vlassopulo presented the icon to Emperor Nicholas I⁸. From then on, the icon was kept in the Great Church of the Winter Palace until 1868, when Vlassopulo, having been declared insolvent by a court, petitioned the Ministry of the Imperial Court either for payment of 25,000 roubles or for the return of the gift⁹. By imperial decision, the icon was to be returned to the petitioner's private ownership.

The ruined Vlassopulo, aware of the gravity of his situation, drew up a declaration transferring his property rights to his wife Seraphima and

⁷ For more on the history of the icon, see: Греческая Андроникова икона Божией Матери в истории Византии и России. СПб., 1999; Сказания о Казанской женской общежительной обители близ г. Вышневого Волочка Тверской епархии. Тверь: Тип. Губ. правл., 1890. С. 116–130, Приложения.

⁸ Российский государственный исторический архив (РГИА). Ф. 472. Оп. 13. Д. 1757. On the presentation to the Emperor by the son of State Councillor Vlassopulo of an icon of the Most Holy Mother of God painted by St. Luke the Evangelist.

⁹ РГИА. Ф. 472. Оп. 19 (237/1253). Д. 114. At the request of the foreigner Alexander Vlassopulo for compensation for the icon of the Mother of God, painted by the Evangelist Luke, which he presented in 1839 to the late Emperor Nicholas Pavlovich, or for its return.

went into hiding. His wife, in turn, assigned the rights to four bills of exchange and the icon to Mikhail Fedorov, one of the fifty-five creditors of her absconding husband. Thus, the icon, which remained in the sacristy of the Winter Palace, passed into Fedorov's ownership.

At the same time, two of Vlassopulo's creditors, having learned that he held rights to the icon, decided to sell it towards repayment of the fugitive debtor's 3,000-rouble debt. The Rector of the Trinity Cathedral, Archpriest A. Lavrovsky, appealed to the parishioners to raise the necessary sum to transfer the icon to the creditors. In 1868, the icon was moved to the Trinity Cathedral¹⁰, where it remained until 1877, when, by a decision of the St. Petersburg Court Chamber, it passed into Fedorov's possession and was removed from the Cathedral. Throughout the 1870s, a succession of court proceedings initiated by the Rector of the Trinity Cathedral, A. Lavrovsky, continued. He appeared in these proceedings on behalf of the clergy and attempted to challenge Fedorov's ownership of the icon.

Fedorov himself described what had happened as a conflict between the judicial authorities and members of the parish clergy, who defended the canonical principle of the inalienability of church property: "From the collision in this case of two authorities, acting simultaneously under His Majesty's decrees, a riot and bloodshed in the very church would inevitably have resulted: on one side there would have been the bailiff, surrounded by troops summoned by him to his aid, and on the other [sic!], the clergy, inspired by the order of their Superior, and the parishioners, at whose expense, by subscription, the Sacred Object kept in the Winter Palace had been acquired in 1868 [...] The mercy of the Queen of Heaven and Earth prevented this bloodshed, but the fact of resistance to the judicial authority, acting under His Majesty's decree, nevertheless remains a fact"¹¹. How accurate was Fedorov's assessment of the essence of the conflict, and was the case really no more than a contradiction between canon law and an "unlawful" decision by a secular court?

¹⁰ The Bringing of an Ancient Greek Icon of the Mother of God to the Trinity Cathedral on Petersburg Side. СПб.: Тип. А.М. Котомина, 1875.

¹¹ Petition of M.A. Fedorov to Alexander III. 6 March 1885 // Отдел рукописей Российской государственной библиотеки (ОР РГБ). Ф. 262. Карт. 51. Д. 1. Л. 72–72 об.



In the first half of the nineteenth century, officials of the Senate and the Synod repeatedly confirmed the prohibition on selling icons – including any icon covers, which “had already become part of the Sacred Object”¹², – of insolvent debtors at public auction alongside other property¹³. Icons together with their adornments were to be handed over to the creditor with the consent of the debtor or his guarantors; if such consent could not be obtained, the icon was to be transferred to the parish to which the debtor belonged. Thus, neither the transfer of the icon into the ownership of the creditor Fedorov nor its transfer to the Trinity Cathedral contradicted established practice in the resolution of court cases. The conflict acquired particular intensity for several reasons: the events took place in the capital, directly involved the imperial family, and the post-reform public court brought them into the public eye.

