

THE CULTURE OF COMPLAINT: APPROACHES TO COMPLAINING IN RUSSIA—AN OVERVIEW

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This article offers an overview of the literature and methodological attitudes to the “culture of complaint.” Complaining is a popular form of communication in present-day Russian society. It has received the attention of scholars of the Soviet period in Russian history as a specific mass form of popular political participation and relationship with the authorities. However, the reasons for and origins of mass complaining need further research. This article offers an analysis of possible developments in such research with specific focus on gender, emotional regimes of complaint, and the comparative analysis of cultures of complaint.

Keywords: Culture of Complaint; Russia; Attitudes to Complaining; Historiography

*In year 185 [1676] on October the 7th petitioned to the great Tsar and Grand Prince Fedor Alekseevich, the sovereign of Great and Little and White Russia... Sen'ka Iuriev son of Boris... against his own son Maksimka Senemov: this son of mine lives in my household; and this son comes home drunk, scolds and dishonors Sen'ka; and he swears at his mother; calls Sen'ka a pimp and his mother a broad; and scolds and insults his wife in their presence, threatens [all of them] and does not obey [his parents] at all. Dear great Tsar, please, indulge us and order to give us protection from this son of mine Maksimka for us not to suffer any dishonor from him in the future.
—A gatekeeper's complaint against his son, Moscow, 1676 (from Sbornik kniazia Khilkova)*

HISTORIOGRAPHY OF COMPLAINING: A MULTIDISCIPLINARY TASK?

Complaining has been a common form of communication between an individual, a community, and the authorities for the past several hundred years. In present-day society, complaining represents an important and necessary element of the legal system as well as of consumer society. The right to file a complaint to a variety of institutional bodies releases tensions arising from the misuse of power by institutions and individuals. Everybody complains about something, be it in court, to the police, to the wider community, to friends, or to customer support services. Therefore, complaint serves as a multifunctional tool for resolving social tensions while being at the

same time a mode of self-expression for channeling personal anxieties. In this overview, I would like to analyze various functions of complaint as they have been presented in contemporary research and suggest certain historical continuities relevant to present-day Russian society.

In Russia, cultural attitudes to complaining can be summarized by the famous Soviet request, "Give me the complaint book!" (*Daite zhalobnuiu knigu!*).¹ This request-turned-slogan signifies the relationship between a Soviet person and the authorities in the context of deficit consumption practices and political powerlessness. Scholars have focused on complaining as a form of political communication within the Soviet society and as a form of civil activity for the Soviet and later Russian citizens who understood complaining as an instrument for the protection of their human rights (Lukin 2000; Bogdanova 2003).

The Stalinist period is especially attractive to those scholars who study forms of oppression and the position and attitudes of oppressed populations. Indeed, complaints originating from "ordinary" Soviet citizens represent a unique source of information about their everyday lives and the new challenges they faced, as well as their political views and discontent with Soviet authorities (Fitzpatrick 1996a). These "weapons of the weak" characteristic of authoritarian societies often function as a report conveying people's political views as well as hinting at desirable changes (Scott 2008). In the context of Stalinist society complaint often turned into a strategic tool for claiming justice not only on behalf of the individual but also wider society, functioning as a letter of denunciation or *donos*, an infamous strategy of using extralegal methods to solve petty squabbles (Kozlova 1996; Livshin and Orlov 1999; Orlova 2004).

However, not every communication involved denunciation or had it as its goal. There has been a trend in these studies to overemphasize the function of complaint as denunciation in order to underline the coercive nature of Stalinist society (Nérard 2004; Merl 2012). Based on the analysis of discursive practices (Orlova 2004; Utekhin 2004) scholars have developed various classifications of complaints coming from the diverse and complex corpus of sources known as "letters to the authorities" (Livshin and Orlov 1998). The majority of scholars treat complaints as a certain genre, that is, as a literary source, and thus the classifications they come up with focus on the literary functions of these narratives. Generally, complaints are divided into the categories of complaint, petitions, letters, reports, and denunciations (*donos*) (Orlova 2004). They could be further divided according to the types of addressee (recipients of complaints) or authors of complaints (Fitzpatrick 1996b; see also overview in Bogdanova 2006:69–75). While these classifications are important and reveal a complex and complicated world of personal motivations, strategies, and discursive methods, they usually overlook the legal side of complaining, that is, that filing a complaint creates a fact of law which materializes in certain legal consequences, be they civil, administrative, or criminal proceedings. In the second part of this overview I will focus on the historical development of the legal functions of complaining.

