



THE YAROSLAVSKY
COPY OF THE
PRAVDA
RUSSKAYA

THE LEGISLATION OF
YAROSLAV THE WISE



The Yaroslavsky Copy of the Pravda Russkaya

The Legislation of Yaroslav the Wise

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The subject of investigation was the copy of the Russkaya Pravda from the handwritten Kormchaya kept in the book collection of the Yaroslavl State Architectural Historical and Art Museum-Preserve. The book is destined for the university humanities teachers and students and Slavonic studies departments, museums and libraries specialists, and everybody who is interested in the Russian history.

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Chapter 2



(*Mikhail B. Sverdlov*)

Short Pravda Russkaya

The Short *Pravda Russkaya* (SP) is one of the oldest remaining monuments of the written language of Kievan Rus and its part called "*Pravda Yaroslava*" is apparently the oldest monument of the secular literary language of the Old Russian period. SP is the code of laws of the first half of the eleventh century issued at different times.¹

In the Rus of the ninth and tenth centuries the creation of the hand-written law failed to keep up with the process of statehood development considerably. The marches of the Princes Oleg, Igor, Svyatoslav, and Vladimir in Eastern Europe resulted in the creation of a huge state — from Ladoga to the Middle-Dnieper Region, from Galicia and Volhynia to the Volga and Oka interfluvium. Rus was engaged in the active foreign policy at that time and concluded interstate treaties.² The Old Russian statehood developed. There was a public authority presented by the dynasty

¹Hereinafter are given the conclusions from the book: Сverdlov M. B. *От Закона Русского к Русской Правде*. 1988.

²Пашуто В. Т. *Внешняя политика Древней Руси*. М.: 1968, С. 21–142.; Сахаров А. Н. *Дипломатия Древней Руси: IX — первая половина X в.* М.: 1980. *Idem*. *Дипломатия Святослава*. М.: 1982.

42. А это закон при сборе виру: вирнику взять 7 ведер солода на неделю, а также барана или пол-барана говядины, или две ногаты; а в среду резану или сыры, в пятницу то же, а хлеба и пшена сколько смогут съесть; а кур давать по две в день; можно поставить чепуху коней и давать им каждому столько корма, сколько они смогут съесть; а вирнику 60 гривен и 10 резан и 12 вевериц, а при входе гривна, а если приходится на говение кормить рыбами, то считать за рыбы 7 резан; таким образом всех кун 15 на неделю, а хлеба сколько смогут съесть; пусть вирники собирают виру не более недели. Таково постановление Ярослава.

43. А это постановление для мостников: если настелят мост, то взять за работу ногату, а за городню ногата; если же у старого моста надо будет починить несколько досок, 3, 4 или 5, то взять столько же.

42. And this is the law applied to collectors of fines (*virnik*): a collector of a *vira* takes 7 buckets of malt for a week, and also a sheep or half a carcass of beef, or two *nogatas*; and on Wednesday a *rezana* or cheese, on Friday the same, and bread and millet as much as they can eat; and a collector of a *vira* (*virnik*) must be paid 60 *grivnas* and 10 *rezanas* and 12 *veveritsas*, and a *grivna* at the entry, and during the fast when they are fed with fish they may take 7 *rezanas* for fish; thus all in all 15 *kunas* for a week, and bread as much as they can eat; collectors of a *vira* may collect a *vira* not longer than a week. This is the resolution of Yaroslav.

43. And this is the resolution for the builders of bridges (*mostnik*): if they lay a bridge then they take a *nogata* for the work and for a span of a bridge a *nogata*; if they have to repair some boards of an old bridge, 3, 4 or 5 boards then they take the same.

Vast Pravda Russkaya

A traditional title — the Vast *Pravda Russkaya* (VP) — is misleading. In aggregate with another traditional title — the Short *Pravda Russkaya* (SP) — it leads to the opinion that there was some judicial monument — the *Pravda Russkaya* which had two versions, a short and a vast version. But it is not the case. VP was the code of laws and the second codification of the hand-written Russian Law. The Old Russian lawyers included into it the laws different in time and origin. SP was among them.⁹ Thus, SP and VP are two different monuments of a judicial thought and the Old Russian written language.

The researchers dated the creation of VP differently and with substantial differences in interpretations to the first third of the twelfth century (most of the researchers) through the early thirteenth century (N. L. Duvernoy, S. V. Vedrov, V. O. Kliuchevsky, M. N. Tikhomirov, L. V. Cherepnin, Ya. N. Shchapov and others). The first opinion seems to be correct. VP was issued, probably, during the rule of Grand Prince Vladimir Monomakh in Kiev (1113–1125) or the rule of Mstislav Vladimirovich the Great (1125–1132). Later in the time of political disintegration of Kievan Rus into numerous independent princedoms such all-Russian codification of the hand-written Law was impossible. This code was so good that it was used as the source of secular law till the end of the fifteenth century.¹⁰

VP is written in the excellent literary Old Russian language without dialectisms. At the same time it is a wonderful literary work that has not been appreciated yet. With laconism typical to medieval realism VP gives an account of different life situations in connection with infringement of law, in connection with the relationship of supremacy and subordination, in connection with judicial-investigative procedure and so on. As concerns a literary style judicial regulations are written in different

⁹Свердлов М. Б. От Закона Русского к Русской Правде. С. 106—170.

¹⁰Зимин А. А. Традиции Правды Русской в Северо-Восточной Руси XIV—XV вв. // Исследования по истории и историографии феодализма: к 100-летию со дня рождения академика Б. Д. Грекова. М., 1982.

тали, то всех <их> выдать или
снова их выкупает господин; если
же с ним свободные крали и пря-
тали, то они платят князю судеб-
ный штраф.

stole with him and hid then they
are also given up or redeemed by
the master; if free people stole with
him and hid, then they pay a fine to
a prince.