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SERVANTS IN FOREIGNERS' HOUSES IN MID-SEVENTEENTH-CENTURY MUSCOVY: LOCAL DIFFERENCES IN LEGISLATION, PRACTICES, AND ADMINISTRATIVE HANDLING¹

In mid-seventeenth-century Muscovy, conflicts between Orthodox citizens and foreigners of different Christian confessions attracted increasingly more attention from the authorities as the non-Orthodox population grew, especially in the capital. One of the most controversial issues arising from interreligious contacts centred on the employment and housing of Orthodox servants and workers in the homes of foreigners. New legislation intended to protect the faithful restricted such employment while at the same time new limitations were introduced limiting where foreigners were allowed to live. The codification of these new rules in the *Law Code* of 1649 culminated in the segregation of Moscow's non-Orthodox inhabitants in their own suburb outside the city walls. However, in other Muscovite towns with non-Orthodox populations no such drastic measures were taken. Indeed, census data and court documents reveal that the way other towns coped with the new rules was different from how the capital approached them. Provincial authorities in the northern towns of Arkhangelsk and Vologda were more inclined to compromise and adapt to local conditions while those in the capital enforced the letter of the law and repeatedly searched foreign-owned households for Orthodox servants. These differing environments are reflected in the ways foreigners obtained and employed servants. While in the provinces, foreigners negotiated for the continued employment and housing of Orthodox servants, foreign house-owners in the capital increasingly relied on non-Orthodox slaves obtained as prisoners of war or at slave markets.

Keywords: seventeenth century, Russia, Muscovy, urban history, law, migration, servants, slavery

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INTRODUCTION

In the seventeenth century, the Romanov government continued and intensified the Muscovite practice dating from the late fifteenth century of inviting Western European experts, officers and soldiers into tsarist service, and admitting foreign merchants to trade in Muscovite towns.² However, specific legislation concerning immigrants and their interactions with natives took shape only gradually.³ Acting as protectors of the faith, both the government and the patriarch issued decrees intending to safeguard the Orthodox majority from contact with people of other faiths. As the residences of foreigners and their immediate vicinity were identified by the authorities as a site of regular interreligious interaction between immigrants and natives, various measures including a ban on people of other faiths owning Orthodox slaves were imposed. However, Muscovite sources and contemporary eyewitness reports indicate that this ban was widely ignored or circumvented, not only by foreigners and their employees and tenants but also by local administrations. Even in the years after the codification of this ban in the *Sobornoe Ulozhenie*, the 1649 *Law Code*, foreign household heads and the Muscovite authorities continued to negotiate compromises between, on the one hand, the common interest of foreigners and the government in the continued immigration of Western Europeans, and, on the other hand, concerns about contact with persons of non-Orthodox religions expressed by economic competitors and the Orthodox clergy.

This article examines the everyday practices associated with employing and accommodating servants in the homes and residences of foreigners in mid-seventeenth-century Muscovy, and evaluates the impact of local conditions on Muscovite legislation and administrative handling. On the basis of legal documents, reports and census data, the focus here lies with how authorities and foreigners interpreted, followed or even circumvented the respective laws. In particular, a comparison will be made between how and

2 Cf. ERIK AMBURGER, *Die Anwerbung ausländischer Fachkräfte für die Wirtschaft Rußlands vom 15. bis ins 19. Jahrhundert* (Wiesbaden: Otto Harrassowitz, 1968); Т. А. ОПАРИНА, *Иноземцы в России XVI–XVII вв. Очерки исторической биографии и генеалогии* (Москва: Прогресс-Традиция, 2007) and recently SIMON DREHER, WOLFGANG MUELLER (eds.), *Foreigners in Muscovy: Western Immigrants in Sixteenth- and Seventeenth-Century Russia* (Abingdon/New York: Routledge, 2023).

3 Cf. А. Мулюкин, *Приезд иноземцев в Московское государство. Из истории русского права XVI–XVII вв.* (Санкт-Петербург: Труд, 1909); С.П. Орленко, *Выходцы из Западной Европы в России XVII века. Правовой статус и реальной положение* (Москва: Древлехранилище, 2004), 52–101.

under which circumstances foreigners acquired and employed servants in Moscow and in various provincial towns, and how the authorities enforced or reshaped related legislation as a result.⁴

In the following, the term “foreigners” refers mainly to immigrants of European origin who held non-Orthodox faiths, although the language of the sources does not always distinguish between immigrants and non-Orthodox natives. A rather broad interpretation is applied to the term “servants.” Muscovite law recognized multiple forms of servitude, including voluntary, involuntary, temporary and lifelong.⁵ While this differentiation was relevant for the legislation concerning servants in foreigners' homes, such distinctions cannot always be found in the sources. In this article, the term “servants” is therefore used to summarize various groups of different legal status living and/or working in the households of foreigners in Muscovy, such as contracted workers, prisoners, serfs, and slaves.⁶

THE COMPOSITION OF FOREIGN COMMUNITIES

Western European immigrants to seventeenth-century Muscovy settled primarily in the capital and other urban areas. Moscow hosted the largest permanent community of immigrant foreigners. In the first half of the seven-

4 A few historians have focussed on the role of foreigners' servants and related Muscovite legislation. This article relies to a great extent on research undertaken by Dmitriy Tsvetaev, Aleksandr Mulyukin, Martha Luby Lahana and Sergey Orlenko, who have discussed case studies and general tendencies in Muscovite policy on these matters. See Д. В. ЦВЕТАЕВ, *Протестанты и протестантство в России до эпохи преобразований. Историческое изледование* (Москва: Университетская типография, 1890), 334–336; А. Мулюкин, *Очерки по истории юридического положения иностранных купцов в Московском государстве* (Одесса: Типография Техник, 1912), 127–134; MARTHA LUBY LAHANA, *Novaia Nemetskaiia Sloboda: Seventeenth Century Moscow's Foreign Suburb* (Diss. at University of North Carolina at Chapel Hill. Ann Arbor, MI: University Microfilms International, 1983), 241–246; ОРЛЕНКО, *Выходцы*, 236–243.