It is necessary to examine more closely the biography of Mikhail Andreevich Fedorov, the central figure in this story. His endless stream of petitions to various authorities reveals not only the details but also the essence of the scandal that erupted. In 1848, Fedorov graduated from the Faculty of Law at St. Petersburg University and was recommended for a position as a rapporteur in the Consultation of the Minister of Justice. Since this vacancy was taken by one of Fedorov’s university classmates, he entered the service of the Police Board. The modest salary could not satisfy an official who was obliged to support his elderly parents and their large family. Fedorov decided to devote himself to legal practice, in the course of which, according to his own account, he acquired a “legion of enemies”, primarily among graduates of the Imperial School of Jurisprudence: “...for more than a decade, I was a victim and sufferer for speaking the truth, and it was chiefly through the good offices of the graduates of the School of Jurisprudence, who sought to obstruct my career”¹⁴; and: “...I was repeatedly compelled to lodge complaints about the improper actions of the Commercial Court and Civil Chambers, whose presidents

¹² Memorandum compiled from the file concerning the question of whether the vestments and other adornments from icons seized from debtors to satisfy private and state claims should be sold at public auction. // РГИА. Ф. 1330. Оп. 5. Д. 1031. Л. 6.

¹³ See: РГИА. Ф. 796. Оп. 108. Д. 1488; РГИА. Ф. 796. Оп. 117. Д. 1823; РГИА. Ф. 1330. Оп. 5. Д. 1031; РГИА. Ф. 1330. Оп. 5. 1069, and others.

¹⁴ Petition of M.A. Fedorov to Alexander III. 6 March 1885 // Отдел рукописей Российской государственной библиотеки (ОР РГБ). Ф. 262. Карт. 51. Д. 1. Л. 78 об.

and assistants were graduates of the School of Jurisprudence; these complaints were submitted to the Governing Senate, where the majority of the Chief Secretaries and Secretaries were their fellow graduates, bound to them by the closest friendship since childhood”¹⁵. The description of the suffering that had accompanied the lawyer’s career throughout his life enabled him to present himself as a “martyr for ideas directed exclusively towards ensuring due respect for the law”¹⁶.

Having become a party to the scandalous court case, Fedorov continued for more than fifteen years, until 1885, to submit emotional petitions to various government bodies, including the Ministry of Justice, the Senate and the Synod, as well as personally to members of the imperial family. As noted above, the icon had long been kept in the Winter Palace, and the participants in the case therefore attempted to secure the support of members of the imperial family through informal connections.

One of the themes in Fedorov’s petitions was the restoration of legality allegedly trampled upon by the reformed courts, which had arrogated to themselves the right to issue public decisions concerning ownership of church property. The key concept both in Fedorov’s writings and in other memoranda concerning the case was the “insult” inflicted upon the “Orthodox Sacred Object” by secular courts and even by members of the clergy themselves.

“But who are the judges?”: the legitimacy of the reformed court

One of the principal questions to which Fedorov drew attention concerned the right of secular courts to adjudicate disputes over church property: “Is any court concerning holy icons possible other than the Court established according to the rules of the Holy Apostles?”¹⁷ In his attacks on the reformed court, Fedorov focused on the composition of the St. Petersburg District Court, which, in his view, consisted of

¹⁵ Petition of M.A. Fedorov to the St. Petersburg Judicial Chamber. 1 February 1872 // ОП РГБ. Ф. 262. Капр. 51. Д. 2. Л. 87 об.

¹⁶ Petition of M.A. Fedorov to the St. Petersburg Judicial Chamber. 1 February 1872 // РГИА. Ф. 796. Оп. 154. Д. 554. Л. 30.

¹⁷ Petition of M.A. Fedorov to Empress Maria Alexandrovna. 10 June 1871 // ОП РГБ. Ф. 262. Капр. 51. Д. 2. Л. 32 об.



