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### A.M. Evreinova on the Importance of National Law (To Mark the 180th Anniversary of the Birth of the First Russian Woman Jurist)

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#### Abstract

The article is devoted to the study of the life and creative path of Anna Mikhailovna Evreinova (1844–1917), the first Russian woman to receive a higher legal education and a Doctor of law degree in the field of jurisprudence. The authors note that the biography of A.M. Evreinova is closely connected with the feminist movement that swept the Russian Empire in the second half of the XIX – early XX century, the most important task of which was the formation of women's education, including higher education.

The authors studied the biography of A.M. Evreinova, identified the main stages of her professional activity, determined her contribution to the development of legal science and the women's movement in Russia. The paper notes that despite Evreinova's high-quality education and high professionalism, the legislation of the Russian Empire did not allow her to fully implement her knowledge in practice. Access to public service for women was closed, so it was in scientific and social activities that her legal ambitions were realized.

The article examines her activities as the founder and the first literary editor of the journal “Severny Vestnik”, which created a platform for discussing topical issues related to women's rights and problems of social justice.

The analysis of A.M. Evreinova's scientific works in the field of customary law of Slavic peoples showed her professional competence as a scientist.

**Keywords:** Anna Mikhailovna Evreinova, Russian Empire, women's education, female jurist, Doctor of Law, women's movement, women's rights, customary law.

#### 1. Introduction

The biography of A.M. Evreinova is closely connected with the history of the feminist movement in Russia. The women's rights movement originated in the second half of the 19th century in the context of significant social and political transformations that engulfed European states, including the Russian Empire.

A notable breakthrough occurred in the 60s of the XIX century, when women's clubs and societies began to appear in large cities of the Russian Empire, discussing social problems and demanding better working conditions for women, the opportunity to receive higher education and access to certain professions that were previously considered exclusively male. The first Russian woman with higher education was Nadezhda Prokofievna Suslova (1843–1918), who received a Doctor of Medicine degree from the University of Zurich in 1867.

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1867 became a landmark year for higher female education in Russia. In December 1867, at the 1st Congress of Naturalists and Doctors in St. Petersburg, the issue of women's education was one of the main ones. As a result of the discussion, a petition was submitted to the Rector of St. Petersburg University, K.F. Kessler, to open higher courses for women in historical, philological and physical-mathematical sciences. However, the petition was rejected, and the first Higher Women's Courses were opened only in 1878 (*Pervyi zhenskii kalendar'*, 1905: 185). The issue of higher legal education for women remained open. In this regard, the biography of Anna Mikhailovna Evreinova, who became the first Russian woman with a higher legal education, is of undoubted interest.

## 2. Materials and methods

The main source for this research was the writings of Anna Mikhailovna Evreinova, available in the collections of the Russian State Library (*Evreinova, 1878: 599-616; Evreinova, 1883: 42; Evreinova, 1884: 5-18; Evreinova, 1895: 15; Evreinova, 1901: 219-246; Evreinova, 1905: 376-380*). In addition, the work used materials from the Archive of the University of Leipzig (*Kniga o prisvoenii uchenykh stepenei, 1873*), as well as official documents of the Russian Empire (Nominal, announced to the *Senate by the Minister of Justice, 1884: 21*), publications and minutes of meetings of societies (*Protokoly zasedanii..., 1878; Protokoly zasedanii..., 1880: 59; Protokoly zasedanii..., 1878, 1878: 701-705*).

The methodological basis of the research is based on a positivist approach, focusing on objectivity, empirical data and scientific rigor. Historical-genetic and historical-comparative methods were used in the work. The use of the historical and genetic method allowed us to trace the development of the first Russian woman to receive a Doctor of law degree in the field of jurisprudence, Anna Mikhailovna Evreinova, to identify the origins of her life and creative path. The historical-comparative method, in turn, helped to draw a conclusion about the essential role of the works of A.M. Evreinova in the field of Russian legal science.