5 RICHARD HELLIE, “Slavery and Serfdom in Russia”, in *A Companion to Russian History*, ed. ABBOTT GLEASON (Chichester: Wiley-Blackwell, 2009), 105–20; ALESSANDRO STANZIANI, “Serfs, slaves, or wage earners? The legal status of labour in Russia from a comparative perspective, from the sixteenth to the nineteenth century”, *Journal of Global History* 3 (2008): 182–202.

6 Regarding definitions and interpretations of “serf” and “slave” and their legal implications in Muscovy, cf. HELLIE, “Slavery and Serfdom”; HANS-HEINRICH NOLTE, “*Iasyry*: Non-Orthodox Slaves in Pre-Petrine Russia”, in *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860*, ed. CHRISTOPH WITZENRATH (London: Routledge, 2015), 247–64. Using Richard Hellie's translation of the 1649 *Law Code*, I also follow his translation of the Russian term *kholop* as “slave”.

teenth century it reportedly counted about a thousand individuals.⁷ Lahana has estimated that the number of inhabitants of the *Novaya Nemetskaya Sloboda*, the foreigners' suburb of Moscow founded in 1652, rose to more than two thousand in the 1660s.⁸ In the first half of the seventeenth century, only Nizhnii Novgorod,⁹ Arkhangelsk¹⁰ and possibly Vologda¹¹ had populations of foreigners that exceeded the number of a hundred persons. The first two were the only towns other than the capital where Protestant parishes were overseen by locally residing ministers.¹² In other Muscovite towns, the number of foreigners was usually limited to a few dozen individuals.¹³

The compositions of foreign communities differed considerably between Moscow and other Muscovite towns. In the towns along the trading route from Arkhangelsk via Vologda to the capital, they were dominated by merchants and their associates. In the ironwork factories near Moscow, there

7 This was an early estimate made by Adam Olearius, who visited Moscow in the 1630s. Cf. ADAM OLEARIUS, *The Travels of Olearius in 17th-Century Russia* [1656], ed. and trans. SAMUEL H. BARON (Stanford: Stanford University Press, 1967), 278. In recent studies, Vera Kovrigina and Sergey Orlenko have arrived at similar figures; Cf. В.А. КОВРИГИНА, *Немецкая слобода Москвы и её жителей в конце XVII – первой четверти XVIII вв.* (Москва: Археографический центр, 1998), 35–36; ОРЛЕНКО, *Выходцы*, 49.

8 Cf. LAHANA, *Novaia Nemetskaia Sloboda*, 235–41.

9 Regarding foreigners in Nizhnii Novgorod until its foreign community was dissolved in 1635, see OLEARIUS, *The Travels of Olearius*, 293; А. С. ЛАППО-ДАНИЛЕВСКИЙ (ред.), *Писцовая и переписная книги XVII века по Нижнему Новгороду, 1621–1622* (Санкт-Петербург: Синодальная типография, 1896); А. И. ТИМОФЕЕВ (ред.), *Русская историческая библиотека, издаваемая Археографическою комиссиею*, Том 2 (Санкт-Петербург: Типография братьев Панелеевых, 1875), № 2, 182, 762–64; ОРЛЕНКО, *Выходцы*, 105.

10 Foreigners had already established themselves on the White Sea in Muscovy's far north prior to the founding of Arkhangelsk in 1584. Many merchants from Amsterdam, Hamburg, and London resided there only temporarily during the summer fair. During the rest of the year, they lived in Moscow or left Muscovy. Only in the second half of the seventeenth century did the number of foreigners permanently settled in the town seem to reach numbers that could support the establishment of Protestant parishes. Cf. М. Е. Ясински, О. В. Овсянников (ред.), *Взгляд на Европейскую Арктику. Архангельский Север проблемы и источники*, 2 тома (Санкт-Петербург: Петербургское Востоковедение, 1998).

11 For Vologda, census books show a peak in 1646, with 35 residences owned by foreigners. Cf. И. В. ПУГАЧ, М. С. ЧЕРКАСОВА (ред.), *Писцовые и переписные книги Вологды XVII – начала XVIII века*, Том 1 (Москва: Круг, 2008), № 1.

12 Cf. ERIK AMBURGER, *Die Pastoren der evangelischen Kirchen Rußlands* (Lüneburg: Martin Luther, 1998), 9. For most of the seventeenth century, the government prohibited the permanent presence of Catholic clerics, so that even in the capital, Catholic foreigners had to rely on priests arriving with foreign embassies. Cf. HANS-HEINRICH NOLTE, *Religiöse Toleranz in Russland. 1600–1725* (Göttingen: Musterschmidt, 1969), 110–122.

13 Other foreign settlements existed in Kholmogory, Novgorod, Pereslavl', Pskov, Serpukhov, and Yaroslavl'. Furthermore, foreign officers were stationed with their regiments in Kiev, Lipetsk, Chernigov, Sevs, Smolensk, Kursk, and Rostov. Cf. ОРЛЕНКО, *Выходцы*, 50.

were larger numbers of foreign master craftsmen, and in Nizhnii Novgorod and the border towns it was above all foreign officers and soldiers. In the capital, the composition of the foreign communities was more varied, as we find representatives from all these groups as well as widows, local traders, artisans and those who had been relieved from service. Many of the houses were also inhabited by family members and relatives of the house-owners. However, the sources usually omit mentioning them, rendering it impossible to identify local differences in this regard.