Germans and Jews. Judges belonging to another confession and sitting, as the author put it, in a St. Petersburg “fashioned on a foreign model”¹⁸ could not, he argued, issue a decision concerning an Orthodox icon based on inner conviction, as prescribed by the judicial reform: “Western ideas cannot be transplanted wholesale onto Russian soil. Recently, the judges of the St. Petersburg District Court, of foreign origin – Bulakh, **Boström** and Vollendorf – with the participation of the assistant prosecutor, the Jew Sieger, issued a judicial decision ordering that the Holy Icon of the Mother of God be removed from the the Trinity Cathedral and transferred to the Vlassopulo Bankruptcy Administration for the satisfaction of creditors. The competence of such a composition of the Court to resolve a matter of an Orthodox-religious nature is highly questionable. The publicity of the new Court gives extraordinary importance to the legal concept of holy icons. Unfortunately, the concept expressed by the court is not Russian and finds not a single letter of justification in our laws. It is a concept of Western civilisation, of Protestant and Catholic society, alien both to the purity of Orthodoxy and to Russian nationality”¹⁹.

The critical remarks Fedorov directed at the St. Petersburg judges echoed the debates that had taken place in the pages of *Den*, *Sovremennik* and *Otechestvennye Zapiski* on the eve of the judicial reform. An important point of criticism was the “pseudo-popular character” of the forthcoming reforms. Thus, according to the Slavophile I.S. Aksakov, it was impossible artificially to create in the Russian Empire a jury system and a bar association modelled on those of Germany and France²⁰. Probably well acquainted with the substance of these pre-reform debates, the lawyer Fedorov reproduced the argument concerning the “pseudo-popular character” of the courts from newspaper publications, an approach encouraged by the very nature of the case involving an Orthodox icon.

¹⁸ Letter from M.A. Fedorov to M.E. Popov, churchwarden of the Dormition Cathedral in Moscow. 18 April 1877 // ОР РГБ. Ф. 262. Капт. 51. Д. 2. Л. 54 об.

¹⁹ Petition to His Imperial Highness the Heir Tsesarevich. 10 May 1871 // ОР РГБ. Ф. 262. Капт. 51. Д. 2. Л. 30–30 об.

²⁰ For more detail, see: Борисова Т.Ю. Когда велит совесть: культурные истоки судебной реформы 1864 года в России. М., 2025. С. 335–340; see also: *Ibid.* Накануне судебной реформы 1864 г.: проблематизация режимов темпоральности в развитии российского правосудия в 1860–1870-е гг. // Новое прошлое / The New Past. 2025. No 1. С. 73–88.



Church of the Holy Trinity on the Petersburg Side.
Photograph by A. Lorenz, 1865—1869. From open sources

Fedorov's criticism was directed not only against the courts but also against representatives of the Church who made use of the right, granted by the reform of 1864, to turn to a "swift, just, merciful and equal for all" court. It should be recalled that alongside the "secular" courts, the Russian Empire also had diocesan courts, under whose jurisdiction clergy and other church personnel fell. The authors of the judicial reform, of course, could not have contemplated abolishing the estate-based ecclesiastical courts of the clergy. With the introduction of the new judicial statutes, numerous difficulties arose concerning the boundaries of the jurisdiction of secular and ecclesiastical courts. Within the Synod, special committees were formed and debates were conducted in the press concerning the need to reform the diocesan courts; one of the issues under discussion was the publicity of proceedings involving members of the clergy²¹. Nevertheless, none of the proposals put forward by the Synodal reformers received broad support among the diocesan bishops, and the projects remained unimplemented.

The background to the icon litigation in Fedorov's writings consisted of two other judicial proceedings widely known to his contemporaries:

²¹ On the projects for reforming the ecclesiastical courts, see: Никитин А.В. Церковный суд и православное духовенство в России (1864–1918 гг.). Дис. ... канд. ист. наук. СПб., 2021.

“The public trial of Hieromonk Nil (Nilus) of the Trinity Lavra of St. Sergius, which revealed shocking scenes, led, as was reported in the newspapers, to the whistling and hissing of the assembled crowd. The trial of Abbess Mitrofanina (which was expected to be printed in several foreign languages), exposing the intrigues of an unworthy person who had concealed herself beneath a monastic mantle, did not fail to leave its mark on the further diminution of respect for persons of the clergy”²². Thus, for the clergy, hearings in courts open to the public entailed public exposure which, evidently, had a negative effect on their reputation.