## 3. Discussion

The history of the life and creative path of A.M. Evreinova is inextricably linked with the history of the feminist movement and the formation of women's education in Russia. For example, the works of S.G. Aivazova (*Aivazova, 1998*), V. Bryson (*Bryson, 2001*), G.A. Melnikova (*Yelnikova, 2003*) and others are devoted to the origin of feminism. In Russian historiography there are several biographical essays devoted to Evreinova, in particular, G.L. Reshetnikova (*Reshetnikov, 2001; Reshetnikov, 2011*), E.A. Krestyanikova (*Krestyanikov, 2020*), E.V. Safronova (*Safronova, 2023*), V.S. Serua (*Serua, 2020*), etc.

The article by V.S. Serua is of the greatest interest, which not only highlights the main stages of the creative path of A.M. Evreinova, but also defines her scientific interests (*Serua, 2020: 187-192*).

The materials and generalizations presented in this article significantly complement historical and legal science in terms of studying the history of the formation of higher women's education in pre-revolutionary Russia.

## 4. Results

Anna Mikhailovna Evreinova (1844–1917), the first Russian female lawyer to receive a doctorate in law from the University of Leipzig, a jurist, one of the participants in the women's movement in Russia, the founder and first literary editor of the magazine "Severny Vestnik".

She was born in 1844 in St. Petersburg. She spent her childhood on the estate of her father, Lieutenant General Mikhail Grigoryevich Evreinov (1805–1871), manager of the Peterhof Palaces. She received her secondary education in St. Petersburg, first at an educational institution - the Patriotic Institute, and later at the fashionable private boarding school of E.P. Zalivkina.

The term of stay at the Patriotic Institute lasted seven years. The training included the study of the law of God, Russian, French and German languages, mathematics, physics, geography, natural sciences, history, pedagogy, drawing, music. There was a similar course at the Zalivkina boarding school, which A.M. Evreinova graduated from. The emphasis in these educational institutions was not on the education of pupils, but on the training of good wives.

Anna Mikhailovna was not inspired by the idea of marriage and the life of a secular lady. In a biographical sketch written during Evreinova's lifetime, it says: "balls, outings, outfits, the performance of public duties in the size and form of visits, all this emptiness and vulgarity very soon became unbearably burdensome to Anna Mikhailovna" (*Evreinova, 1905: 376-380*). She liked to study, she dreamed of higher education, active social activities, and serving the people. Her youth coincided with the spread of ideas of nihilism and populism, female emancipation, which fascinated her. She communicated in the circles of radical St. Petersburg youth, was friends with the daughters of General V.V. Korvin-Krukovsky – Anna (married Jacqueland), a future famous writer and revolutionary, and Sofia (married Kovalevskaya), an outstanding mathematician, the world's first female professor of mathematics; the daughter of General V.N. Lermontov – Julia, who became subsequently, one of the first Russian women chemists, etc. Among the people with whom A.M. Evreinova "maintained friendly relations were F.M. Dostoevsky and the revolutionary narodnik P.N. Tkachev" (*Reshetnikov, 2001: 14-16*).

Talented Russian girls, obsessed with the idea of studying, were barred from Russian universities. Under public pressure, since the early 60s of the XIX century, the problem of women's admission to higher education began to be discussed at the government level. Already during the preparation of the university charter of 1863, the Ministry of Public Education, headed by A.V. Golovnin, made a request to the university councils for solutions to the problem. Opinions of Russian universities are divided. Moscow and Dorpat – opposed the admission of women to higher education; St. Petersburg, Kazan, Kharkov and Kiev – considered it possible, but on different grounds. The Ministry of Public Education has not made a positive decision. The University Charter of June 18 (30), 1863, did not provide women with access to Russian universities, giving rise to a wave of female educational migration to foreign universities. Dozens of Russian girls rushed to European universities.

The first of them was Nadezhda Prokofievna Suslova, who received her Doctor of Medicine degree from the University of Zurich in 1867 and became the first Russian female doctor. The example of N.P. Suslova inspired many girls, including A.M. Evreinova. She persistently engaged in self-education, and mostly at night, studied languages, secretly, against her father's will, received books. She was most impressed by the works of the English jurist Jeremy Bentham (1748–1832), which determined her interest in law.

In 1866, Anna Mikhailovna first applied to her father for permission to study abroad. The father, hoping that his daughter would come to her senses and get married, promised to return to the conversation in three years.