These foreign communities were quite different from the urban societies in Western Europe. In addition to the inhabitants having various places of origin, languages and religious confessions, most of them were relatively wealthy in comparison to both their native counterparts in Muscovy and persons with similar professions in Western Europe. Those who were employed by the tsarist government received a residence and a regular income or other means to provide for themselves and their households. Merchants enjoyed privileges similar to tsarist employees and were freed from the obligation to pay taxes.

As Martha Luby Lahana noted, "few persons of such status would do without servants."¹⁴ Muscovite authorities allowed foreigners to bring their families and sometimes household servants when migrating to Muscovy.¹⁵ Especially towards the end of the seventeenth century, it became more common for foreigners in high-ranking positions to arrive with several servants. However, throughout the seventeenth century the numbers of servants brought in from Western Europe remained insufficient.

The shortage of low-ranking immigrants of Protestant or Catholic faith impacted the foreign communities in various ways. Since marriages between Orthodox natives and persons of other faiths were only tolerated if the non-Orthodox partner agreed to convert, foreigners unwilling to do so were more likely to marry outside of their social status group. Adam Olearius reports on marriages between officers and the servants of merchants,¹⁶ and marriages between officers and their female servants are recorded in the sparse extant parish registers that were maintained by Protestant pastors.¹⁷

14 ЛАНАНА, *Novaia Nemetskaia Sloboda*, 241.

15 ОРЛЕНКО, *Выходцы*, 104.

16 ОЛЕАРИУС, *The Travels of Olearius*, 278.

17 Д. В. ЦВЕТАЕВ (ред.), «Памятники к истории Протестанства в России», в *Чтения в Императорском обществе истории и древностей Российских* (1883, том 3: Июль – Сентябрь), I. Материалы исторические, 1–150; (1884, том 3: Июль – Сентябрь), I. Материалы исторические, 151–245, here № XV–XVII, 176–187.

However, such unions depleted the number of available servants still further. For these reasons, most foreigners in Muscovite towns in the first half of the seventeenth century recruited locals as servants and workers.¹⁸ This, too, was associated with difficulties. Reports from within the foreigners' communities mention, for example, problems in the language acquisition of children as a consequence of employing native housekeepers.¹⁹

Although the Muscovite government ordered the compilation of census lists (*piscovye* or *perepisnye knigi*) counting tax-payers, serving townspeople, or resident owners, any quantitative analysis of foreign communities remains difficult. Most seventeenth-century census books list only residences with their owners, excluding other household members. One of the few exceptions is the census from 1638, which evaluated the defence capability of Moscow by counting not only the owners of residences but also their adult male inhabitants.²⁰ To identify non-Orthodox persons, the writers of the census lists used terms such as *inozemets*, *nemchin*, *tatarin* or other attributive terms to indicate places of origin. Orthodox persons appear in the lists without such descriptions. The 1638 census covered about half of the capital and listed a total of 7,672 residences, of which 252 were owned by immigrant foreigners or their descendants.²¹ 87 of these foreign house-owners employed and housed servants. While 10 entries do not specify the number of servants, the other 77 residences had a total of 127 servants living in them. Of these servants, 107 are listed only by name and thus were most likely Russian-Orthodox; one servant was a Tatar baptized into Orthodoxy (*novokreshchen tatarin*). The remaining 19 servants were ten Tatars and one Turk (*turchenin*), three "Germans" (*nemtsy*),²² one Pole (*pol-*

18 LAHANA, *Novaia Nemetskaia Sloboda*, 241–242.

19 In Moscow, foreigners had their children taught by Russian teachers until this was prohibited in 1652. Cf. Г. В. ФОРСТЕВ, «Сношения Швеции и России во второй половине XVII века 1648 (1648–1700)», *Журнал Министерства народного просвещения* CCCXV (Февраль 1898): 210–77, here 223. In Arkhangelsk, Russian servants were employed to care for very young children. Cf. ЦВЕТАЕВ, «Памятники к истории Протестанства в России», № VI, 89, and (for the eighteenth century), [GEORG EHRENFRIED PAUL RAUPACH], "Nachricht von dem gegenwärtigen Zustand der evangelischlutherischen Kirche in Archangel", *Acta historico-ecclesiastica* 16, no. 95 (1752): 709–21, here 712–713.

20 И. С. БЕЛЯЕВ (ред.), *Росписной список Москвы 1638 года* (Москва: Типография Императорского Московского Университета, 1911).

21 Not counting twenty residences owned by Greek immigrants. The writers of the Moscow census lists differentiated between Russian-Orthodox inhabitants and those who were Greek-Orthodox (*grechenin*).

22 The modern Russian word *nemtsy* for "Germans" was used in Medieval and Early Modern Russian for foreigners of various European origins. In the census the singular form was *nemchin*, a term whose meaning and social implications in Early Modern Russia have

yak) and four foreigners without further indication of their origin (*inozemtsy*). Although these numbers leave out female servants completely, they reveal the general tendency of foreigners to employ Orthodox servants.