The first of the two trials mentioned by Fedorov – the case of Hieromonk Nil in 1872 – came to the attention of F.M. Dostoevsky, who published an ironic and caustic note about it in the journal *Grazhdanin*. The writer’s reprint of a newspaper report from *Russky Mir* revealed the scandalous details of Father Nil’s complicated love affair, which ended with banknotes being stolen from his monastic cell. What astonished Dostoevsky in this story was the clergy’s attraction to public trials, especially in cases that exposed unsightly and compromising details: “We have just read in the newspapers how one doctor discovered a new kind of ‘litigation madness’; but Father Nil is healthy and, certainly, is not mad”²³.

The second trial mentioned by Fedorov concerned Abbess Mitrofanina of the Vvedensky Vladychny Monastery in Serpukhov (in the world Baroness P.G. Rosen). The hearing took place in 1874 and attracted considerable public attention. According to the indictment, the defendant, using her connections at court, acted as a powerful patroness for wealthy benefactors of her monastery and petitioned influential persons on their behalf; at the same time, the abbess traded in decorations, forged bills of exchange, blackmailed and deceived her clientele²⁴.

²² Petition of M.A. Fedorov to the Synod. 11 November 1874 // РГИА. Ф. 796. Оп. 205. Д. 431. Л. 32–32 об.

²³ История о. Нила // Достоевский Ф.М. Полное собрание сочинений. В 30 т. Том двадцать первый. Дневник писателя 1873. Статьи и заметки 1873–1878. Л.: АН СССР. Ин-т русской литературы (Пушкинский Дом), 1980. С. 148–153.

²⁴ For more on the case of Abbess Mitrofanina, see: Dahlke S., Templer B. Old Russia in the Dock: The Trial against Mother Superior Mitrofanina before the Moscow District Court (1874) // Cahiers du Monde russe. 2012. Vol. 53/1. P. 95–120.



Abbess Mitrofanina. *Engraving, 1902. Artist I. I. Khelmitsky.*
From open sources

Fedorov appealed to the members of the Synod as a “spiritual tribunal... to which the actions of Father Lavrovsky and Father Nil, the hieromonk of the Lavra of St Sergius, must be brought to attention — persons who, with astonishing boldness, under the cover of their clerical attire, are ready to appear in a public court in defence of the idea that they alone are supposedly worthy to be guardians of the Sacred Object, even if it was acquired by deceit”²⁵. Like the protagonists of the two court cases described above — Hieromonk Nil and Abbess Mitrofanina — the Rector of the Trinity Cathedral was prepared to make use of the publicity of the new court in a conflict which, in Fedorov’s view, required “only a conscientious attitude towards it”²⁶.

The recipients of Fedorov’s petitions, like newspaper readers, were expected to conclude that members of the clergy would undertake to participate in a public court proceeding only if they possessed “astonishing boldness” or even insolence. Both Dostoevsky’s bitter irony and Fedorov’s irritation reflected a persistent and understandable public perception that the participation of the clergy in a public secular court was awkward and impermissible.

²⁵ Petition of M.A. Fedorov to Metropolitan Isidore (Nikolsky). 16 September 1873 // РГИА. Ф. 796. Оп. 205. Д. 431. Л. 14.

²⁶ Appeal by M.A. Fedorov to the Imperial Confessor, Protopresbyter V.B. Bazhanov. 1 September 1873 // РГИА. Ф. 796. Оп. 205. Д. 431. Л. 10.

**“But there is also God’s judgement...”:
the icon litigation and the assassination of the Tsar**

By the early 1880s, the rhetoric of legality had merged in Fedorov’s writings with religious mysticism. The removal of the icon from the cathedral by an unlawful court decision, Fedorov believed, foretold the appearance of the Queen of the South, “who will judge men and then herself assume the title of Judge over a wicked and adulterous generation”.