¹ This slogan became famous after the movie with the same title was released in 1965. The plot criticized the rude and disrespectful treatment of customers in one of Moscow's restaurants, satirically attacking Soviet-style customer service.

FROM *CHELOBITNAIA* (PETITION) TO *ZHALOBA* (COMPLAINT): THE TRANSFORMATION OF POWER RELATIONS

Russia has long history of complaint. There are famous literary examples of complaints (or rather lamentations), including “The Petition of Daniil Zatochnik” (thirteenth century) and “Two Petitions of Ivan Peresvetov” (1540s) (*Biblioteka literatury drevnei Rusi* 1997–2010, 4:268–283; 9:428–451). Both texts have received much attention from scholars and have been treated as major documents in the history of Russian literature and legal and political writings. That both authors used petitioning as a form of address to the ultimate authority (a monarch) is hardly surprising; both take their personal grievances to the wider contextual level of general “wrongs” happening in society and the country. Therefore, these petitions represent semilegal documents having very specific purposes and anticipated results. That is exactly what petition was about: to lay out individual (or collective) grievances and suggest ways of solving them (Chekunova 2001; see also in the African context Korieh 2010). The petition as a literary genre has been well studied by scholars of Russian literature, who also created a tradition of examining petitions as literary texts rather than legal documents. At the same time, petitions played an important communicative and legal function in forming the system of Russian justice prior to the nineteenth century and were widely used by all segments of Russian society (Vysotskii 1987). Petitions initiated official legal proceedings by filing a complaint with the authorities, which they had to investigate.

In pre-nineteenth century Russia, there were three types of documents for initiating a legal action: a petition (*chelobitnaia/proshenie*), a complaint (*zhaloba*), or a report (*iavka/donos*), all three of which became well-established legal tools for demanding justice and which are all found in the Soviet and post-Soviet periods. A petition was originally called *chelobitnaia*, describing the old process of petitioning, which included the act of “*bit’ chelom*”—“beat by the forehead”—that is, kneeling or bowing so one’s forehead touches the ground in front of the tsar, which signified the relationships between an individual and the state in the context of the personal authoritarian political regime. The word *chelobitnaia* was used until almost the end of the eighteenth century, when in 1786 the order was given to call it *proshenie* (petition) or *zhalobnitsa* (complaint), and instead of “*bit’ chelom*” to use the words “*prinosit’ zhalobu*” (file a complaint) or “*prosit’*” (petition) (*Polnoe sobranie zakonov Rossiiskoi Imperii* 1830, 22:16329). The *chelobitnaia* as a form of petition suggested a humble request for justice and clearly defined power relations between the authorities and individuals; the latter usually described themselves as “slaves” (*raby*) and used diminutives for their names (Kollmann 1999:111). The 1786 law also prohibited the use of the word “slaves” and ordered the use of “loyal subjects” (*vernopoddannye*) instead. This transformation marked a significant change in power relations and elevated people to the status of “subjects,” which was consistent with Catherine II’s social and political reforms.

The form and content of petitions changed during the eighteenth century with major changes advanced by Peter I. Generally both seventeenth- and eighteenth-century petitions included the title of Tsar or Patriarch (until the Patriarchate was

abolished), the personal information of the complainant (name, social standing, profession, or rank), a summary of the case, the request (what the complainant wanted), and signatures (see also Volkov 1974). The 1723 Law on the Form of Trials ordered all petitions to be divided into paragraphs, so that the charges brought and the request itself would be sound and clear (*Polnoe sobranie zakonov Rossiiskoi Imperii* 1830, 7:4344). For example:

To the Sovereign Right Reverend Aleksandr Archbishop of Velikii Us'tiug and Tot'ma, I Tat'iana daughter of Nikifor and wife of Nikifor Grigoriev, humbly petition. Thy orphan's complaint is against Pavel son of Andrei Podsil'nykh. In the present two hundred and second year on the third day of September he, Pavel, beat me and maimed me to death and dishonored me and raped me and I do not know why, and gave me a black eye and I have witnesses...; Sovereign Right Reverend Aleksandr Archbishop of Velikii Us'tiug and Tot'ma, favor me and order, Sovereign, the bailiff, Petr Vasil'ev, the priest of the Spasskaia Church in Krasno-bor, to find him, Pavel, and interrogate him and find my witnesses...and interrogate them as well and have him, Pavel son of..., on bail and bring him into your Archbishop's chancellery to answer my charges; Sovereign, great Prelate, have mercy on me and grant me...²

This 1693 petition includes a detailed request of what should be done with the perpetrator in terms of procedure. The complainant does not ask for justice here directly; she (or a clerk on her behalf) rather makes sure to follow the correct procedure: to send a bailiff to arrest the offender, to collect bail, and to bring him to the archbishop's chancellery to face trial. A very similar text can be found in the twentieth century as the format of complaint did not change much (see examples in Livshin and Orlov 1998; Bogdanova 2006).

The same formulae can be found in a 1761 petition, which is divided into paragraphs (while the 1693 petition represents a single narrative):

The Most Serene Powerful Grand Sovereign Empress Elisavet Petrovna Autocrat of All Russia All Merciful Sovereign

I, the wife of navy midshipman Ivan son of Tikhan Nefed'ev Paraskeva, daughter of Efim, petition you against my husband and my petition has the following points:

-1-

I married him in...1759 being a widow...

-2-

In 1760 on October 21 this husband of mine arrived back from sea, started beating me mercilessly, unknown to me on which malicious grounds, and scolded me inhumanly and sent me to find whores for adultery and I refused and he beat me for that...

² Rossiiskaia natsional'naia biblioteka (RNB), otdel rukopisei, f. 299, no. 1324, l. 1.

And I was pregnant and miscarried because of his beatings...

-3-

And this March on the 14th day he beat me to the point of death and evicted me from the house and ordered me to file for divorce from him...

Let by the Royal Her Imperial Majesty's order my petition be accepted by St. Petersburg Consistory Court and the above-mentioned husband of mine be found and interrogated and punished according to the Church Father's rules and royal ordinances, and his dishonorable actions against me and bruises be described...

Merciful Sovereign I beg you to make a decision upon my case...³

Again, it is important to note that the complainant requested a certain procedure, but not justice as such. Both petitions suggest that all petitioners could ask for was the correct procedure with open results, supposedly in their favor, but with the possibility that real arbitrary power would act upon its own logic. The same situation is found in prerevolutionary, Soviet, and post-Soviet complaints (Verner 1995).

Almost all petitions were written by professional clerks called *ploshchadnye pod'iachie* (square clerks) or court clerks. Filing a petition happened in the presence of many other people. This was true for both the seventeenth and the eighteenth centuries and had nothing to do with the complainant's level of literacy. Even if a complainant was literate s/he might not have the skills to compose a legal document correctly, so instead of writing it her/himself a complainant had to rely on the clerk's professional expertise. This underlines one big difference between a complaint as a legal document and a complaint as a literary genre. In the first case, a complaint is always reviewed and revised by low-level representatives of the authorities (clerks) to make it fit the accepted legal formulae (Vologzhanin 1965; Iarkov 2009), while in the second case the letter of complaint might survive in its original form, providing researchers with possibilities for insight into individual motives and rationales.

The problem of authorship is important in the context of verifying the authenticity of the information contained in a petition. The question was how much the clerk influenced and participated in the creation of a petition. Even if a petitioner was literate, this participation could be quite substantial, because a clerk had to structure the information he received in the correct form, making sure that all the necessary formal details,⁴ such as the title of the sovereign, were correct.⁵ This re-

³ Tsentral'nyi gosudarstvennyi istoricheskii arkhiv Sankt-Peterburga (TsGIA SPb), f. 19, op. 1, d. 4917, ll. 1–2.