LEGISLATION ON ORTHODOX SERVANTS

This, however, seems to be in conflict with both Muscovite legislation and the government's propensity to isolate its Orthodox subjects from foreign influence. Both the authorities and Orthodox clerics, who often stated that servants were hindered in practising their religion in foreigners' houses, claimed to act as protectors of the Orthodox faith.²³ Cases regarding incidents between foreigners and natives resulted in tsarist decrees affecting the overall legislation on the matter. Several such court proceedings involve complaints about the mistreatment of servants by employers and led to new restrictions or stricter enforcement of existing ones.²⁴

The legislation in existence in the mid-seventeenth century dated back to Slavic ecclesiastical law. This had banned slave ownership of Orthodox subjects by non-Orthodox persons for centuries. While in medieval Novgorod and Smolensk exceptions were made for foreign merchants, allowing them to keep Orthodox serfs in their houses,²⁵ the relevant articles

been discussed by a number of historians. Cf. LAHANA, *Novaia Nemetskaia Sloboda*, 242; WILLIAM M. REGER, "Baptizing Mars: The Conversion to Russian Orthodoxy of European Mercenaries during the Mid-Seventeenth Century", in *The Military and Society in Russia, 1450–1917*, ed. ERIC LOHR, MARSHALL POE (Leiden: Brill, 2002), 389–412, here 392, who states that the term *nemchin* was used for descendants of foreigners. However, in many documents up to the mid-seventeenth century, including the 1638 census, we find the term *nemchin* used for immigrants as well as their descendants. The fact that the 1638 census uses the term *nemchin* as the only singular form of *nemtsy*, in total 86 times, suggests that the ending *-in* emphasizes the singular. The female form of *nemchin* and the modern Russian word *nemets* is *nemka*, which appears only once in the census in the case of a widow who owned a residence. See also: А. Н. ШЛАМОВА (ред.), *Словарь Русского Языка XI–XVII вв.*, часть 11 (Москва: Наука, 1986), 179.

23 According to Sergey Orlenko, actual cases in which servants themselves claimed to have been oppressed by their foreign masters remained exceptional in the seventeenth century. Cf. ОРЛЕНКО, *Выходцы*, 241.

24 Not surprisingly, these controversies and the underlying legislation were discussed by contemporary foreign visitors to Muscovy, such as Adam Olearius and Johann De Rodes. OLEARIUS, *The Travels of Olearius*, 277–283; М. В. МУРАВЬЕВ (ред.), А. В. ПОЛТОРАЦКИЙ (перев.), «Арсеньевские бумаги III. 1650, 1651, 1652 гг.», Сборник Новгородского общества любителей древностей 7 (Июль 1914): 6–114, here № LXVII, 65–66, № LXVII, 78 and № LXXII, 96–100. Cf. ФОРСТЕВ, «Сношения Швеции и России».

25 Мулюкин, *Очерки по истории*, 128.

in Muscovite law codes, when restricting or prohibiting all foreigners from the ownership of Orthodox slaves, referred above all to Orthodox dealings with Muslim Tatars.²⁶ This is reflected by the terminology of the sources. The Russian Orthodox position on Protestants was the same as its position on Muslims and most other non-Christians: all were considered unbaptised (*nekreshcheny*).²⁷ From 1620, this designation also included Catholics, who were consequently rebaptised when they converted to Orthodoxy.²⁸ However, not only the word *nekreshcheny* but also more general terms for foreigners like *inozemtsy* and *nemtsy* implied that the persons referred to were considered unbaptised. Relying on this broad terminology, which to some extent intentionally omitted further differentiation, most of the decrees and codified laws related to interaction between Orthodox and non-Orthodox inhabitants of Muscovy established regulations that applied to all foreigners. Therefore, when, in 1627, a decree was issued by order of Tsar Mikhail and Patriarch Filaret to ban Orthodox servants being employed by non-Orthodox persons, omitted references to Tatars found in earlier versions and referred to prisoners from Poland–Lithuania instead.²⁹

The decree of 1627 was repeated in the 1649 *Law Code* (Chapter XX, Art. 70) and avoided defining concrete groups of foreigners altogether, making the ban apply to all non-Orthodox households. The following reasons for the decree are mentioned (translation by Richard Hellie):

...in Moscow and in the provincial towns Orthodox Christians were serving under unbaptized foreigners of other faiths, and those Orthodox Christians were suffering oppression and profanation at the hands of the foreigners, and many were dying without confession and without spiritual fathers, and during the great fast and other fasts they were involuntarily eating meat and various forbidden foods.³⁰

In addition to repeating the ban on non-Orthodox persons owning Orthodox slaves, Article 70 of Chapter XX concluded that “now Russians shall not be (*byti ne veleli*) in the houses of unbaptized foreigners for any reason

26 NOLTE, *Religiöse Toleranz*, 56.

27 ОРЛЕНКО, *Выходцы*, 140–147.

28 NOLTE, *Religiöse Toleranz*, 113.

29 Cf. the discussion in ОРЛЕНКО, *Выходцы*, 239–240.

30 RICHARD HELLIE (ed. and trans), *The Muscovite Law Code (Ulozhenie) of 1649. Part 1: Text and Translation* (Irvine, CA: Charles Schlacks Jr., 1988), 182.

whatsoever." Preceding the *Law Codes'* quotation of the earlier decree, the opening sentences of the relevant article read as follows:

Unbaptized foreigners (*inozemtsem nekreshchennym*) in Moscow and in the provincial towns shall keep (*derzhat'*) in their houses [only] foreigners of various different creeds as slaves (*v rabote*). Russians shall not be enslaved (*v kholopstve*), either on the basis of documents (*po krepostyam*) or voluntarily (*dobrovol'no*), to unbaptized foreigners.³¹

This passage is found in Chapter XX, which deals with slaves (*o kholopekh*)³² and only refers to voluntary and involuntary slavery. Another repetition of the ban in 1652 seems to include "free" (*v vol'nykh*) people as well, as has been pointed out by Tat'yana Oparina and Sergey Orlenko.³³ Despite a full ban on Orthodox workers seeming plausible in the context of the intensification in 1652 of restrictions on foreigners, the position of *v vol'nykh* in the decree is somewhat suspicious: like the adverb *dobrovol'no* in the article in the 1649 *Law Code* we find *v vol'nykh* in the position after *po krepostyam*. Therefore, *v vol'nykh* may not refer to *russike* but to *v kholopstve* and thus to the voluntary decision of becoming a slave. The articles of Chapter XX establish a separate set of rules for Orthodox and non-Orthodox owners, but they do not refer to other forms of employing Orthodox servants in foreigners' houses.³⁴

While the articles in Chapter XX of the 1649 *Law Code* have been widely interpreted as absolutely prohibiting Orthodox workers the entrance to foreigners' houses,³⁵ the words *derzhat'* ("to keep") and *byti ne veleli* ("not

31 HELLIE, *The Muscovite Law Code*, 182. In brackets, I have added transliterated Russian terms from the original text, which is also available in Hellie's edition.