He wove the icon litigation into an exalted narrative about the “calamities” that had befallen the Russian Empire, culminating in the assassination of Alexander II: “it was claimed that the departure of the Lord’s Sacred Object from the Cathedral to the Police House, immediately before the beginning of prayers for the Tsar, was an ill omen for the Sovereign, because **the Queen of Heaven had become angered by His Majesty’s refusal in 1866 to retain this Sacred Object** [here and below, emphasis mine. — K.V.] ... Others maintained that the departure of the Sacred Object from the church inevitably foretold disastrous consequences for the whole of Russia ... Popular rumour was not slow to prove itself justified: from 1877 great calamities began for Russia, continuing to this day, and on 1 March 1881 the Tsar perished in terrible suffering in broad daylight, surrounded by his accompanying bodyguards; consequently, on 5 April 1881, the Decree of the Holy Synod appeared, informing the whole world of the terrible wrath of God that had visited Russia for its lawlessness”²⁷.

In describing the events of 1881, Fedorov drew on the rhetoric of sermons delivered by priests, but substituted his own meanings for their original ones. The position of the Orthodox Church on the assassination of the Emperor was expressed in numerous sermons centred on the image of Alexander II as a “passion-bearer” who, like Christ, had accepted a redemptive death for the sins of the people. Responsibility for the regicide was placed on Russian society, suffering from “diseases” and infected with unbelief, which had raised the terrorists through its bad example²⁸... Borrowing from the preachers the image of the Emperor’s martyrdom in

²⁷ Letter from M.A. Fedorov to E.N. Sivokhin. 27 July 1882 // ОП РГБ. Ф. 262. Карт. 51. Д. 1. Л. 3 об. — 4.

²⁸ Сафронова Ю.А. Русское общество в зеркале революционного террора, 1879–1881 годы. М., 2014. Гл. II.

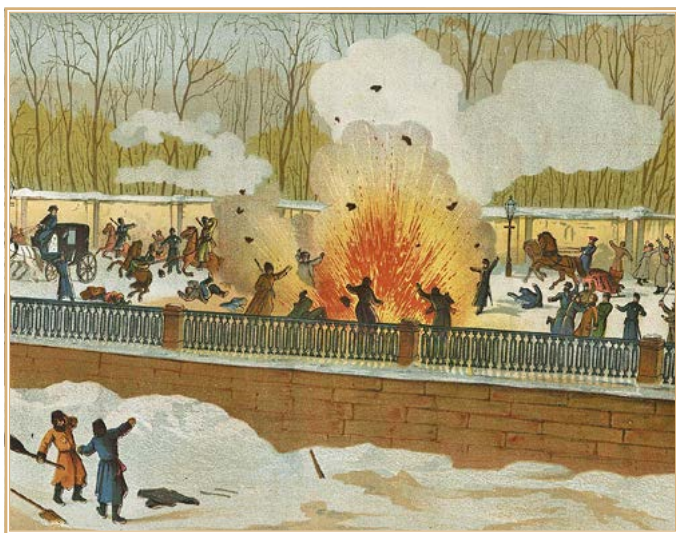


Illustration of the assassination attempt on Alexander II on 1 March 1881.

Approved by censor. *From open sources*

“terrible suffering”, Fedorov turned the sharp edge of his criticism not against Russian society as a whole – society whose flesh and blood, according to the sermons, were embodied in the regicides – but against the clergy themselves, whose children constituted a significant proportion of the revolutionary underground: “His [Father Domkinsky’s, one of the persons involved in the court case. – K.V.] activity as a Priest – a servant at the Altar of the Lord – consisted in the most immoral acts, including, among other things, instilling in the young disobedience to the established authorities [underlined in the original. – K.V.], which must have disastrous consequences if we recall Karakozov, Rysakov and other such villains who attempted Regicide. Political trials revealed to society that **a significant percentage of revolutionaries seeking to destroy the State organism consists of children of the clergy**, but these trials have not yet provided evidence that the clergy themselves took an active part in such crimes, and now, in the person of Father Domkinsky, we have finally become aware of the sad fact that before the Altar **there officiate persons who are rearing new villains for us**”²⁹. Thus, Fedorov turned the arguments of preachers denouncing the ills of Russian society into accusations against the Orthodox Church itself.

²⁹ Petition to Alexander III. 6 March 1885 // ОП РГБ. Ф. 262. Капр. 51. Д. 1. Л. 75–75 об.