In August 1869, after three years of intensive theoretical and language training, having established a number of underground connections, Anna turned to her father again. Having received a categorical refusal, she decided to take a desperate step. Without a passport and her father's permission, she fled abroad, bypassing border posts, as she later recalled, practically barefoot "in pruned shoes." Assistance in organizing the escape of A.M. Evreinova was provided by the Kovalevsky couple, who were in Heidelberg, where Sofia studied at the university. A friend of O.V. Kovalevsky, V.Ya. Evdokimov, one of the leaders of the St. Petersburg revolutionary underground in the 1860s, helped Anna organize her escape. As the investigation later established, she received money and instructions from him. "In a letter to Evdokimov from Berlin, A.M. Evreinova shared her impressions of the meeting of German workers, while speaking sharply about the Russian order. The letter was subjected to perustration, and Evdokimov's participation in Evreinova's escape was revealed. On November 24, 1869, V.Ya. Evdokimov and Cherkesov's store were searched. On November 27, Evdokimov was arrested. December 3 (15), 1869 The Golos newspaper responded to these events: "It must be assumed that the search and arrest were carried out on suspicion of participation not in any general crime, but in an important political one". ([Evdokimov, 2023](#)).

On November 10, 1869, A.M. Evreinova crossed the border with Prussia through a swamp. Soon she found herself in Heidelberg, where she was met by friends S.V. Kovalevskaya, Yu.V. Lermontova, A.V. Taklar, and in a telegram dated November 14 she informed her parents, who had already applied to the III Department, that she was studying Latin in Heidelberg.

The University of Heidelberg, where Evreinova planned to study, was known at that time primarily as a law school. Prominent representatives of the university were professors Carl Philipp Adolf von Wangerov (1808–1870), Levin Goldschmidt (1829–1897), Karl Knis (1821–1898), Wilhelm Zimmermann (1807–1878), Georg Gottfried Gervinus (1805–1871), and others. The issue of the legal status of A.M. Evreinova was not raised at the University of Heidelberg. For about three years, she studied privately, attending lectures by famous professors with their consent.

A.M. Evreinova decided to graduate from the university course at the University of Leipzig. In 1872, she applied to the Academic Senate of the University of Leipzig for permission to take the final verbal exam. It received Senate approval only after the intervention of King Johann of Saxony (1801–1873, king since 1854), a major educator, translator of Dante, one of the authors of the Saxon Constitution of 1831. In the lifetime published biography of A.M. Evreinova it says: "He visited the university and after the lecture, which he attended with Minister Herbant, he went to the A.M. and after listening to her claim, he offered her to be her lawyer in the academic senate. Needless to say, the issue was resolved in her favor, but with the requirement to submit a dissertation ahead. Thus, in February 1873, her verbal examination and at the same time her oath took place" ([Evreinova, 1905: 376-380](#)).

The "Book on awarding academic degrees" of the Faculty of Law, preserved in the archive of the University of Leipzig, contains information that on February 21, A. Evreinova passed a verbal exam, according to the results of which she was awarded the title Dr. Jur ([Kniga o prisvoenii uchenykh stepenei, 1873](#)). According to available information, her dissertation was carried out on international law and was called "Duties of neutral parties in relation to participants in the war" ([Twellmann, 1972](#)). Unfortunately, the text of the dissertation could not be found.

After returning to Russia, A.M. Evreinova became engaged in scientific and socio-political activities. Russian law prohibited a female lawyer from practicing. Access to the public service was closed. By the decree of January 7, 1876 "On the non-application of the Rules on Private attorneys to women on May 25, 1874", advocacy was also prohibited (Nominal, announced to the [Senate by the Minister of Justice, 1884: 21](#)).

The main area of scientific interests of A.M. Evreinova was the customary law of the Slavs and the problem of the legal status of women. In order to study Slavic languages and legal customs, she spent several years on scientific trips to Poland, the Czech Republic, and Dalmatia.