32 The term *kholopstvo*, despite being translated by Hellie synonymously to *rabstvo* (here in the form *v rabote*) as slavery, referred to various legal states of servitude. Alessandro Stanziani states that Muscovite sources "never speak of *kholopstvo* in general, but qualify the word with another: *starinnoe* ('hereditary'), *polnoe* ('full'), *dokladnoe* ('registered'), *dolgovie* ('obligated', 'indebted'), *zhiloe* ('limited to a period of time'), *dobrovol'noe* ('voluntary'), *kabal'noe* ('limited to service'). STANZIANI, "Serfs, slaves, or wage earners?", 189.

33 Т. А. ОПАРИНА, С. П. ОРЛЕНКО, «Указы 1627 и 1652 годов против некрещенных иноземцев», *Отечественная история* 1 (2005): 22–39, here 31–32.

34 Other chapters like XI and XII dealing with peasant serfs, and Chapter X on judicial processes, including several articles on debt bondage, only differentiate between the religious confessions of servants but not of the owners.

35 Cf. ОРЛЕНКО, *Выходцы*, 236; ЛАНАНА, *Novaia Nemetskaia Sloboda*, 17; NOLTE, *Religiöse Toleranz*, 100.

allowed to be”) may very well be only denying foreigners the accommodation and actual ownership of Orthodox slaves. The impression that the wording of these and other articles is quite precise regarding the types of serfdom and slavery and therefore leaves other forms of employment in foreigners’ houses unregulated is supported by the inconsistent application of the decrees by the authorities, as it was shaped in many cases by local circumstances.

ADMINISTRATIVE HANDLING

In 1627 and again in 1649, the legal texts conclude with orders to search foreigners’ houses, and to remove and punish any Orthodox servants discovered there. When foreigners protested against an order to expel Orthodox servants from their homes in 1647, *d’yak* (clerk) Nazariy Chistogo again responded that they “should not keep (*derzhat’*) even a single Russian [in their houses].”³⁶ However, it is evident from the arguments put by foreigners in conflicts prior to and after 1649 that the question of whether or not their employing Orthodox servants was in line with the law was connected to the type of employment and circumstances of the accommodation of the latter. In 1647 and again in 1652 and 1686, foreign merchants disputed orders to expel their Orthodox workers from their residences by stating that they did not own any Russian slaves with limited contracts (*Russkikh kabal’nykh lyudey*), but had only hired Russians as workers for the duration of the summer fair in Arkhangelsk, or as housekeepers and watchmen (*dvorniki i storozha*) for the rest of the year to manage and protect their houses and goods in their absence.³⁷

The census books from various Muscovite towns indicate that local administrations tolerated the employment and accommodation of Orthodox housekeepers and their families. For example, the 1626–1628 census book for Vologda³⁸ lists 26 residences owned by foreigners (of a total of 995 inhabited residences), with 10 entries providing information on *dvorniki* (housekeepers) who lived and worked in the respective houses without being owned by the landlord. Twenty years later, Orthodox inhabitants are

36 ЦВЕТАЕВ, *Протестанты и протестантство*, 336.

37 Cf. ЦВЕТАЕВ, *Протестанты и протестантство*, 336; ЦВЕТАЕВ, «Памятники к истории Протестанства», № VI, 96–97.

38 Cf. И. В. ПУГАЧ (ред.), *Писцовые и пересные книги Вологды XVII – начала XVIII века*, Том 3 (Москва: Круг, 2018), № I, 9–178.

listed in 8 of the 37 residences owned by foreigners, 6 of them employed as *dvorniki*.³⁹ In Arkhangelsk, the census lists from 1646–1649 counted 10 residences owned by foreigners, with one empty (of a total of 101 inhabited and 13 empty residences). In 7 of the 9 inhabited houses, we find Orthodox *dvorniki* and their families.⁴⁰

The administrative handling regarding the northern towns even allowed compromises suggested by foreigners to find their way into legal decisions. Here, Muscovite authorities not only passively tolerated Orthodox *dvorniki* and other servants, but actively issued decrees in 1652 and 1686 allowing them to live in foreigners' homes. In both cases, they followed suggestions for compromises that had been offered by foreign merchants. In 1652, the accommodation of *dvorniki* was tolerated during a foreigner's absence in winter.⁴¹ In 1686, foreigners had to ensure that their Orthodox servants lived in separate quarters, with separate outside doors to allow Orthodox priests to enter without having to pass through the rooms of foreigners.⁴² This solution violated the 1652 decree, which explicitly forbade the accommodation of Orthodox believers "in residences and in backyards" (*vo dvorekh i v zadvornykh*).⁴³ Nonetheless, both solutions allowed the employment of Orthodox servants or workers without any restrictions. Consequently, the census books of northern towns in the second half of the seventeenth century show no significant change in the practice of employing and housing Orthodox servants and their families in foreigners' homes.⁴⁴ The arguments leading to these local exceptions were originally based on the seasonal presence of foreign merchants. However, when foreigners began to reside permanently in the northern towns in the second half of the seventeenth century, the authorities continued to tolerate Orthodox servants living in the homes of foreigners of other faiths. Additionally, in the case of 1686 mentioned above and documents found