It is evident that Fedorov's concern for the fate of the icon was not disinterested. By sending petitions to high-ranking individuals, he presumably hoped not only to obtain financial benefit from ownership of the icon but also to improve his career prospects by reminding them of his many years of devoted service. The first of these calculations was realised only in 1885, when the icon was purchased from Fedorov by the merchant E.N. Sivokhin and transferred to the Vyshnevolotsk Convent of the Kazan Icon of the Mother of God³⁰.

Conclusion

Beginning in 1868, shortly after the opening of the reformed courts, the case of the Andronikov Icon of the Mother of God became a dispute over the very principles of judicial reform. Proceedings involving members of the clergy raised a number of problems: who was to adjudicate cases concerning the Orthodox clergy or determine the fate of “Orthodox Sacred Objects”? In the case described above, the composition of the court became the principal target of attack: it consisted of professional judges of non-Orthodox confessional backgrounds whose “inner conviction” might potentially have differed from Orthodox subjects' notions of morality and immorality.

The principal danger in cases involving members of the clergy was the publicity of the new court, with the attendant risk of publicly insulting clerical dignity or desecrating a revered relic when church property was at issue. The materials of the court case do not allow us to determine the position of the parish clergy in the conflict, but they do reveal the views of secular actors within the broader public debate over the participation of the clergy in public court proceedings. The rhetoric of “insult” employed in Mikhail Fedorov's petitions was characteristic of writings about court cases involving members of the clergy. In the eyes of contemporaries, their presence in court appeared awkward and unbecoming of their clerical status. Moreover, from this perspective, the clerical estate could not be regarded as an integral part of the new legal reality created by the judicial reform. The paradox was that this situation did

³⁰ Report of Archbishop Savva (Tikhomirov) of Tver and Kashin to the Synod // РГИА. Ф. 796. Оп. 166. Д. 1473. Л. 1–4.



Vyshnevolotsk Convent of the Kazan Icon of the Mother of God.
Photograph, second half of the 19th—early 20th century. From open sources

not prevent members of the clergy from actively making use of both new forms of communication and the reformed courts³¹.

The debate mentioned above is important in another respect as well: the critical view of contemporaries has left a noticeable imprint on historiography. Court proceedings involving the clergy, the legal practice of secular and ecclesiastical courts, strategies for defending members of the clergy, and a number of other issues have received virtually no scholarly attention. One gets the impression that these topics do not appear relevant within the framework of the history of the Church in the Synodal period. The clergy still largely lacks a legal history of its own, unlike other social groups in the Russian Empire, including the nobility, peasants and merchants³².

³¹ Dablke S., Templer B. Old Russia in the Dock: The Trial against Mother Superior Mitrofaniia before the Moscow District Court (1874) // *Cahiers du Monde russe*. 2012. Vol. 53. No. 1. P. 95–120; Ваничева К. Тяжбы о бесчестье в пореформенном суде: «навигация» православного приходского духовенства в правовом пространстве Российской империи (1860–1880-е гг.) // *Антропологический форум*. 2025. No 65. С. 37–59.

³² Маррезе М.Л. Бабые царство: дворянки и владение имуществом в России (1700–1861). М., 2009; Burbank J. Russian Peasants Go to Court: Legal Culture in the Countryside, 1905–1917. Bloomington; Indianapolis, 2004; Антонов С. Банкроты и ростовщики Российской империи: долг, собственность и право во времена Толстого и Достоевского. М., 2022; Яковлева Т.Г. Торговля по правилам и без: власть и торговцы в Енисейской губернии во второй половине XIX — начале XX века. СПб., 2021.

Despite the substantial lack of documents in the case materials that would reveal the position of the clergy in the dispute, the court case analysed here is significant because it allows us to identify a number of new research questions concerning the legal culture of the clerical estate. In particular, it remains to be studied to what extent the rhetoric of “insult”, which permeated all statements concerning the trials, influenced the clergy’s decision to make use of the reformed secular courts, and what role the publicity of court cases played in this respect.

Conflict of interests

The author declares no relevant conflict of interests.