A.M. Evreinova's interest in customary law is not accidental. Since the 19th century, the issue of studying folk legal customs began to be raised in legal circles. The intensification of interest was associated with the preparation of the Great Reforms of the 60-70 years of the XIX century. The peasant reform gave the problem of customary law practical significance. In the "General Regulation on peasants who came out of serfdom" on February 19, 1861, a number of articles (21, 38, 107) spoke about the possibility of applying "local customs and rules adopted in peasant life" (*Vysochaishe utverzhdennoe...*, 1863: 141-169). The resolution of the First Congress of Russian Lawyers, held at Moscow University in June 1875, noted "the desirability of establishing a special commission in Moscow and St. Petersburg to direct the collection of customary law" (*Protokoly zasedanii...*, 1878: 701-705). After collecting interesting material, Anna Mikhailovna returned to Russia, settling in Moscow. The education she received allowed her to join the professional community only through participation in the activities of the Moscow Law Society first, and later the Law Society at St. Petersburg University.

The basis of the law societies, which, following the Moscow one, were consistently opened at all Russian universities, were made up of full members. The main condition for membership was higher legal education, the availability of scientific publications or fame in practice. Full members were elected at the general meeting on the recommendation of already elected members (full or honorary), informing the meeting about the merits of the candidate. The members of the society prepared reports on topical legal issues, discussed them, created commissions for legislative activities, and published in the printed publications of the societies.

The first speech by A.M. Evreinova and the acquaintance of the Russian legal community with the first woman jurist took place at a meeting of the Moscow Law Society on March 13, 1878, where her essay on South Slavic law was heard without debate: "On friendly life" (*Protokoly zasedanii...*, 1878: 701-705). In the same year, the text of the abstract was published in the journal "Legal Bulletin" (*Evreinova*, 1878:599-615).

On November 19, 1879, Anna Mikhailovna presented a new report on the topic: "On the customary law of the Russian people and on the importance of the special commission formed at the Moscow Law Society", which aroused considerable interest and positive feedback. The minutes of the meeting reported that A.M. Evreinova's essay called for "applause from those present" (*Protokol zasedaniya...*, 1880:59).

In his speech, A.M. Evreinov analyzed the legislation of the Russian Empire for its relation to the legal customs of the Russian people. Evreinova noted that the customs born of the life of the Russian people are not taken into account by law. At the same time, the legislation recognizes the customs of "foreigners" – Russian subjects of non-Slavic origin. In this she saw the infringement of the rights of the Russian people in comparison with ethnic groups that occupied a special administrative and legal position.

According to Evreinova, when defining a legal custom, it is necessary to distinguish between legal and ethnographic approaches. Legal science should be interested only in customs that express the "legal view of the people" (*Protokoly zasedanii...*, 1880: 59).

Evreinova traced the genesis of law, expressed in symbols, rituals and customs, the formation of which is influenced by the geographical, economic and cultural development of the nation. She suggested considering stability, constancy and mandatory application as signs of the established legal custom.

Evreinova saw the formation of legal customs in the Russian community in the sphere of transactions and obligations, marital and family relations and the regulation of "communal and secular life". At the same time, it is "secular law" that acts, she believed, as the criterion that gives "the opportunity to find popular law in the variety of legal customs of our people" (*Protokol zasedaniya...*, 1880: 60). In her opinion, the formation of civil and administrative legislation should be based on the established legal customs of communal and secular life.

The reviewers of the report were full members, mainly teachers of Moscow University: V.A. Goltsev, A.M. Smirnov, A.N. Filippov, as well as an honorary member – a well-known lawyer (Moscow sworn attorney) and scientist A.M. Falkovsky. All of them confirmed the relevance of the topic chosen by the speaker, its discussion and the originality of the author's conclusions. The meeting supported the idea of A.M. Evreinova to activate the work of the commission of the Moscow Law Society "in order to develop customary law." According to G.L. Reshetnikov, "in 1979 She was elected chairman of the Special Commission on Customary Law at the Moscow Law Society" (*Reshetnikov*, 2001: 14-16).