39 Cf. Пугач, Черкасова, *Писцовые и переписные книги Вологды*, № I, 1–76

40 Cf. Ясински, Овсянников, *Взгляд на Европейскую Арктику*, Appendix 1, № 2, 205–208.

41 Cf. Цветаев, *Протестанты и протестантство*, 336–337.

42 Cf. Цветаев, «Памятники к истории Протестанства», № VI, 102–103.

43 Quoted after ОПАРИНА, ОРЛЕНКО, «Указы 1627 и 1652 годов», 31.

44 For Vologda, the census from 1657–1658 lists only nine foreign residences, six with *dvorniki*; Пугач, *Писцовые и переписные книги Вологды*, № II, 77–168. Twenty years later, eleven Orthodox servants were employed in sixteen foreign residences; Пугач, Черкасова, *Писцовые и переписные книги Вологды*, № II, 179–278. For Arkhangelsk, the 1678 census listed 189 residences, 25 owned by foreigners with 15 Orthodox servants, while *dvorniki* were employed in all 4 foreign residences in Kholmogory. Cf. Ясински, Овсянников, *Взгляд на Европейскую Арктику*, Appendix 1. № 3, 208–213.

by Sergey Orlenko, foreigners in Vologda and Arkhangelsk were allowed to own Orthodox slaves in debt bondage from at least the 1670s.⁴⁵

In the capital, on the other hand, after interreligious and social controversies between foreigners and natives escalated in the 1640s, the government and the Orthodox patriarch were unwilling to tolerate such deviations from the law. First, a 1643 conflict regarding foreign homes being located too close to Orthodox churches resulted in a decree prohibiting foreigners from purchasing houses in most parts of the city. Following an uprising of Muscovite townsmen against high prices and tax burdens in 1648, a commission was established to address these issues in a new law code.⁴⁶ The resulting *Law Code* of the following year codified the 1643 decree in Chapter XIX, Article 40,⁴⁷ as well as the ban on Orthodox slaves in foreigners' houses in Chapter XX, Article 70. In October 1652, the foreigners were ordered to sell their houses and move to the new suburb.

The months preceding the resettlement had seen religiously motivated anti-foreign activity, including enforcement of the ban on Orthodox servants in foreigners' households. The reports by Swedish diplomatic residents Johann De Rodes in Moscow and Adolf Ebers in Novgorod emphasized the exceptional severity of the expulsion of servants in March and the resettlement in October.⁴⁸ It was, however, above all the latter that caused, in the 1650s and 1660s, fundamental changes to how foreigners employed servants. The physical distance between the new homes of the foreigners and the homes of potential Orthodox workers made employing them unfeasible. Thus, Moscow's foreign residents had to make greater efforts to find non-Orthodox servants and slaves.

OBTAINING NON-ORTHODOX SERVANTS

In the first sentence of the paragraph on slaves in the 1649 *Law Code* as well as in the decree from 1627, foreigners are explicitly allowed to keep

⁴⁵ Cf. ОРЛЕНКО, *Выходцы*, 96–97.

⁴⁶ There are no indications that foreigners were targeted during the riots of 1648 (Cf. О. Г. УСЕНКО, «Отношение к «немцам» в России века (на примере движений социального протеста)», в *Иноземцы в России в XV–XVII веках. Сборник материалов конференций 2002–2004 гг.*, ред. А. К. ЛЕВЫКИН (Москва: Древлехранилище, 2006), 395–404, here 403–404).

⁴⁷ Cf. HELLIE, *The Muscovite Law Code*, 160–161

⁴⁸ Cf. МУРАВЬЕВ, «Арсеньевские бумаги III», № LXVII, 65–66, № LXVII, 78 and № LXXII, 96–100. Cf. ФОРСТЕВ, «Сношения Швеции и России».

non-Orthodox people as slaves (*khology*). This can be interpreted as a suggestion on how to compensate for the restrictions on employing Orthodox slaves as a cheap workforce. Although the acquisition of *khology* as well as other unfree servants like war captives had to be approved by the *Khologii Prikaz* (Department for Slavery Affairs), and despite a prohibition on taking non-Orthodox Tatars prisoner within the Muscovite realm,⁴⁹ early seventeenth-century regulations actively supported foreigners in obtaining and maintaining non-Orthodox slaves.

As it was common for slaves to flee from the lands and houses of their owners, Muscovite legislation laid out precise regulations regarding the retrieval of fugitive slaves. Among other things, the time period in which landowners could retrieve and prosecute fugitive slaves was increased in 1637 and 1647, before the 1649 *Law Code* abolished any time limit.⁵⁰ These regulations also applied to slave owners who were foreign.⁵¹ When the ban on foreigners owning Orthodox slaves was enforced in 1623 (referring explicitly to Muslim landowners) and 1627 (using more general terms to refer to all non-orthodox foreigners), conversion to Orthodoxy was recognised as a possible means of escaping from slavery. Reportedly, non-Orthodox enslaved prisoners attempted to “run away to escape slavery (*izbygayuchi kholopstva*) by getting baptized into the Orthodox faith, and because of this, they [the foreign employers] were left without workers (*chinittsa bezlyudstva*).”⁵² Remarkably, the authorities’ response was an addition denying fugitive slaves of foreigners the right to be baptized into Orthodoxy:

And those German and Lithuanian captives who now serve in the residences of non-baptized foreigners and are not baptized shall remain in the residences of the non-baptized foreigners. And if these non-baptized Lithuanian and German people flee from non-baptized foreigners and ask for baptism to escape from servitude [...], such fugitive people will not be baptized into the Orthodox Christian faith without an investigation. And if someone baptizes such fugitive people, he will be

49 NOLTE, “*Iasyry*”, 249–251.

50 HELLIE, “Slavery and Serfdom”, 114.

51 Н. Е. Носов (ред.), *Законодательные акты Русского Государства второй половины XVI – первой половины XVII века*, Том 1 (Ленинград: Наука, 1986), № 262, 186.

