

---

Articles

---

## Conflicts over Land Use in the Moscow Region\*

David L. Ransel

The lands of the Moscow region are currently undergoing a transformation that may be as profound in its own way as the collectivization of farmland in the 1930s. In that earlier time the shift was from family-based private or communal farming to collective and state farms in a process that included uncompensated appropriation of land, livestock, and farm machinery, plus the arrest and deportation of anyone who resisted. Although the current transformation involves re-privatization of land, it is not a reversal of the process of collectivization but an entirely new stage of land exploitation. Developers and prosperous individuals, not the former farm families, are rapidly acquiring these lands by fair means and foul in order to construct high-priced housing in gated compounds, and these new owners show little regard for the ecology, the people long resident in the region, or even established zones of protection of cultural heritage sites. An unequal struggle is underway on the part of local citizens to save access to meadows, rivers, ponds, and woods that had belonged to their collective farms and have long be regarded as shared community assets. They are being joined by scientists, artists and lawyers who seek to halt the destruction of cultural heritage sites. These opponents have formed small islands of civil society action and succeeded in some places to limit or delay new construction.

Until recently, prospects had not been encouraging. Developers and their political allies in local government transferred ownership of valuable properties at evidently great personal financial advantage. When necessary, they ignored or rewrote prevailing legal protections to clear the way for privatization and construction on lands that had previously been enjoyed by local people and visitors as a public good or, where its use could degrade the property, a common pool resource.<sup>1</sup> The ability of officers in local government to allocate properties to individuals and developers can be traced in part to the methods used in the early 1990s to push through the government's program of privatization of the Russian economy.

---

\* I want to thank the Slavic-Eurasian Research Center, Hokkaido University, for the opportunity to launch this project while a fellow at the Center in 2011. Other institutions that provided support include Indiana University, the D. S. Likhachëv Institute of Cultural and Natural Heritage, and the International Research and Exchanges Board.

1 For the theoretical considerations of common pool resources and an answer to the idea of the "tragedy of the commons," see Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge: Cambridge University Press, 1990).

## PRIVATIZATION

The special powers that President Boris Yeltsin had acquired from the Congress of People's Deputies in November of 1991 gave the reformers extraordinary leverage for realizing their program. But like any directed change involving massive assets, political approval by itself was not sufficient. Powerful interests had to be brought into the process and allowed to profit from it if their opposition was to be averted. The reform team led by Anatolii Chubais wanted above all to shut the central ministry bureaucracies out of the process. In the judgment of the reformers, the central ministries were the source of the inefficiencies of the Russian economy, its overregulation and separation of control and cash flow rights. In their effort to exclude the ministries the reformers were willing to cut deals with nearly everyone else who had a stake in the system. Their primary focus was on the enterprise managers, as they had control of the means of production and were already appropriating them. Moreover, the managers had technical knowledge and were, in the view of the reformers, the most able people initially to exercise ownership.<sup>2</sup>

But other allies were needed to thwart interference by the powerful central ministries. To garner broad public support for the changes and thus outmaneuver efforts by the central ministries to interfere the reformers introduced a voucher privatization program. The objective, at least according to the apologists for it, was to give every citizen a chance to own a small piece of a productive asset or, more commonly, a number of assets bundled in a mutual fund.<sup>3</sup>

---

2 See Maxim Boycko, Andrei Shleifer, and Robert Vishny, *Privatizing Russia* (Cambridge, Mass.: The MIT Press, 1995). This very simplified explanation also contains a strong note of self-justification, as the authors were closely involved in designing and guiding the reform. See also Anders Åslund, *How Capitalism Was Built: The Transformation of Central and Eastern Europe, Russia, and Central Asia* (Cambridge: Cambridge University Press, 2007), pp. 152-153.

Another way to think about the process may be more helpful, since inefficiencies are in some degree defined by context. In a centrally planned economy, efficiencies have much to do with balancing allocations of resources. Planners value gross outputs that serve as inputs to other enterprises. From the planners' point of view, behavior that may be cost effective for a particular enterprise will not be efficient for the economy as a whole if it limits (unbalances) the allocation of resources needed by other enterprises. Similarly, it would not have made sense for Soviet enterprise managers to concern themselves unduly with net indicators such as profit and value added so long as prices did not reflect relative scarcities. I want to thank my colleague at Indiana University, Michael Alexeev, for pointing out how sensitive definitions of efficiency and balance were to context. On the question of balance in a command economy, see the classic essay by Gregory Grossman, "Notes for a Theory of the Command Economy," *Soviet Studies* 15:2 (Oct., 1963), pp. 101-123, esp. pp. 113-118. Also, Richard E. Ericson, "The Classical Soviet-Type Economy: Nature of the System and Implications for Reform," *The Journal of Economic Perspectives* 5:4 (Autumn, 1991), pp. 11-27, esp. pp. 15-17, 21-23.

