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**Socio-economic consequences of the dissolution of marriage due to the exile  
of one of the spouses with the deprivation of all rights of the state  
in the second half of the XIX – early XX century**

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**Abstract:** The article examines the peculiarities of divorce proceedings based on one of the legislatively permitted grounds, the exile of a spouse to hard labor or settlement with deprivation of all rights, in three provincial provinces – Tver, Tobolsk, and Yaroslavl. An analysis of the funds of the ecclesiastical consistory was conducted, and divorce cases based on the specified motive were identified. Using petitions from representatives of different estates and social statuses, formal aspects and main stages of divorce proceedings were studied, and common mistakes in submitting a "set of documents" were identified. The article also examines the timeframes for considering cases that were resolved positively (divorce) or negatively (denial of divorce). The article concludes with main findings on the similarity of reasons for denial (errors in document submission and the retention of rights by the exiled spouse due to the administrative nature of the verdict) and the timeframes for divorce. Getting a divorce from an exiled spouse in the second half of the 19th to early 20th century was relatively simple; it required complying with all conditions specified in regulatory documents. It is noted that in a patriarchal society, the significance of divorce is also reflected in an economic way. It is shown that the loss of rights and exile affect the aspect of a decrease in social status and a decrease in rank forms of social interaction. It is reflected that the economic aspect of the dissolution of marriage can affect not only the actual issues of financial components, but also the subsequent.

**Keywords:** ecclesiastical consistory; deprivation of all rights; dissolution; stages of case resolution; case management; economic components; budget; financial relations.

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**Социально-экономические последствия расторжения брака по причине ссылки одного  
из супругов с лишением всех прав состояния во второй половине XIX – начале XX в.**

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**Аннотация.** В статье рассмотрены особенности бракоразводных процессов по одной из законодательно разрешенных причин, ссылке супруга на каторжные работы или поселение с лишением всех прав состояния, в трех провинциальных губерниях – Тверской, Тобольской и Ярославской. Проведен анализ фондов духовных консисторий и выявлены дела о расторжении брака по указанному мотиву. На примере прошений представителей различных сословий и состояний изучены формальные аспекты и основные этапы производства разводных дел, выделены основные ошибки в подаче «комплекта документов», рассмотрены сроки рассмотрения дел, решенных как положительно (разводом), так и отрицательно (отказом в разводе). В завершении статьи приводятся основные выводы о сходстве во всех трех губерниях причин отказа (ошибки в подаче документов и сохранение прав состояния ссыльного вследствие административного порядка приговора), сроков расторжения брака. Развестись со ссыльным супругом во второй половине XIX – начале XX в. было достаточно просто, для этого требовалось соблюсти все условия, указанные в нормативных документах. Отмечено, в условиях патриархального общества значение развода также отражается в экономическом ключе. Показано, что поражение в правах и ссылка влияют в аспекте снижения социального статуса и понижения в ранговых формах социального взаимодействия. Отражено, что экономический аспект расторжения брака может воздействовать не только на актуальные вопросы финансовых составляющих, но также и на последующие.

**Ключевые слова:** духовные консистории; лишение всех прав состояния; развод; этапы решения дел; делопроизводство; экономические составляющие; бюджет; финансовые отношения.

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## **Introduction**

In contemporary historiography, there is a growing interest in the topic of divorce, including the history of this process. However, researchers only list the legislatively permitted grounds for divorce (Dorskaya, 2015), examine the procedure of divorce based on secular and ecclesiastical laws (Yelchaninova, 2019), and calculate the number of divorces based on each ground (Yanenko, 2013). The topic of divorce based on the motive of exile of one of the spouses to hard labor or settlement still awaits further research.