⁴ These included personal data, the date of the petition, and the name of the clerk (*Polnoe sobranie zakonov Rossiiskoi Imperii* 1830, 2:1241; 3:1363; 4:1836 no. 7, 1884; 5:2865, 3068, 3251; 7:4769; 15:10980, 11459).

⁵ An incorrect title could bring a charge of treason, so clerks had to be very careful in their work (see examples in Novombergskii 1911). The official title was confirmed after each accession to the throne and published in a special ordinance (*Polnoe sobranie zakonov Rossiiskoi Imperii* 1830, 7:4755, 5071; 8:5501; 11:8475; 15:11392; 16:11590; 24:17365).

quired certain skills. The clerk also had to define the appropriate chancellery and/or other court authority to which this petition should be submitted (*Polnoe sobranie zakonov Rossiiskoi Imperii* 1830, 5:2865) unless a petitioner went directly to the appropriate body, in which case the petition was taken by the relevant clerk. The clerk also had to make sure that a petition contained only one charge, that there was no unnecessary information (only direct evidence pertaining to the case), and that no vulgar or offensive words were used (*Polnoe sobranie zakonov Rossiiskoi Imperii* 1830, 4:1806; 5:3261 no. 3, 4, 3417; 6:3577; 13:10155; 16:12240; 25:18468). Moreover, to make the case successful (that is, to have the petition accepted by the court and an investigation ordered) the charges had to match the official names of the crimes contained in the appropriate laws. Thus whatever words the petitioner might have used were transformed into the correct terms for the offenses. All this did not leave much room for the authentic words of a petitioner. The skills and professionalism of the clerks, on the other hand, were significant. In this context litigation with officials (for example, in cases of abuse of power or corruption) was extremely difficult, and the petitioning party (if not from the same socio-professional background or the nobility, who could afford the best clerks) found itself in a very disadvantageous position. It was even more difficult in small communities, where there were not many clerks and some of them served as officials for local bodies, thus a petitioner had to think twice before making the first move.

It was not only the clerk who selected the information on behalf of the petitioner. The petitioner her/himself made certain choices as to how much information to disclose to the clerk or other official. This selectiveness depended on various circumstances: how well the petitioner knew the clerk or the official, the situation in which the information was to be disclosed, how many others were present, the social status of the petitioner, the gender of the petitioner, whether they were married, unmarried, or widowed, rich or poor. Clerks and officials were all men, so women in the position of petitioner had to follow certain rules of speech and behavior as to what to say and how to say it. The clerks then restructured their words according to the appropriate form. Local offices (chancelleries, departments, local inns [*s"ezzhi dvor*]) were always crowded. Plaintiffs had a very good chance of meeting either their offender or his/her family members and associates. For example, in cases of rape an assaulted woman had to explain her case to the clerk loudly to be heard over the shouts of others. Oral accusations and insults as well as fights could happen right on the spot (Kosheleva 2004). Many petitioners bringing charges on sensitive matters (sex crimes being probably among the most sensitive) had to be very selective in what they told the clerk, but the information had to be sufficient to merit launching a case (see also Howe 2010).

Complaints and petitions as legal documents require very sensitive analysis of their contents not only from the point of view of their language and stylistics, but also from the point of view of their place in the process of negotiations between individuals and the authorities as to why and how to achieve justice. This brief historical overview of the origins of complaints suggests that their forms did not change much, which might mean that forms of complaints represent stable mechanisms of

communication with authorities despite major political, social, and economic transformations. At the same time, it might mean that the nature of power relations between the individual and the state did not change profoundly, that is, that individuals continued to appeal to the authorities within a paternalistic framework expecting ultimate justice to come from above.