Another constituency well positioned to create problems for the reform was the local authorities and managers of retail outlets and other small enterprises. Because the reformers were most interested in controlling the transformation of the large enterprises that dominated the economy and eager to avoid opposition from local officials, they decided to turn most retail outlets and some minor firms over to the municipalities and to allocate to small institutions the properties they currently managed.<sup>4</sup> This decision had important implications for the use of what had long been considered areas of free public access, the kind of commons that truly actualized the communist promise of mutual use of the people's assets and enhanced the quality of everyday life for ordinary citizens.<sup>5</sup> Along with this acquisition of local property rights came the elimination of a variety of community and social services and a loss of commonly enjoyed parks, woods, lakes, rivers and ponds.<sup>6</sup>

In this article I wish to focus on properties in the rural areas of Moscow province where the principal threat arose from the desire of newly wealthy persons to acquire elite suburban housing (known in Russian as *villy* or *kottedzhi*) and second homes (*dachi*) in the most attractive natural settings. Developers were searching for desirable properties and working with local officials and institutions to acquire the rights to build on them. As early as December 1992, the Russian legislature added to the potential fund of available land for

---

3 The reformers made exaggerated claims for the benefits of voucher privatization, which turned out to be largely illusory. Only about 20 percent of the value of companies was transferred through vouchers, whereas over 50 percent went to insiders, managers and employees, at nominal cost. In fairness to the reformers, it should be recalled that this "second option," which favored insiders, was not part of the original program but was added by the state legislature. Here again the reformers had to bow to reality. The managers used their political muscle to outmaneuver them. Åslund, *How Capitalism Was Built*, pp. 160–161. Åslund, one of the apologists for the reform, wrote that the funds created by the vouchers gradually "faded away." In fact, many "voucher investment funds" were Ponzi schemes that stole the investments of ordinary people, the effect being to enrich the criminal managers of the funds while exerting little impact on property distribution. Andrew Barnes, *Owning Russia: The Struggle over Factories, Farms, and Power* (Ithaca: Cornell University Press, 2006), pp. 77–79.

4 Boycko et al., *Privatizing*, p. 73. The allocation was, however, done in a variety of ways, some of which placed restrictions on what could be done with the property and consequently often rendered it unprofitable.

5 For a recent review of the extensive rights of ownership that were conceded to local bodies, plus a discussion of the subsequent legal development of the delineation of local and federal rights over property, see I. A. Ikonitskaia, ed. *Pravo sobstvennosti na zemliu v Rossii i ES: Pravovye problemy. Sbornik statei* (Moscow: Wolters Kluwer, 2009), especially, pp. 45–57.

6 For recent discussions of this problem, see my chapter "'They Are Taking That Air from Us': Sale of Commonly Enjoyed Properties to Private Developers," in Choi Chatterjee, David L. Ransel, Mary Cavender, and Karen Petrone, eds., *Everyday Life in Russia Past and Present* (Bloomington: Indiana University Press, 2015), pp. 140–160, and additional references cited there.

housing development when it amended the constitution to allow a free market in land that was to be used for “dacha construction, orchards, and private gardening, although not for full-scale farming.”<sup>7</sup> As a consequence, state and collective farms near large cities began to sell off plots of land to developers. The conditions that facilitated this process are complicated and will receive further discussion below.

### EARLY EXAMPLES

I first ran into the threat to attractive suburban natural sites and in this case also an archeological site of importance while on an expedition to conduct oral interviews with village women in northeastern Moscow province in the summer of 1993. During a meal break, my truck driver and an assistant took me to a nearby complex of 50 ancient Slavic burial mounds (*kurgany*) that were dotted across a high bank of the Voria River (a tributary of the Kliazma River that passes through Moscow) adjoining the village of Kablukovo. The mounds, which dated from the twelfth and early thirteenth centuries were discovered by archeologists in the 1960s and partially investigated.<sup>8</sup> To the misfortune of Russian heritage preservation, the picturesque setting attracted the attention of the wealthy fashion designer Viacheslav Zaitsev. Despite laws protecting such sites, Zaitsev was able to purchase the land occupied by the burial mounds and made plans to build a large dacha right next to the mounds in a way that was certain to do irreparable damage to the site. Scholars interested in the site tried to no avail to convince Zaitsev to use an alternate site and soon learned that the dacha was under construction and that at least one burial mound had already been bulldozed. Zaitsev explained that he had invited another archeological agency<sup>9</sup> to render an opinion and was told that the construction would not damage the mounds and that he could proceed with his building project. On this advice, Zaitsev went ahead.<sup>10</sup>

Zaitsev’s lavish home was the work of one wealthy individual. More typical were appropriations of large areas by developers who immediately fenced

---

7 The amendment can be found in *Sobranie aktov prezidenta i pravitel'stva Rossiiskoi Federatsii*, 1993, 2:92–101, cited in Barnes, *Owning Russia*, pp. 89, 149. For more on effects of this reform, see Stephen K. Wegren, *Land Reform in Russia: Institution Design and Behavioral Responses* (New Haven: Yale University Press, 2009), pp. 25–26.

8 The fascinating results of this investigation can be found in Iu. A. Krasnov, ed., *Arkheologicheskaia karta Rossii, Moskovskaia oblast'*, part 1 (Moscow: Rossiiskaia akademiia nauk, Institut arkheologii, 1994), p. 237.