In Imperial Russia, the dissolution of marriage was regulated by both ecclesiastical and secular norms. According to Article 231 of the "Statute of Ecclesiastical Consistories" of 1841 (Belosludtseva, 2020) and Article 225 of 1883 (Highest Approved Statute of Ecclesiastical Consistories (14409)), when one of the spouses was sentenced to a punishment that entailed deprivation of all rights, the other spouse could request the dissolution of the marriage from the diocesan authorities. In the "Code of Civil Laws" (Part 1, Volume X of the Code of Laws of the Russian Empire, 1857 edition), the possibility of dissolving a marriage based on this ground is documented in Articles 45 and 50 of Section III, Division 4, Chapter 1, Book 1 (Statute of Ecclesiastical Consistories (1883)), and later carried over to subsequent editions of the "Code of Laws" that were in effect throughout the period under consideration. The protocols of ecclesiastical consistories from the 1870s also refer to Article 27 of the "Code of Punishments" of 1866.

Apart from the financial consequences, the dissolution of a marriage due to the exile of one spouse with the deprivation of all property rights in the late 19th to early 20th century also had social and legal implications. The society of that time was conservative, and divorce was seen as a significant social stigma. This could lead to the social isolation of the deprived spouse and complicate their economic situation. During that period, the legal system did not always provide fair resolution of property disputes and protection of the rights of the deprived spouse. There was a risk that the assets obtained by one spouse could be unlawfully retained without proper compensation. This only exacerbated the financial consequences for the deprived spouse. However, progressive changes in legislation began to take place during this period, aiming to protect the rights of spouses in divorce cases. These changes reflected broader societal shifts related to the perception of women's roles and individual rights. Over time, the legal system became more equitable and took into account the interests of both parties in divorce proceedings. Thus, the financial consequences of divorcing due to the exile of one spouse with the deprivation of all property rights in the late 19th to early 20th century were significant and encompassed not only the loss of property but also social isolation, limited legal protection mechanisms, and disruption of social stability.

### Materials and methods

Currently, we can have an idea of the number of divorces in each province based on all legally permitted grounds from 1884 to 1914. For an earlier period (1861-1883), the information is contained in Extracts from the Most Loyal Reports (data for 1861-1865 is not included in the table due to the absence of divorces in the specified provinces) (Table 1).

Table 1

**Number of divorces based on the motive of exile of one of the spouses with deprivation of all rights in Tver, Tobolsk, and Yaroslavl provinces from 1866 to 1914 (Russia. Laws and Decrees. Code of Civil Laws (1867))**

Province Year	Tver province	Tobolsk province	Yaroslavl Province
1866	2	2	0
1867	0	2	1
1868	1	1	1
1869	1	2	0
1870	1	0	1
1871	1	0	0
1872	2	1	4
1873	5	0	0
1874	4	2	1
1875	2	4	0
1876	10	0	5
1877	3	2	6
1878	9	1	2
1879	8	1	3
1880	2	5	0
1881	4	1	0
1882	5	0	2
1883	7	0	5
1884	3	0	3
1885	1	2	3
1886	6	0	3
1887	12	3	2
1888	3	2	3
1889	0	0	0

1890	8	3	4
1891	2	3	2
1892	7	2	1
1893	6	5	2
1894	8	5	8
1895	9	7	7
1896	11	7	3
1897	7	3	1
1898	12	1	1
1899	5	3	3
1900	1	4	2
1901	1	1	1
1902	3	0	1
1903	2	0	4
1904	6	1	2
1905	0	0	0
1906	4	6	1
1907	3	4	0
1908	3	1	1
1909	4	3	0
1910	4	1	0
1911	3	5	0
1912	3	1	2
1913	3	1	2
1914	2	3	0
<b>Итого</b>	<b>209</b>	<b>101</b>	<b>93</b>

Analyzing the content of the table, it can be concluded that the highest number of divorces based on the motive of exile of one of the spouses to Siberia was registered in Tver Province. Throughout the examined period, Tobolsk Province had a low percentage of positive decisions in divorce cases (although there were more appeals preserved in the archive). The reasons for the lower number of divorces in Yaroslavl Province still need to be studied, as in terms of other grounds for divorce, the periphery always ranked third in terms of quantity.