52 Т. А. ОПАРИНА, «Новые документы с изложением указа 1627 г.», в *Общественная мысль и традиции русской культуры в рукописных источниках XVI–XX вв.*, ред. Е. К. Ромодановская (Новосибирск: Институт истории СО РАН, 2005), 72–83, here 79 (transl. SD). The decree of 1623 was published in Носов, *Законодательные акты*, № 119, 113.

greatly disgraced in the eyes of the sovereign Tsar Mikhail Fedorovich and greatly banished by the [...] holy patriarch, Filaret Nikitich.⁵³

These measures to ensure that foreigners were able to sustain their residences and other properties without employing Orthodox servants seem to have had little effect, however. There were relatively few non-Orthodox servants in foreigners' homes. According to the 1638 census discussed above, in the capital only about eight per cent of the male servants living in residences owned by foreigners were neither Orthodox nor of Western European origin. In 1649, Article XX, Paragraph 71 of the *Law Code* reversed this regulation by explicitly allowing the conversion of slaves owned by foreigners. As financial compensation, each slave who was no longer allowed to live in a foreigner's house due to their conversion to Orthodoxy was ordered to pay their former owner 15 roubles.⁵⁴

In contrast to Arkhangelsk and Vologda, where exceptions were made to the overall legislation, thus allowing foreign merchants to continue hiring and even housing Orthodox servants, separation of foreigners from Orthodox inhabitants continued in Moscow for the following decades. The 1665 census of the residences in the Novaya Nemetskaya Sloboda hints that foreigners' preferences and strategies when obtaining servants had changed. The census lists 210 residences with more than 317 inhabitants.⁵⁵ In addition to the names of the residence owners, it includes information about servants and their families living in foreigners' houses. The census does not include information about the families of the residence owners, other than wives living in the sloboda whose husbands in tsarist service were sent to different places. For servants, however, we find entries that list their spouses, relatives and children, which indicates that the authorities were interested in detecting illegal inhabitants. Lahana has noted that none of the 56 servants listed in the census were European immigrants.⁵⁶ Even if we include the nine *nemchiny*, the percentage of servants of Western European origin was still quite low, at only 16 per cent. In 1638 it had been 6 per cent. The major difference from the 1638 census, however, was

53 ОПАРИНА, «Новые документы», 80 (transl. SD).

54 HELLIE, "Slavery and Serfdom", 182.

55 «Переписная книга Новой Немецкой Слободы 1665 г.», в *Переписные книги города Москвы 1665-76 г.* (Москва: Городская Типография, 1886), 231-38. The census did not cover the whole suburb, since several foreigners known to have lived there at this time are not listed. Cf. LAHANA, *Novaia Nemetskaia Sloboda*, 242.

56 Cf. LAHANA, *Novaia Nemetskaia Sloboda*, 242.

that no Russians or other Orthodox servants were discovered living in the foreigners' homes.⁵⁷ The foreigners now predominantly employed Tatars (14) and servants from Poland-Lithuania (31). Twenty-one of these were listed as hired workers (*naemnye*), five as prisoners.

However, the complete absence of Orthodox servants in 1665 does not mean that foreigners refrained completely from housing them illegally;⁵⁸ it was more likely a consequence of the removal of illegal servants about six years earlier. Between December 1658 and February 1659, a major investigation was conducted in the suburb. Dmitry Fel'dman has recently published excerpts of the documents related to this case.⁵⁹ They offer valuable insights into how foreigners obtained servants, as well as how the authorities handled the issue in the first years after the foreigners were moved to the suburb. When, in 1658, the authorities searched the suburb for Orthodox inhabitants, the scribes compiled a list of "Russians, Belorussians and Jews" living in the houses of foreigners:

In the year 7167 [1658], on the 20th day of December [...], the *stolnik* [a high ranking official] Vasily Bezobrazov found Russian people and Belorussians in the houses of the foreigners in the Novo Nemetskaya Sloboda. And where Russian people and Belorussians were found in the foreigners' residences was written in a list. [...] And according to this list, in the residences of the foreigners in the Novo Nemetskaya Sloboda live Russian people, Belorussians and Jews: six servants of boyar people who learn lace making, two Russians who serve in the residences, two Russian women, one with a son, two baptized Belorussians, a baptized Lithuanian woman, a Belorussian woman and two girls, one Belorussian with a wife and two unbaptized daughters, two Jews, one with a wife, three Jewish women with children, with two sons and two Jewish girls.⁶⁰

57 One exception may be the *dvornik* Arantko Markov, who is not listed as *nemchin*, *polyak*, or *tatarin* like the others. His presence in a foreigner's residence is referred to in the past tense "*zhil*", which may indicate that he had been forced to leave the suburb.

58 Cf. the examples of discovered individuals discussed in Орленко, *Выходцы*, 240–243.

59 Д. З. Фельдман (ред.), «Перепись Евреев Московской Немецкой Слободы. Середины XVII века», в *Российская Научный Альманах* 3, ред. А.В. МАТИСОН (Москва: Старая Басманная, 2018), 103–111. The traces of Jewish inhabitants in the Novaya Nemetskaya Sloboda found in these documents have been discussed earlier by Юлий ГЕССЕН, *История Евреев в России* (Санкт-Петербург: Типография Л.Я. Ганцбург, 1914), 12, without indicating his sources. Cf. ELMANTAS MEILUS, "The Jews of Lithuania during the Muscovite Occupation (1655–1660)", *Lithuanian Historical Studies* 14 (2009): 53–70, here 60–61.