9 This was the Podmoskovnaia ekspeditsiia Instituta arkheologii, led by A. V. Engovatova.

10 Personal communication from Sergei Chernov, Institute of Archeology, Russian Academy of Sciences, January 3, 2011. For further detail on this question, including pictures of the dacha and burial mounds, see “Dacha model’era V. M. Zaitseva na kurganakh zabytykh predkov,” *Podmoskovskii internet zhurnal Kraeved* (May 14, 2013) [[http://trojza.blogspot.de/2013/05/blog-post\\_14.html](http://trojza.blogspot.de/2013/05/blog-post_14.html)], accessed May 18, 2015.

off the space with high opaque metal walls and created gated complexes sectioned into lots for mini-mansions and dachas. Anyone riding through Moscow province in recent years will have seen an ever increasing number of these walled communities strewn across the landscape. Initially, they appeared near the industrial suburbs of the metropolis on properties acquired from factories that could no longer subsidize the lands and facilities they had held in Soviet times for the purpose of attracting workers to their enterprises. Many enterprises in socialist Russia maintained apartment houses, daycare centers, clubs, cafeterias, parks and other recreational sites as a means of recruiting and retaining workers. When the enterprises were privatized, the unsustainability of these social services and recreational facilities in the new conditions of market competition quickly became apparent. Financing of them was eating up virtually the entire profit of enterprises. Moreover, local governments now expected to collect taxes on the properties owned by enterprises, adding further to the expense of providing benefits to employees and the local community.

As early as 1994 when I launched a new interview study of generational attitudes among workers, we encountered an example of such losses in the town of Khot'kovo, an industrial suburb north of Moscow, where we were conducting interviews in a factory district. A young woman reported that until the recent changes in the property regime, she and many others in Khot'kovo had enjoyed strolling through a nearby woodland park that contained a pond where they could relax, bathe, and picnic. But much of this woodland had suddenly been taken over and developed as a dacha community.<sup>11</sup> Land appropriations of this sort had been occurring without public notice throughout the region.

### RECENT CONFLICTS

Along the Moscow River near the city of Zvenigorod lies the village of Dunino amid a number of sites of cultural and historical interest. The area has experienced human habitation since at least the seventh century b.c.e. It, too, is the site of Slavic burial mounds and of an ancient fortress, the Duninskoe gorodishche (an object recognized by presidential order as of federal cultural significance in 1995). In more recent times, the area played a key role in World War II. The defense line before Moscow ran through the property, and it was the first place that General Georgii Zhukov tried out the Katiusha truck-mounted mortars that served the Soviets well in defeating the German army. After the final violent expulsion of German forces from Dunino, a spring gushed out of a hillside on the site, a spring that has since attracted a large number of pilgrims in search of spiritual and physical healing. Local residents built a chapel over the spring.

---

11 For more on this case, see my chapter "'They Are Taking That Air from Us,'" pp. 145-147. When I returned to Khot'kovo in 2012 for further interviews, I found new woodlands being sold off, apparently illegally, to dacha builders.

Nearby a Church of Archangel Michael was erected in memory of the soldiers who died here. Dunino was also the home of the famous Russian writer Mikhail Prishvin, who spent much of his time there in the post-war years until his death in 1954. A Prishvin museum was established soon after and is still on the site.<sup>12</sup>

The land earlier belonged to the Porech'e sanatorium. That institution transferred ownership to the city of Zvenigorod in order to avoid paying taxes on a property that it was in no position to use. The administrators of the sanatorium were sufficiently concerned about the fate of the property that they financed a survey to define the zone of protection surrounding the site. The property was then to be protected from development on the basis of a plan that local officials and the Moscow province committee on culture drew up. The former mayor of Zvenigorod, Iurii Panov, in whose jurisdiction Dunino resided, agreed to the plan and saw that the property was not disturbed. Here was an exemplary case of cooperation between a variety of stakeholders to preserve and protect an important public good as a historical site. Unfortunately, the arrangement was not institutionalized in a sufficiently robust legal form to prevent its subversion. When in 2003 Leonid Stavitskii, the chief engineer of one of the country's largest construction companies, was elected mayor of Zvenigorod, he overturned the agreement. Stavitskii immediately made a deal with contractors to subdivide the property and create a housing development, which foresaw the destruction of wooded lands and the placement of buildings on top of archeological sites. In this decision, he had the backing of the Moscow province governor Boris Gromov, who was his brother-in-law.<sup>13</sup> About this time the earlier plan for the protection of the property mysteriously "disappeared." People, however, refused to accept the deception. Local citizens and researchers decided to put up a fight for what they considered a site of unique cultural significance. They started an Association for Preserving the Dunino Archeological Complex, sought legal representation, and have succeeded for a time to halt the development by an appeal to laws that place objects of national cultural importance in the jurisdiction of the federal authorities, not provincial officials. Despite intervention by federal agencies and court actions to block the development, the local authorities have not changed their plans to build the housing at the site.<sup>14</sup> Citizen vigilance has so far kept the developers at bay.

---

12 For a description of the site and the recent transfers of ownership, see: "Duninskii landshaftno-arkheologicheskii kompleks," *Cyclowiki.org* [[http://cyclowiki.org/wiki/Дунинский\\_ландшафтно-археологический\\_комплекс](http://cyclowiki.org/wiki/Дунинский_ландшафтно-археологический_комплекс)], accessed May 20, 2015.