### **Results**

Only a small portion of the consistory cases on the dissolution of marriages, including those based on the motive of spousal exile to hard labor or settlement, have survived to this day. However, even this limited sample allows for some conclusions to be drawn about the stages of resolving such cases and the difficulties faced by petitioners, as well as the specificities of the process in different provinces. Thirty-three cases found in the archives of regional repositories in the Russian Federation were examined (Table 2).

Table 2

**Distribution of cases based on petitions for the dissolution of marriage due to the motive of spousal exile with deprivation of all rights in the ecclesiastical consistories of Tver, Yaroslavl, and Tobolsk in the second half of the 19th to the early 20th century (Excerpt from the Report on the Department of Spiritual Affairs of the Orthodox Confession (1861-1883))**

Dioceses Gender of the petitioner	Tver		Tobolsk		Yaroslavl	
	Number of cases considered	Of them ended in divorce	Number of cases considered	Of them ended in divorce	Number of cases considered	Of them ended in divorce
Men	3	2	0	0	4	3
Women	6	5	6	5	14	8
Total	9	7	6	5	18	11

The table above reflects the number of cases initiated by the ecclesiastical consistories rather than the number of marriage dissolution certificates issued. More than half of the examined cases resulted in a positive decision by the respective institution.

The discovered cases span the period from 1875 to 1912. Interestingly, only cases from this specific ground for divorce have not been found for an earlier period. In Yaroslavl Province, the documents date back to 1875, in Tobolsk Province to 1879, and in Tver Province to 1893.

During the examination of the aforementioned cases, the main stages of their resolution were identified: 1) filing a petition with an attached baptismal certificate (extract from the baptismal register regarding the marriage), court fees, and a copy of the supporting document (a verdict or sentence from the district [provincial in Tobolsk Province] court regarding the punishment, or a list of charges); 2) gathering missing baptismal certificates, stamps, or other information; 3) the decision of the ecclesiastical consistory, recorded in the minutes of its meeting with reference to the legal basis; 4) notifying the petitioner (or both spouses in cases of divorce) of the outcome of the case through the local police administration. In the case of a positive decision, the following documents were sent: orders to the deacon and the archivist of the consistory to make entries in the baptismal and visitation (church) books regarding the divorce, a divorce certificate with the collection of a heraldic stamp costing 80 kopecks for submission to the local police administration, a report to the provincial government, and a report to the Holy Governing Synod (hereinafter referred to as the Synod) with a brief description of the case "for information." Additionally, a report was sent to the volost administration (urban administration) for making entries in the administration's books, family lists, charge sheets, and subsequent documents regarding the parties involved, with markings made in passports if available. It should be noted that the stages of case resolution mentioned above were supplemented by correspondence with various institutions as needed.

### Discussion

From the perspective of social estates, out of the 33 cases examined, 29 were initiated by peasants, 3 by townspeople, and 1 by an honorary citizen.

The texts of the petitions indicate a common motive for seeking the intervention of the consistory – the desire to enter a subsequent marriage in order to have assistance in managing the household. Phrases such as "Wishing to enter into marriage with whomever God permits" (All-Sovereign Reports of the Ober-Procurator of the Holy Synod on the Department of Orthodox Confession (1884-1914)) and "Without a worker and housekeeper, my peasant household will decline... Children can become spoiled and morally corrupted without a mother... Constantly being absent for various work, I cannot supervise my children" (State Archive of the Tver Region (GATO), Fund 160, Inventory 1-38, File 12244, Inventory 1-46, Files 12915, 12912, Inventory 1-2, Files 7853, 7370, 7629, 7664, Inventory 1-50, File 13195, Inventory 1-49, File 13127) are found in the petitions. In cases initiated by female petitioners, a prospective groom had already been found, which compelled them to expedite the formal divorce process: "Now, for the petitioner, there is an