60 Quoted after Фельдман, «Перепись Евреев Московской Немецкой Слободы», 110–111 (transl. SD).

While the list of 1658 and the interrogation protocols of the following year show that foreigners continued to employ Orthodox servants illegally, they also reveal that with the outbreak of Muscovy's war against Poland-Lithuania in 1654, foreign officers and soldiers had captured prisoners in Lithuanian towns and sent them to the suburb. Ten of the 19 Orthodox inhabitants found in 1658, as well as the ten Jewish persons and another seven Jews discovered later, had been taken prisoner by foreign officers in tsarist service in the first year of Muscovy's war against Poland-Lithuania. This indicates that foreigners, like Muscovite military forces at the time in general, actively used the opportunity to acquire a cheap workforce by capturing prisoners, thereby providing a means of solving their constant shortage of servants. A glance into the 1676 and 1684 census lists of the Meshchanskaya Sloboda, to which former prisoners from Poland-Lithuania were resettled in 1672, reveal further, similar cases.⁶¹

The fate of the Jews found in the suburb hints at another aspect of how compromises were negotiated between the foreigners' economic interests and the authorities' policy of keeping their Orthodox subjects from non-Orthodox influences. After an interrogation at the Foreigners' Department (*Inozemskiy prikaz*), all Orthodox servants and their families were relocated to other places. In contrast, only three of the Jews and their families, a total of seven persons, were not allowed to return to the suburb – two who were no longer servants of foreigners, and one who refused to reveal the name of the foreigner he lived with.⁶² Those who were allowed to return to the suburb had declared during the interrogation that they intended to convert to Lutheranism or in one case were already converted to Catholicism.⁶³ The authorities' search for and removal of Orthodox servants can be seen as a strict enforcement of the policy of isolating Moscow's Orthodox inhabitants from any foreign influence. But how they dealt with the Jewish servants discovered in the suburb reveals a continued willingness to compromise in order to support the economic founda-

61 Cf. Н. А. НАЙДЕНОВ (ред.), *Материалы для Московской купечества*, Том 1, Прил. 2 (Москва: Типо-Литография И. И. Кушперова и Ко., 1886).

62 They were sent to Astrakhan or Siberia Cf. ФЕЛЬДМАН, «Перепись Евреев Московской Немецкой Слободы», 107. Curiously, the Jewish butcher Mosha Markov, who lived in his own house and declared that he had not converted to Orthodoxy, was nonetheless allowed to return to his home in the suburb, where he still lived at the time of the 1665 census. In 1665, he was still listed as *evreyanin* without any indication that he had meanwhile converted to Christianity. Cf. «Переписная книга Новой Немецкой Слободы».

63 Cf. ФЕЛЬДМАН, «Перепись Евреев Московской Немецкой Слободы», 109.

tion of foreign households⁶⁴ despite an overall intolerant policy against Jews.⁶⁵ The decision to allow most Jews to remain in the suburb with a mere declaration of intended conversion to Lutheranism does not indicate a changed attitude towards the Jewish faith, but was rather due to the suburb's separate location, which enabled the keeping apart of Moscow's Orthodox inhabitants and Jewish foreigners.

CONCLUSION

As observed above, Muscovite policy towards the employment and housing of servants in the residences of foreign immigrants was inconsistent. The internal composition of the foreign communities and difficulties in obtaining and keeping non-Orthodox servants and slaves were the main reasons for foreign households' reliance on predominantly Orthodox servants in the first half of the seventeenth century. Especially in the first decades of the Romanov administration, this practice was more or less tolerated by the local officials in Moscow and in the provincial towns. As foreigners living within Orthodox neighbourhoods enabled regular intercultural and interreligious interaction, Muscovy's governmental departments responded to religious controversies and conflicts of interests with new restrictions from the 1640s and the codification of earlier policies in the *Law Code* of 1649. However, by redefining legal traditions and adapting the legislation to fit local situations on a case-by-case basis, both foreign householders and the local authorities openly negotiated compromises and exceptions. The authorities did not simply alternate between enforcing strict prohibitions and blindly tolerating infringements, but instead considered whether or not exceptions and compromises were not likely to have consequences outside the immediate situation and local conditions.

The mid-seventeenth century therefore marks a turning point not only in legislation on this matter, but also in the development of clear distinctions between the strict enforcement of the rules in the capital, and local

64 Lahana has argued that the involvement of foreigners in the first two years of the war restored the government's support of foreign presence in or near the capital. Cf. LAHANA, *Novaia Nemetskaia Sloboda*, 96.

65 From 1526, Jews were only allowed to settle in Muscovy if they converted to Orthodoxy. In the seventeenth century, exceptions to the Muscovite practice of forcing Jews to be baptized were limited to border towns like Smolensk and Portuguese merchants temporarily residing in Moscow. Cf. NOLTE, *Religiöse Toleranz*, 90.

compromises in northern towns. Comparing census data reveals that while there were no significant changes in the composition of foreign communities in Vologda and Arkhangelsk, new groups became dominant among the servants in foreigners' households in Moscow. With the beginning of the war against Poland-Lithuania, the foreigners in Moscow's Novaya Nemetskaya Sloboda turned primarily to non-Orthodox prisoners of war to work as servants in their residences. Consequently, the census of 1665 suggests that foreigners in Moscow were no longer relying on Orthodox servants – at least until 1672 when former prisoners from Poland-Lithuania were resettled into another newly erected suburb, the Meshchanskaya Sloboda.

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