13 "Stavitskii Leonid Oskarovich—biografiia," *Viperson.ru* (April 7, 2015) [<http://viperson.ru/people/stavitskiy-leonid-oskarovich>], accessed May 20, 2015; "Glava goroda Zvenigorod Leonid Stavitskii napravil v svoi karman 97% vsego biudzheta goroda," *Zvenileaks* (March 4, 2011) [<http://lj.rossia.org/users/zvenileaks/456.html>], accessed May 20, 2015.

14 See for more detail, including the long legal struggle, the page "Istoriia voprosa glazami iuristov" of the website of the Fund spaseniia pamiatnika arkheologii Federal'nogo znacheniiia Duninskogo arkheologicheskogo kompleksa VIII v./do n. e. – V v. n. e. [<http://www.duninofond.ru/welcome.htm>], accessed Jan 17, 2011. Here the defenders of the site

In April 2015, for example, surveyors tried to enter archeological zones of the property, but staff members at the Prishvin Museum and local residents called the police, who found that the surveyors did not have documents authorizing their work. The association has also fenced off access routes to the Dunino archeological site and placed an Orthodox church like a castle on the sole road into the area.<sup>15</sup>

A third example concerns a recent struggle over preservation of the only remaining noble estate landscape park on the western side of Moscow that is still completely intact within its historical borders. This estate, Stepanovskoe, together with the nearby well-known Arkhangel'skoe estate park, constitutes a genuine and irreplaceable expression of the Russian Enlightenment. Arkhangel'skoe is of such magnificence and fame that it is not threatened, even if it too is suffering erosion of its historical boundaries to developers and lacks funding

---

make very serious allegations of criminal conduct on the part of the officials and developers. Also, Iurii Vederin, "Otvetsvennost' professionalov za sokhranenie nasledii," *Dostoianie pokolenii* 1:4 (2008), pp. 76–79. Also Svetlana Danilova, "Pamiatniki segodnia zashchishchaiut iuristy," *Vedomosti*, September 20, 2013 [<http://www.irk.ru/articles/36097.html>], accessed May 19, 2015.

- 15 The legal situation is complicated. According to a leading archeologist for the province, "The fortress has been under federal protection since 1995, and more than 10 ancient settlements enjoy protection as sites of regional importance. The land is, however, in private hands, and the owners would like to dig up the ancient settlements and have them carted away (two of them are already dug up) so that they can build 25 homes along the bank of the Moscow River, excepting only the fortress site. The fortress would then be surrounded by real estate developments, destroying a unique geological, natural and hand-crafted ecosystem."

The law requires that a zone of protection be developed for the area adjoining the monuments that would define what one could and could not do there. Projects for this were developed twice, and they proposed to ban construction. However, the government of Moscow Province has not confirmed either of the projects. In the meantime, the Association for Preserving the Dunino Archeological Complex crafted a certification (*passport*) for a cultural heritage object called "Ensemble Dunino Archeological Complex." It forbids all construction. By law the Ministry of Culture of the Russian Federation should now place the complex under protection. However, the Ministry of Culture for five years has failed to confirm the certification (even though the required appraisal by experts has been conducted).

"The only documentation that currently resides in the Ministry of Culture and secures some legitimacy for the Dunino archeological complex is 25 certifications for its building lots that were produced at the beginning of the 2000s. They argue for the value not only of the ancient settlements but also for the ancient fields, where one can see preserved the deposits from [early] cultural ages and the ravines, where thick layers (deluvium) are preserved from the period and which alternate with natural deposits containing plant pollen that allow the mapping of natural history and its interaction with human life from the 7th century b.c.e. to our time (in other words, 27 centuries)."

Private communications, translated from Russian, from Sergei Chernov of the Institute of Archeology and the Likhachëv Institute, May 24, 2015 and October 28, 2015.

to restore building interiors.<sup>16</sup> Stepanovskoe is, however, about to be obliterated by a high-priced housing development that is being advanced under the false pretenses of being a rest home (*pansionat*).

Stepanovskoe park is a remarkable site. It was the creation of Pëtr Petrovich Beketov, whom Emperor Paul named to the commandery of the Order of Maltese Knights (One of Paul's conceits was to allow himself to become protector of the Maltese knights, a decision that had some important foreign policy consequences). Beketov's job was to direct funds of the order to charitable projects, and this Enlightenment spirit expressed itself in his own actions. He freed from bondage a large portion of his 12,000 serfs, built brick homes for some of them, plus workshops and other facilities for the improvement of agriculture and crafts. His estate included a 3-story manor house, orangeries, mills, and a structure, evidently a pavilion for entertaining guests, built on a huge model of the Maltese Cross (70×70 meters) and placed at the highest point on the grounds. Nothing like it is found anywhere else in Russia.<sup>17</sup> Stepanovskoe lies in the valley of the Istra River, and the manor house was united with the river through a series of cascading ponds. These ponds, and the alleys and other elements of the landscape park remain intact today and represent, in intricate semantics, the Enlightenment ideals of thoughtful reflection and development of human consciousness under the beneficial influence of natural surroundings.<sup>18</sup>

The developers of the housing project enjoy the support of the local authorities and fully intend to go ahead with the project. They plan to place luxury houses on 90 hectares of this land, including on the hill on which the Maltese Cross stands. The company engaged to realize the project is Gazprombank-invest, the development arm of the powerful Gazprombank corporation. Although a certificate of protection of the property was produced in 2006–2007 by specialists of D. S. Likhachëv Institute of Cultural and Natural Heritage at the request of Ministry of Culture of the Russian Federation, the municipal administration lobbied the Administration of Presidential Affairs for permission to rework the project. Having received permission, they did the revision in a way that served the plans of the developers. Instead of accepting the experts' delineation of the historical property, the municipal officers defined only the

---

16 For the legal actions to stop encroachment on Arkhangel'skoe, see Danilova, "Pamiatniki segodnia zashchishchaiut iuristy" (cited above).