opportunity to enter into a third lawful marriage" (State Archive of the Yaroslavl Region (GAYAO), Fund 230, Inventory 4, Files 1388, 1510; Inventory 6, Files 387, 404, 441, 479, 497, 683, 703, 705, 706, 738, 759, 804, 810A, 829, 832; Inventory 9, File 17), "Now, a peasant from my volost... has proposed to marry me. And since my husband is still alive, although deprived of all his rights, I found it necessary to trouble you" (State Archive of the Yaroslavl Region (GAYAO), Fund 230, Inventory 4, Files 1388, 1510; Inventory 6, Files 387, 404, 441, 479, 497, 683, 703, 705, 706, 738, 759, 804, 810A, 829, 832; Inventory 9, File 17), "After living alone for 6 years, enduring all the hardships of life, now at the age of 30, given the change that occurred in my life, I have the intention to enter into a lawful marriage" (State Archive of the Yaroslavl Region (GAYAO), Fund 230, Inventory 4, Files 1388, 1510; Inventory 6, Files 387, 404, 441, 479, 497, 683, 703, 705, 706, 738, 759, 804, 810A, 829, 832; Inventory 9, File 17), "In order to improve my own and my children's situation, I wish to accept the proposal of a young man to enter into a lawful marriage with him" (State Archive of the Tyumen Region "State Archive in Tobolsk" (GAT), Fund 156, Inventory 11, Files 1293, 1428, 1499, 1599, 1838; Inventory 18, File 98), "The court offered me a divorce, but due to my youth, I could not do it at the time. Now, a groom has been found" (State Archive of the Tyumen Region "State Archive in Tobolsk" (GAT), Fund 156, Inventory 11, Files 1293, 1428, 1499, 1599, 1838; Inventory 18, File 98). "Not wishing to commit an offense, I decided to enter into marriage" (State Archive of the Tyumen Region "State Archive in Tobolsk" (GAT), Fund 156, Inventory 11, Files 1293, 1428, 1499, 1599, 1838; Inventory 18, File 98). "I wish to enter into a second marriage, but the priest... refuses to perform the wedding ceremony due to the first marriage" (State Archive of the Tyumen Region "State Archive in Tobolsk" (GAT), Fund 156, Inventory 11, Files 1293, 1428, 1499, 1599, 1838; Inventory 18, File 98). It is interesting to note that this aspect is most clearly observed in the petitioner's documents specifically related to this ground for divorce.

The petitions were required to provide the following information:

1. Full name of the spouse.
2. Committed crime.
3. Legal basis for imposing the punishment.
4. Documentary evidence – the decision of the provincial court, document number, and date.
5. Type and duration of the punishment (reference to penal labor/settlement in Siberia, deprivation of all rights).
6. Refusal to follow the convict (reasons could be specified, such as "due to his unruly behavior"), "did not wish to follow him into exile and be considered the wife of a criminal", "did not wish to go with him to Siberia with our underage son" (State Archive of the Tyumen Region "State Archive in Tobolsk" (GAT), Fund 156, Inventory 11, Files 1293, 1428, 1499, 1599, 1838; Inventory 18, File 98).
7. Reason for the necessity of divorce (young age, availability of a candidate for a subsequent marriage, etc.).
8. Normative basis for the legality of granting the request.
9. Request to announce the decision (could include a specific local institution, typically the police administration).
10. List of attached documents and heraldic stamps.

The indication of the petitioner's place of residence was a mandatory requirement. The address was placed according to the rules of layout – in the lower right corner of the last page of the petition, although it could also be placed simply after the text across the full width of the page. However, it was also observed that the place of residence was sometimes presented in the "sender" field, which the consistory did not consider as a violation of norms.

It should be noted that plaintiffs in petitions related to the examined ground for divorce did not provide information about the date and place of the marriage ceremony, as well as the details of married life. The texts of these documents were the least emotional and usually of relatively short length.

After reviewing the petition, the missing information, documents, and stamps were collected. Some plaintiffs did not attach birth certificates and heraldic stamps, so they were informed that the

case would be suspended until those documents were provided. In cases where the petitioner submitted a penal list as documentary evidence, it was required to have a note from the provincial administration stating their unwillingness to follow the convicted spouse. If such note was absent, the document was returned with an explanation that personal application to the provincial administration was necessary. The Yaroslavl consistory required the date when the verdict came into legal force, and if the petitioner did not provide it, they would independently request the information from the courts. The data regarding the category of the exiled convict – whether they belonged to the "reforming" category and had the opportunity to remarry – varied depending on the specific category of penal labor.