WHY COMPLAIN? THE RHETORIC OF COMPLAINT

Scholars underline that complaints occur when a speaker (S) expresses displeasure or annoyance as a reaction to a past or ongoing action, the consequences of which affect S unavoidably. In this case, the hearer (H) is considered by S to be the person responsible for the offensive action. As a speech act, complaints entail a rather high degree of threat to one's positive face, since S conveys some sort of negative feelings towards H (Olshtain and Weinbach 1987:195; Pinto and Raschio 2008:223). Therefore, a complaint as an act of active speech functions as a mode of self-expression in a wide range of situations. As a result, its motivation depends on a number of personal characteristics, which are recognized as crucial for self-identification and the ability to make a complaint. In different historical and cultural settings, these characteristics could differ, but they would include gender, class, race, and age.

Understanding complaint as a mode of self-expression and egodocument revealing motives, prejudices, and ambitions and providing intersubjective communication with a historical individual opens up a range of insights into the nature of subjective experience (Fulbrook and Rublack 2010). Moreover, complaining is a strong negative narrative pushing for the revelation of problems; hence, through analyzing complaints we can recreate the ideal state of affairs people saw as desirable (Weeks 2004). Therefore, the persona of the complainant, whether individual or collective, acts within certain historical, cultural, social, economic, and political contexts to convey through their own subjectivity a view of the objective outside world. This seems to be one aspect worthy of further research. Who is this persona, or, in other words, who complains?

Scholars, especially linguists and psychologists, have repeatedly pointed out differences in how men and women express themselves. Complaint stories were ascribed as specifically "feminine" to the extent that complaining entails taking a vulnerable role that is not considered appropriate for male speakers in Western societies (Günthner 1997). Indeed, complaining might put a person in a vulnerable and disadvantaged position in relation to those in positions of power. The assumption that women complain more than men comes from stereotypes of male and female behavior that associate complaining with submissiveness, passivity, and vulnerability (Boxer 1996; Conway and Vartanian 2000). While in some situations (for example, in family conflicts and domestic abuse [Muravyeva 2014]) women complain more than men do, in others (especially in consumer affairs) men are found to have a higher propensity for complaint (Parker, Funkhouser, and Chatterjee 1993; Gursoy, McCleary, and Lepsito 2007). Gender reveals itself not in the numbers of men or women com-

plaining but in their situations and motivations for complaint, in the modes and ways through which they express themselves. In Russia, gender analyses of complaining are yet to come, although some studies have been attempted.

Other findings by scholars who study the behavior of consumer complainants describe complainants as being much more likely to have a higher income and higher level of education, to work in a professional occupation, to be older, to be female professionals, and to be more likely to live in large cities (Volkov, Harker, and Harker 2005). This profile generally represents the more privileged group of people and can be applied to various historical contexts. However, historical studies show that in terms of justice even less privileged social groups (such as peasants and other lower classes) actively complained, thereby using the justice system to their advantage or negotiating their cases (Frank 1999; Burbank 2004; Muravyeva 2013). In Soviet society, social stratification and one's position in the political or social hierarchy probably played more significant roles in terms of complaint than even in prerevolutionary Russian society, because social activities could only exist within the strictly limited boundaries sanctioned by the state (Radaev 1991; Bogdanova 2003).

The choice of addressee or recipient of a complaint reflected the ultimate goal of this communication. The majority of complaints were destined to end up with various types of authorities, which brings us back to the subject of power relations between complainants and addressees. Taking into account the Russian political regime, complaints have often been addressed to the head of state, be he the Tsar or the General Secretary of the Communist Party or the President. In the same manner, heads of state in these different historical periods have tried to create effective mechanisms for dealing with complaints by placing various government bodies and agencies, including the court system and administrative bodies, between themselves and the complainants. These efforts, though, have not been successful (Bogdanova 2006; Muravyeva 2013) as people continue to address their grievances to heads of state. This suggests that people continue to mistrust officials, relying on the fairness of this one person, reproducing the paternalistic framework of political organization (Surovtseva 2010).