17 The only building bearing some similarity to it, the manor house of N. A. Durasov in Liublino, in the southeast quadrant of Moscow, belonged to Beketov's aunt. For this and other information on recent events affecting Stepanovskoe, including pictures and maps of the site, see "Ocherednoi gromkii skandal v Krasnogorskom raione Podmoskov'ia: Gazprombank-Invest nameren zastroit' unikal'nyi pamiatnik sadovo-parkovogo iskusstva 18–19 vv." [[http://community.livejournal.com/arch\\_heritage/816531.html](http://community.livejournal.com/arch_heritage/816531.html)], accessed January 19, 2011.

18 For a highly detailed report on the entire known history of the property from the Middle Ages forward, see S. A. Smirnov, *Istoriia podmoskovnoi usad'by Stepanovskoe. Russkaia usad'ba* 10:6 (Moscow, 2004).

cascading ponds as of cultural significance and left the largest portion of the park open to the proposed housing development. Despite protests of members of the Likhachëv Institute at a public hearing on the housing project, the audience included a large number persons expecting to profit from the development and who voiced support for it, including architects, engineers, and officials of Gazprombank-invest.<sup>19</sup> The scholars of the Likhachëv Institute continued their fight to win federal status and thus greater protection for the Stepanovskoe property, but the Moscow province Ministry of Culture rejected the scholars' plan for preservation of the estate and are permitting private developers to build homes on two large sections of the park. Fences have gone up on these sections and an entire spruce forest was recently cut down.<sup>20</sup>

Organized protests elsewhere have enjoyed some success, including one connected to the encroachment of housing developments on the famous Borodino Battle Field near the city of Mozhaisk.<sup>21</sup> Thanks to decisions by local authorities to reduce the zone of protection for the landmark, bulldozers had been at work there in the years before 2012 and dozens of new homes had sprung up on the battlefield. Protests by concerned citizens nevertheless began to have an effect.<sup>22</sup> The year 2012 marked the 200th anniversary of the famous battle at Borodino against the invading Napoleonic armies, and this circumstance brought media attention to the threat looming over this national monument, fueling impressive protests at the site in the spring of 2012.<sup>23</sup> As a consequence, court decisions began to halt the construction, and at least one local official was convicted for fraud in connection with the sales of park land on the battle field.<sup>24</sup> President Vladimir Putin in advance of the official commemoration of the 1812 battle asked his subordinates to draft a law to protect Borodino and other historic sites, and the then newly appointed governor of Moscow Prov-

---

19 See the report by Natal'ia Vyshinskaia, "Krest na 'Kreste'?" website *Agentstvo arkhitekturnykh novostei* [[http://agency.archi.ru/news\\_current.html?nid=29728](http://agency.archi.ru/news_current.html?nid=29728)], accessed January 14, 2011.

20 Private communication from Sergei Chernov of the Institute of Archeology and the Likhachëv Institute, May 24, 2015 (Maps of the proposed plan for the park and the areas allotted for development available on request. Photos of the destroyed forest also available).

21 Igor' Kharichev, "Nastuplenie neinozemnykh zakhvatchikov" (May 5, 2011) [<http://hghltd.yandex.net> or <http://7x7-journal.ru/opinion/13908>], accessed September 3, 2012.

22 See "Boris Gromov: na Borodinskom pole kottedzhi stroit' bol'she ne budut," *Moskovskii komsomolets* [<http://news.yandex.ru/yandsearch?cl4url=www.vesti.ru%2Fdoc.html%3Fid%3D428312>], accessed February 17, 2011, and "Posle skandala SMI uchastki na Borodinskom pole podorozhali," *Iandeks novosti* [[http://www.newsmsk.com/article/16Feb2011/borodino\\_dorozhe.html](http://www.newsmsk.com/article/16Feb2011/borodino_dorozhe.html)], accessed February, 17, 2011.

23 For a sampling of the television reportage on the protests and court proceedings relating to the constructions, see the site: "Borodino-2012. Ofitsial'nyi sait regional'noi obshchestvennoi organizatsii." [<http://www.borodino2012.net/>], accessed September 3, 2012.