Results of the cases: The shortest period in cases resulting in divorce was two weeks from the submission of the petition to the presentation of the report to the Synod, and the divorce decision was usually rendered in approximately 10 days. The petitioner in this case was a townsman from the Yaroslavl province, and all the documents were correctly submitted without any unnecessary attachments [16].

Another case was resolved in slightly less than a month, with the consistory deciding one week after receiving the petition, which was approved by the bishop four days later. The remaining time was required for the preparation and delivery of the divorce certificate, the accompanying report to the police administration, and informing the petitioner of the outcome. This case is indicative for the Tobolsk consistory, as the petition was composed by an educated peasant woman who had prepared meticulously for her appeal to the episcopal authority. The petitioner provided all the necessary information in the document, including comprehensive legal references, punishments, and rights related to divorce. It is evident that the woman was "legally knowledgeable." All the required documents were provided, and the peasant woman made such an effort that she even included additional documents, such as an extract from the birth and baptismal register and a certificate from the village elder confirming her residence in her deceased father's house. Mandatory attachments were also present: a copy of the sentence from the Tobolsk provincial court and an extract from the marriage register regarding the marriage with her exiled husband.

The average processing time for such cases ranged from 3.5 months to a year, depending on the availability of heraldic stamps, birth certificates, and the need for additional information. The duration increased due to the long distances between institutions. Most petitioners were peasants, often illiterate, including in legal matters, which complicated and prolonged the resolution of their cases.

The longest divorce proceedings related to the examined ground for divorce were found in the archives of the Yaroslavl consistory. One case lasted for 1 year and 11 months and involved peasant parties. The consistory's decision was approved within 2 weeks, and a report was sent to the Synod within the same period. However, both parties continued to approach the episcopal authority personally or through the provincial administration for the next two years. The defendant, who was in exile, established a relationship with another man, had a child, and wished to divorce and enter a new marriage, as the status of being illegitimate «affects the child's entire life».

In a case involving a convict exiled to Sakhalin Island, a significant amount of time was spent on correspondence, with a chain of «requests and responses» lasting several months, resulting in a total duration of 1.5 years. Another case took the same amount of time because the plaintiff could not provide a copy of the court's decision within a year (State Archive of the Tyumen Region «State Archive in Tobolsk» (GAT), Fund 156, Inventory 11, Files 1293, 1428, 1499, 1599, 1838; Inventory 18, File 98).

The resolution of dismissal cases took several months, during which two errors were simultaneously made in submitting documents: the absence of a marriage certificate and a copy of the court's decision. Subsequent investigations revealed that the spouse had been exiled without deprivation of all civil rights, or not by a court decision but, for example, «by the verdict of a society that did not wish to accept him into their community, and the right to divorce does not apply to such individuals».

The reasons for refusal in handling the cases can be divided into three categories: 1) standard reasons that occur in the majority of dismissal cases regardless of the grounds for divorce (lack of birth certificates, information, and/or stamps, heraldic fees), including cases that fell outside the jurisdiction of the consistory as they were transferred to another province, and 2) specific reasons, such as the preservation of the convicted spouse's civil rights and the administrative, instead of criminal, nature of the sentence.

Let's examine the second category of dismissal cases more closely. Due to their legal illiteracy, petitioners confused exile in general with the legislatively prescribed condition of depriving all civil rights based on a court decision. Therefore, in some cases, we encounter the following instances of negative outcomes:

1. The petitioner's request for divorce was denied because the spouse was exiled without deprivation of all civil rights or based on administrative, rather than criminal, proceedings.

2. The petitioner's request for divorce was denied due to a lack of clarity or confusion regarding the type of sentence imposed on the spouse, such as administrative measures or disciplinary punishment instead of deprivation of all civil rights.

3. The consistory refused to approve the divorce because the spouse's exile was not accompanied by a court decision explicitly depriving them of all civil rights.