References

1. Antonov S. Bankrupts and Usurers of the Russian Empire: Debt, property and law in the time of Tolstoy and Dostoevsky. Moscow: New Literary Review, 2022. 504 p. (in Russ.). <https://doi.org/10.4159/9780674972599>
2. Borisova T. Yu. “Necessary defense of society”: The language of the trial of Zasluch // *New Literary Review*. 2015;5(135):101–118. <https://www.elibrary.ru/vejrrj> (in Russ.).
3. Borisova T.Yu. On the eve of the judicial reform of 1864: Problematisation of temporality regimes in the development of Russian justice in the 1860s–70s. *Novoe Proshloe / The New Past*. 2025;(1):73–88. (in Russ.). <https://doi.org/10.18522/2500-3224-2025-1-73-88>
4. Borisova T.Yu. *When conscience dictates: the cultural origins of the Judicial Reform of 1864 in Russia*. Moscow: New Literary Review, 2025. 584 p. <https://www.elibrary.ru/yyafqg> (in Russ.).
5. Vanicheva K. Lawsuits about Dishonour in the Post-Reform Court: The “Navigation” of the Orthodox Parish Clergy in the Legal Space of the Russian Empire (1860s–1880s) // *Antropologicheskij Forum*. 2025;(65):37–59. (in Russ.). <https://doi.org/10.31250/1815-8870-2025-21-65-37-59>

6. Pikul I.V., Smirnova N.S. The Greek Andronikov Icon of the Mother of God in the history of Byzantium and Russia. St. Petersburg: Pravoslav. fond V. Pikulya, 1999. 221 p. https://rusneb.ru/catalog/000200_000018_rc_720941/?ysclid=mrdivzxcawl783151370 (in Russ.).
7. Dorskaya A.A. The legal regime of religious property in Russia: history and modernity. St. Petersburg: Asterion, 2012. 224 p. <https://www.elibrary.ru/uiizsp> (in Russ.).
8. Marrese M.L. A Woman's Kingdom: noblewomen and the control of property in Russia, 1700–1861. Moscow: New Literary Review, 2009. 368 p. (in Russ.).
9. Nikitin A.V. The Church court and the Orthodox clergy in Russia (1864–1918): Diss. Cand. Hist. Sci. St. Petersburg: 2021. 224 p. <https://www.elibrary.ru/lroqzh> (in Russ.).
10. Pravilova E. Empire in search of the common good. Property in pre-revolutionary Russia. Moscow: New Literary Review, 2022. 560 p. (in Russ.).
11. Rubtsov A.A. The anti-government movement of the 1860s and 1870s and the activities of political inquiry bodies in the Russian Empire (legislative norms and investigative practice): Diss. Cand. Hist. Sci. St. Petersburg: 2023. 224 p. <https://www.elibrary.ru/hapovf> (in Russ.).
12. Safronova Yu.A. Russian society in the mirror of Revolutionary terror, 1879–1881. Moscow: New Literary Review, 2014. 376 p. <https://www.elibrary.ru/zqzitiv> (in Russ.).
13. Troitskiy N.A. Tsarist courts against revolutionary Russia: Political processes, 1871–1880. Saratov: Saratov University Press, 1976. 408 p. <https://search.rsl.ru/ru/record/01008417185?ysclid=mrdivgol7h664443124> (in Russ.).
14. Yakovleva T.G. Trading by rules and without: Government and merchants in the Yenisei province in the second half of the 19th – early 20th century. St. Petersburg: Publishing House of the European University in St. Petersburg, 2021. 462 p. (in Russ.).
15. Antonov S. Russian Capitalism on Trial: The case of the jacks of hearts // *Law and History Review*. 2018;36(1):35–76. (in Russ.). <https://doi.org/10.1017/S0738248017000517>
16. Burbank J. Russian Peasants Go to Court: Legal Culture in the Countryside, 1905–1917. Bloomington: Indiana university press, 2004. 374 p. (in Russ.). <https://doi.org/10.2979/2870.0>



17. Dahlke S., Templer B. Old Russia in the Dock: The Trial against Mother Superior Mitrofaniia before the Moscow District Court (1874) // *Cahiers du Monde Russe*. 2012;53(1):95–120. (in Russ.). <https://doi.org/10.4000/monderusse.9368>



Ksenia V. Vanicheva



graduate student European University at St. Petersburg,
ORCID: 0009-0000-0257-9202

Received
13.11.2025

Revised
15.01.2026

Accepted
16.02.2026