24 "K 5 godam zakliucheniia prigovorena eks-chinovnik po delu o nezakonnom vydelenii uchastkov pod dachi na Borodinskom pole," *Po materiallam programmy "Segodnia,"* August 24, 2012 [<http://www.ntv.ru/novosti/339957/>], accessed June 2, 2015.

ince, Sergei Shoigu, stressed the need to fix precisely the boundaries of the landmark, clarifying what can and cannot be built there, and relocating people who wrongly purchased houses within the boundaries of the historical battle field.<sup>25</sup>

### RADONEZH

If the news about Borodino had begun to favor preservationists, the same could not be said of another large property designated as a cultural heritage site, the village of Radonezh and its surroundings, the boyhood home of Muscovy's most revered saint, Sérgii Rádonezhskii. Sergii acted as the spiritual leader of the Moscow State in its struggle to escape Mongol-Tatar domination in the fourteenth century. He inspired the army of Grand Prince Dmitrii (later Donskoi) when it defeated the Mongols at Kulikovo Field in 1380, and he founded several of Russia's most important monasteries, including the Trinity Monastery northeast of Moscow, long regarded as the center of Russian Orthodoxy. The village of Radonezh lies a few miles south of the Trinity Monastery and represents not only a sacred site for many Orthodox Christians but also an area that has lain largely undisturbed since the middle ages and therefore contains vestiges of material culture dating from the early fourteenth century. Archeological digs conducted in and around Radonezh from 1976 to 1985 yielded 290 artifacts of life in early times.<sup>26</sup> As a result of these finds, the Executive Committee of Moscow Province Council of People's Deputies in 1986 declared an area of 625 hectares a protected zone in which the law banned anything more disruptive than light agricultural operations.<sup>27</sup>

Archeologists have long been hoping that this area would be made into an open-air museum, an idea first proposed nearly one hundred years ago by the gifted philosopher and theologian Pavel Florenskii. Popular interest in the preservation of Radonezh and the surrounding area first emerged in the 1960s, and in 1977 the Presidium of the All-Russian Society for the Preservation of Historical and Cultural Monuments passed a resolution in support of an open-air museum in Radonezh. Following on these actions, the president of Russia issued a decree in October of 1992 about the preservation of the Trinity Monastery and its surroundings in which the creation of an open-air museum in Radonezh was mentioned. Growing concern about the rapid development of

---

25 "Shoigu trebuet razobrat'sia s zastroikoi Borodino," *Aktual'nye kommentarii* (July 4, 2012) [<http://actualcomment.ru/news/44972/>], accessed September 2, 2012. See also: Khristina Narizhnaya, "Russia's Historic Borodino Battlefield is in War with Cottages," *Los Angeles Times* (September 2, 2012) (as reprinted in Johnson's Russia List 2012-#159).

26 On the history and archeology of the site, see S. Z. Chernov, "Istoricheskii landshaft drevnego Radonezha. Proiskhozhdenie i semantika," *Pamiatniki kul'tury. Novye otkrytiia. Pis'mennost', Iskusstvo, Arkheologiya. Ezhegodnik*, 1988 (Moscow: Nauka, 1989), pp. 413-438.

27 Decision No. 826/20, dated June 12, 1986.

Moscow province in the 1990s prompted the Russian Ministry of Culture to declare the preservation of Radonezh as a current objective in 2000.<sup>28</sup> The zone of protection established in 1986 and the subsequent official pronouncements about the need for historical and natural preservation failed, however, to deter developers and their political allies who wished to enrich themselves by appropriating and selling these attractive properties. In 2010 construction firms fenced off substantial tracts of land within the Radonezh zone of protection and began to build housing units on them. Initially, this involved 180 hectares and 30 homes, but the construction has continued and covered ever larger parcels of land.

Local citizens and their allies in the academic and religious communities were not slow to respond. One thousand inhabitants of villages in the area sent a complaint to the Civic Chamber (*Obshchestvennaia Palata*), a quasi-governmental institution created in 2006 to serve as a voice of civil society and to bring public concerns to the attention of government agencies. The Civic Chamber acted with impressive speed. A meeting of the Sergiev-Posad branch was convened on March 28, 2011. At the meeting, a number of legal experts and scientists surveyed the history of the property and convinced the chamber to affirm the impermissibility of development in the protected zone at Radonezh and the need to turn the site into a museum park. In the course of the deliberations members of the chamber identified the parties responsible for infringement of the zone of protection. These included most prominently the administration of the Sergiev-Posad region and the Ministry of Culture of Moscow Province, both of which had approved elimination of the protective zone established in 1986. Equally culpable, in the view of the Civic Chamber, was the Moscow province states attorney office (*Prokuratura*), which looked the other way instead of acting to uphold the law. Two days after this first meeting of the chamber and on its instructions, a lawyer and a leading archeologist compiled a brief detailing the illegalities committed in the approval process and construction of the housing.<sup>29</sup>

---

28 "O sozdanii Gosudarstvennogo istoriko-arkheologicheskogo i istoriko-landshaftnogo muzeia-zapovednika 'Drevnii Radonezh' i sokhraneni zon okhrany Drevnego goroda Radonezh," Reshenie Presidiuma Tsentral'nogo soveta Vserossiiskoi obshchestvennoi organizatsii "Vserossiiskoe obshchestvo okhrany pamiatnikov istorii i kul'tury," (October 24, 2011) (copy available on request). Letter to the Minister of Culture of the Russian Federation A. A. Avdeev, with accompanying documentation of legislative and administrative decisions establishing and affirming the zone of protection at Radonezh (copy available on request).