4. The petitioner's request for divorce was denied because the consistory concluded that the spouse's exile did not fall within the legal framework for divorce under the given grounds.

These specific reasons for refusal highlight the petitioners' lack of legal understanding and their confusion between different forms of punishment and exile.

1) Sentences issued through administrative proceedings.

Case 1: 1.5 months – The defendant was sentenced by a society without a trial for bad and immoral behavior and domestic disturbance (the sentence was approved by the Yaroslavl Provincial Administration) – starting from 1892/1893, only individuals whose spouses were convicted through criminal proceedings had the right to request divorce.

Case 2: 1 year 3 months – The defendant was exiled by a society that did not wish to accept him into their community. Additionally, the petitioner stated that her husband was exiled to Siberia, while he was sent to correctional military units.

Case 3: A similar case was found in the records of the Tver Consistory and lasted for 6 months. It involved Safron Petrov Skalov, who was exiled to Siberia by a society that did not wish to accept him into their community. According to the clarification provided by the Decree of the Holy Governing Synod on October 7, 1893, No. 7, the right to dissolve the marriage does not apply to wives of such individuals. Wives of individuals exiled by societies were required to follow their husbands, regardless of their own desires, except in the following cases: 1) when the exiled husband gave consent for his wife to remain at their previous place of residence, 2) due to severe incurable illness of the wife, or 3) due to the husband's cruel treatment or blatantly immoral behavior (Article 255 of the Statute on Exiles).

2) A less severe form of punishment, for example, for misconduct by a person under suspicion of theft, who was "not approved during a general search."

These examples demonstrate the complexities arising from different forms of punishment and the misinterpretation or confusion surrounding the legal provisions related to divorce in cases of specific sentences or administrative measures.

## **Conclusion**

Thus, the process of divorce due to the spouse's exile to hard labor or settlement with the deprivation of all property rights in the late 19th to early 20th centuries was the simplest, fastest, and most financially accessible compared to other legally permitted grounds for divorce, such as adultery, unknown absence of the spouse for five years, and inability to maintain marital cohabitation. Cases based on the spouse's exile had the minimum number of stages in the resolution process. With the submission of heraldic stamps, a metric extract of the marriage, and a copy of the documentary

evidence of the spouse's deprivation of all property rights, no additional information needed to be clarified.

In such cases, the ecclesiastical consistory could record its positive decision in the protocol at the first hearing. There was no summons of spouses, court hearings, witness interrogations, or the need to gather details from various institutions and individuals. It was sufficient to provide one type of documentary evidence, such as a court decision or sentence regarding the punishment or a list of articles. The absence of the need to travel to the consistory or medical department, collect additional documents, or search for the spouse and publish announcements made divorce cases based on the spouse's exile the fastest, averaging from 3.5 months to 1 year. If the initial submission included a complete set of documentation, the process could be completed in less than a month. The main challenge was the lack of literacy among the petitioners, including legal literacy, which prolonged the resolution of their cases.

In the late 19th to early 20th century, the dissolution of a marriage due to the exile of one spouse with the deprivation of all property rights had significant financial consequences. This period was characterized by significant changes in the social and economic spheres, as well as the development of legislation regulating marital relationships.

The termination of a marriage with the deprivation of all property rights meant that the exiled spouse lost the right to inheritance, ownership of property, and control over financial resources. This had serious financial implications for both spouses. For the spouse who remained without the right to the estate, it meant a loss of financial security and the ability to manage their financial resources. At the same time, the spouse who retained full property rights gained all the financial resources and assets, leading to an uneven distribution of wealth and reinforcing the economic dependence of the deprived spouse. The financial consequences of such a divorce could be particularly significant for women, as they were usually financially secondary to their husbands and relied on their income and property. Deprivation of property rights could leave them without means of subsistence and deprive them of financial stability. Thus, the dissolution of a marriage due to the exile of one spouse with the deprivation of all property rights in the late 19th to early 20th century had serious financial consequences, resulting in an uneven distribution of wealth and economic dependence of the deprived spouse, especially in the case of women.

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