In this particular situation, the content of complaints, or discursive practices as means of securing justice, becomes important not only in linguistic but also in conceptual terms. Nancy Ries came up with the notion of the "litany": a passage in conversation in which a speaker would enunciate a series of complaints, grievances, or worries about problems, and then comment on these enumerations with a poignant rhetorical question, often in a form of a lament (1997:84). There are several other strategies complainants use to present their case and anticipate a desirable result. First comes the language of humility and diminished self-representation. The language of humility is designed to propitiate the addressee, who historically speaking was the highest-ranking official—the head of state. Just as in the seventeenth century complainants used performative verbs (asking the addressee "to have mercy," "to spare," and so on) to express their request, Soviet complainants evoked compassion by using verbs such as "to ask" rather than "to demand" (Bogdanova 2006; Tokarev and Leonova 2011; Leonova 2012).

Evoking compassion also involved diminishing one's status and conditions. Describing oneself as helpless or defenseless or disabled or very poor called for action on the part of the authorities. In cases of complaints against other people (family members or state officials), complainants often highlighted the consequences of their poor and defenseless state, which could be further impoverishment, starvation, or death, thus transferring any responsibility to the authorities as well.⁶ This verbal self-diminishment, though, often included listing one's positive features, good behaviors, contributions to society, personal commendations, laying further blame for current misfortunes on external factors. At the same time, the perpetrator (a person or a legal entity, including governmental agencies) was portrayed in all possible negative terms (Bogdanova 2006:143–146; Pecherskaya 2012).

All these features made complaints very emotionally charged documents. In view of recent developments in the history of emotions (Plumper 2009; Plumper, Schahadat, and Elie 2010), complaints comprise an excellent source for the study of "emotional communities" (Rosenwein 2007) or "emotional regimes" (Reddy 2001). As I noted earlier, complaints produce mainly negative emotions but with an anticipated positive perspective, therefore, complaints can be viewed as a vehicle of emotional communication and catharsis for all parties involved. This aspect of the study of complaining requires further research, which might provide potential insight into the emotional worlds of complainants.

CONCLUSION

Complaining is an important form of human communication. Complaints provide legitimate space to voice pain and concern over deeply private matters in connection with shame and the social perception of allowed appropriate public behavior. Thus, complaints blur the boundaries between public and private (Korieh 2010). In Russia, complaints have mostly been studied in connection with authoritarian political regimes and power relations between the individual and the state. Contemporary scholars have focused primarily on complaining as a mass phenomenon in the Soviet period. However, as I have attempted to argue in this overview, complaining has been integral to Russian life, constituting a significant aspect of the legal culture since the prerevolutionary period, when it was just as popular and common as in the Soviet era. This fact suggests that scholars should pay more attention to continuity and consistency rather than simply focusing on the Soviet period as discontinuous with the prerevolutionary past.

Studies of complaint, if developed towards analysis of complaining regimes and their functions in various political and social settings, will allow us to better comprehend not only specific power relationships between individuals and authorities but also between individuals and other social actors such as, for example, NGOs and mass media. The present state of research provides the necessary background for such work.

⁶ See a collection of petitions and complaints from the seventeenth and eighteenth centuries published by the Commission for Archives Description in *Russkaia istoricheskaia biblioteka* (1908), especially volumes 12, 14, and 25.

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ЧЕЛОБИТНАЯ КУЛЬТУРА: ПОДХОДЫ К ИЗУЧЕНИЮ ЖАЛОБНИЧЕСТВА В РОССИИ (ОБЗОР)

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В статье содержится обзор литературы и методологических подходов к исследованию культуры жалобничества. Подача жалобы является распространенным способом коммуникации в современном обществе. Российские исследования в целом сосредоточены на изучении челобитной культуры в советский период как достаточно специфической массовой формы общенародного политического участия и взаимодействия с властями. Однако истоки и причины внезапной массовости обращения к властям изучены недостаточно и нуждаются в дальнейших исследованиях, в особенности изучения и уточнения их пространственно-временных характеристик. В статье предлагаются возможные направления таких исследований и намечаются проблемные области изучения челобитной культуры (такие как гендер и стратегии обращения с жалобой, чувственные режимы и механизм функционирования челобитной культуры, сравнительный анализ челобитных культур и др.).

Ключевые слова: челобитная культура; Россия; история челобитного поведения; историография