29 "Akt proverki zon okhrany Drevnego goroda Radonezh, raspolozhennykh po adresu: Moskovskaia oblast', Sergievo-Posadskii raion," (May 30, 2011). Personal communication from commission member Sergei Chernov. Reports on the meeting of the Civic Chamber: "Radonezh spasut ot kottedzhei, a Lunginu zapretiat snimat' kino o prepodobnom Sergie," *Sergiev Posad.ru Informatsionno-spravochnyi sait sergievo-posadskogo raiona* (May 30, 2011); "Novosti: Radonezhu nuzhna okhrana," *Sait Obshchestvennoi palaty RF* (May 28, 2011) [[http://www.oprf.ru/newsblock/news/3832/chamber\\_news](http://www.oprf.ru/newsblock/news/3832/chamber_news)]. Aleksei Reutskii, "Zashchitniki drevnego Radonezha konsolidirovalis'," *Tserkovnyi vestnik* (March 29, 2011) [[http://e-vestnik.ru/society/zashchitniki\\_prirodno-ohrannoy\\_zony\\_2903/](http://e-vestnik.ru/society/zashchitniki_prirodno-ohrannoy_zony_2903/)], accessed June 2, 2015.

In a positive development for those who wished to preserve the site undisturbed, a number of stakeholders joined together to build a coalition in opposition to the development and to bring the case to public attention. The timing also proved to be a friend. The year 2014 marked the 700th anniversary of birth of St. Sergii, and plans for a national celebration of this event were already underway before the developers moved in.<sup>30</sup> President Dmitrii Medvedev had appointed a committee to design and organize the commemoration. A key member of the planning committee for the commemoration was Archpriest Vsevolod Chaplin, a leader in the public affairs department of the Holy Synod and a man close to the Russian Orthodox Church Patriarch Kirill. Chaplin also sat on the national council of the Civic Chamber and therefore formed an important link between the Russian Orthodox Church, the government, and the other parties interested in preserving the Radonezh properties undisturbed. At the chamber meeting in March, Chaplin declared that “the place where Saint Sergii spent his youth should not be sold off in its entirety and turned into a housing development for New Russians.” And he appealed for a public dialogue on the question, saying that “the future of Radonezh should be discussed in conditions of maximum openness and with the participation of the province and local authorities, the Trinity Monastery, church and secular historians, plus experts on local history, and representatives of the museum community.” He likewise mentioned that consideration should be shown to the interests of the local Orthodox parishioners.<sup>31</sup>

It was Father Chaplin apparently who briefed Patriarch Kirill on the meeting of the Civic Chamber and the concerns expressed there about the takeover of lands in the Radonezh zone of cultural preservation. In view of the failure of local authorities to halt the construction, the patriarch on July 11, 2011 turned to President Medvedev with a request that he look into the question. The patriarch appended to the letter a copy of the resolutions passed by the Civic Chamber at its March meeting.<sup>32</sup> Subsequently, Father Chaplin sent an appeal to the governor of Moscow Province, Boris Gromov, asking that the building be halted, a request that fell on deaf ears.<sup>33</sup> About the same time Chaplin told

---

30 The birth date is chosen from a number of speculative choices. St. Sergii’s actual birth year is uncertain.

31 “Protoierei Vsevolod Chaplin vystupil na meropriiatiiakh v Obshchestvennoi palate RF,” *Ofitsial’nyi sait Moskovskoi patriarkhii RPTs*. 2011. 28 marta. Cited in “Tserkov i obshchestvennost’ vozmushcheny stroitel’stom kottedzhej v podmoskovnom Radonezhe,” [<http://hghltd.yandex.net/yandbtm?fmode=>], accessed March 29, 2011.

32 Sergei Chernov, “Khronologicheskoe izlozhenie sobytii, sviazannykh s vyavleniium i presecheniium massovoi zastroiiki Zon okhrany drevnego goroda Radonezh (Sergievo-Posadskii raion Moskovskoi oblasti) v 2010–2012 gg.,” (Moscow April, 23, 2012), ms. Copy provided by author.

33 See “Selo Radonezh, gde rodilsia sviatoi i naideny sotni pamiatnikov arkheologii, zastraivaiut dachami,” report from *Izvestiia.ru* (September 14, 2011), reprinted in *Prestupnaia Rossiia* at [<http://crimerussia.ru/corruption/35667-35667/>], accessed June 2, 2015.

reporters that the construction at Radonezh had very much “agitated the local public, and with good reason. Radonezh can become seriously deformed if new construction is placed on historical sites. Local authorities should seriously work through this question together with preservationists and the local religious communities.”<sup>34</sup>