Starting in 1882, Anna Mikhailovna began to make presentations at meetings of the Law Society at St. Petersburg University. By the end of the 19th century, the controversy surrounding the problem of customary law developed in a practical plane around the possibility of their application and codification. On February 12, 1883, A.M. Evreinova presented a report "On the meaning and limits of customary law in the development of individual institutions of the Civil Code" (*Evreinova*, 1883: 42). In it, she proposed that, when developing the Civil Code, the principles of "Russian customary law, for example, the beginning of: a) equality in the family, b) communal land ownership, c) artels" (*Evreinova*, 1883: 42).

In 1897, a Department of Customary Law was established in St. Petersburg within the framework of the Law Society in order to collect, study and generalize the norms of customary law and use the developed codes in the codification of civil law. A.M. Evreinova became a member of the editorial committee of this



department, and in 1904 she was elected a member of the "commission for consideration of drafts of the editorial commission on the revision of the law on peasants" (Serua, 2020: 190).

Publishing and socio-political activities were an important component of A.M. Evreinova's life. In 1885–1890 she was the editor and, since 1889, the publisher of a monthly literary, scientific and political magazine. Under Evreinova, the *Severny Vestnik* sought to continue the democratic traditions of the journal *Otechestvennye Zapiski*, which was closed in 1884 by order of the head of the Main Department for Press Affairs, E.M. Feoktistov. Anna Mikhailovna invited his former employees N.M. Pleshcheyev, S.N. Yuzhakov, N.K. Mikhailovsky to cooperate.

Over the years of A.M. Evreinova's editorial activity, the journal *Severny Vestnik* has become one of the most authoritative publications in Russia, the mouthpiece of liberal populism. It published scientific articles of a socio-economic and legal nature, literary works, and journalistic works. K.D. Balmont, V.M. Garshin, V.G. Korolenko, D.N. Mamin-Sibiriyak, D.I. Mendeleev, D.S. Merezhkovsky, S.Ya. have been published in the journal over the years. Nadson, V.I. Nemirovich-Danchenko, V.V. Stasov, G.I. Uspensky, A.P. Chekhov, etc.

With the departure of A.M. Evreinova, the magazine loses its socio-political significance, begins to be published without prior censorship, it publishes mainly works by decadents and symbolists.

In addition to the journal *Severny Vestnik*, A.M. Evreinova was one of the employees of the *Journal of Civil and Criminal Law*, published by the St. Petersburg Law Society. In 1884, in Nos. 3 and 7, her work "On Equalizing the right of women in inheritance" was published, which she presented at one of the meetings of the Law Society.

The struggle for women's rights was the most important component of her socio-political activities. She has repeatedly published in the feminist publication "Friend of Women". In 1908, she was a delegate to the First All-Russian Women's Congress, held in St. Petersburg. The congress was organized by the first Russian female doctor A.N. Shabanova, the leader of the Russian women's movement A. P. Filosofova, the writer O.A. Shapir. The participants of the congress were Ariadna Tyrkova, a member of the Central Committee of the Cadet Party, a member of the RSDLP, a future diplomat A.M. Kollontai, one of the leaders of the left Socialist Revolutionary party M.A. Spiridonova and other famous Russian feminists.

At the beginning of the 20th century, she repeatedly traveled abroad to France and the United States, where she gave lectures on the women's issue and problems of international law.

Practically nothing is known about the last years of A.M. Evreinova's life. Anna Mikhailovna died at the age of 73 in February 1917. On February 20, 1917, an announcement was published in the newspaper *Novoye Vremya* that "on February 21, on the tenth day of her death, a memorial service will be served at the Church of the Sign in Petrograd" (Traurnoe ob'yavlenie..., 1917: 1).

## 5. Conclusion

Summing up, we note that in the second half of the XIX century in Russia and in other countries there was an increase in the women's movement aimed at achieving equality and improving conditions for women. The creation of legal societies based on the principles of democracy and creative freedom played a key role in this process. Such organizations have provided women with the opportunity not only to participate in scientific discussions, but also to actively influence the development of legal science. This was made possible by changes in public consciousness and legislation, which began to open doors for women in educational and professional fields. Anna Mikhailovna Evreinova, became the first woman in Russia to receive a Doctor of law degree, and is a vivid example of how women began to occupy significant positions in scientific and professional life.

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