Another highly visible member of the Civic Chamber was the film star Nikolai Burliaev, president of the Golden Knight International Film Festival and a religious nationalist. He attended the meeting on Radonezh and argued that the zone of preservation for Radonezh should be turned into a “Spiritual Valley” to complement the “Silicon Valley” that President Medvedev was fostering in the Moscow suburb of Skolkovo. Burliaev announced the next day that he had sent a project of such a spiritual valley to Medvedev.<sup>35</sup> The participation of Burliaev, along with Father Chaplin and the meeting’s chairman Boris Iakemenko, another religious nationalist and brother of the leader of the pro-Putin youth movement “Nashi,” gave the proceedings a nativist and religious tenor. If this worried the secularly inclined scientists, they did not show it and seemed happy to have this support, which they regularly referred to in memoranda and publicity about the meeting. The religious nationalists were after all allies in the preservationist cause and enjoyed links to people in positions of power that the archeologists could only dream of. The nationalists spoke in broad, even civilizational, terms about morality and its foundation in Orthodoxy and Russian national identity. This discourse shared a number of elements in common with that of the archeologists and secular cultural preservationists. It also found resonance in some of the comments of long-resident villagers in the area, as I learned when invited to join a team of archeologists in the spring of 2012 to interview local citizens, a project funded by the Civic Chamber.<sup>36</sup>

### LOCAL RESIDENTS SPEAK OUT

These local residents, who were the first to sound the alarm about the appropriation of the lands in the Radonezh zone of protection, most often spoke about undesirable changes in their immediate physical surroundings. Like the people in Khot’kovo, they worried primarily about the loss of access to resources that had long been understood to be the common possession of the community and that had nourished their material and emotional lives. For

---

34 Grigorii Smolitskii, “Radonezh mozhnet poiti po stopam ‘Rechnika’” *Izvestiia* (September 13, 2011).

35 “Dukhovnaia dolina” vsled za “Kremnievoi,” from interview with Nikolai Burliaev conducted by Nina Davletzianova (March 29, 2011). Portal nekommercheskikh organizatsii [<http://portal-nko.ru/dialog/blog/thread/?id=1652>], accessed July 30, 2012.

36 The team, led by the archeologist Sergei Chernov, included Institute of Archeology employee Ol’ga Glazunova and graduate student Ekaterina Burla.

example, they complained that the construction had cut off their access to the Voria River and the route by which they bore their dead to the cemetery in Radonezh. The developers were also blocking the villagers' way to the local forest so that they were increasingly becoming prisoners in their own homes. But these concerns were linked in the minds of some long-term residents with a larger spiritual dimension, the threatened loss of national and cultural identity. They interpreted the private appropriation of areas previously open to all for recreation and pilgrimages and the installation of high opaque walls that robbed them of the vistas they had taken as their birthright as an assault on the natural landscape that had defined what being a Russian meant.

This feeling was well expressed by a longtime resident and award-winning architect who worked for the nearby Abramtsevo region. He pointed out that the current fashion of sealing properties off with high walls goes against the whole ethos of Russian life.

Russia has always taken pride in its wide open spaces—its broad views, small woodlands, fields and such. Now this is gradually disappearing. Right here we have an example of it. If you recall, about thirty or forty years ago there was a popular song [that went] “I hear the singing of the lark, I hear the song of the nightingale, that is the wide open spaces of Russia; that is my homeland.” ... Sadly, we now see our homeland in the form of two-meter high solid walls. And the most absurd thing is that if we go to the market for construction materials we can no longer purchase picket fences, for they sell only metal fencing. I need picket fencing to repair my garden. I can't find it, even though I ride around to all the lumber yards. They don't have it and that's that. The demand is more for metal walls so that people can fence themselves off completely. My home is my castle. That expression, “my home is my castle,” came from England. Yet oddly enough, in England, except for trimmed greenery enclosing lots and many very low walls that do nothing [to block the view], you can see everything. They preserve the view; they know what they're doing. For us, it seems, that's not needed. We have to fence everything in, make enclaves, whatever, just to make sure that no one can see us and what we are doing, and the main thing: destroy the view.<sup>37</sup>

This fear that Russia was losing its characteristic wide-open spaces was also expressed by a middle-aged woman, Elena Nikolaevna, whose family had lived for four generations in Radonezh. She told of the establishment in this area of garden plot zones for urbanites in Soviet times and now the construction of high-walled gated communities of luxury homes and equated these changes with a loss of national identity. “We used to have marvelous apple orchard,” Elena said. “Then they built these garden plots [*sadiki*] and that was it. The orchard went... We ought to be able to preserve at least something. That is our curse, you understand? Everything native we have is being lost.” Then she added that our children are not learning to be Russian. “Our Russianness is dying out, dying out, do you understand?...The wide-open spaces of the vil-

---

37 Interview with Lev Lavrenov, Novosëlki, May 26, 2012.

lages...determine a lot...it was here that our Russian character was formed." When I suggested that it is difficult to hold back change, she objected strongly: "No. Let me explain to you that what is happening in the outskirts of Moscow should not be occurring. Things ought to stay the way they were...the way it was in the nineteenth century when our sense of Russianness was formed."<sup>38</sup>

The local residents and their allies in the scientific community who opposed the illegal housing developments in the zone of protection had recently learned that they did so at some risk to themselves. A resident of one of the villages in the zone of protection, a man named Evgenii, was among 215 other local residents who signed a petition to the Civic Chamber. He reported to a correspondent from the publication *Church Herald* (*Tserkovnyi vestnik*) that soon after the petition signing while he was relaxing on the banks of the Vorja River with his daughter, "one of the kottedzh owners or possibly one of the contractors approached them. After learning that I was a member of the group defending Radonezh, he declared: 'You and those 200 people are going to rot in Kolyma,... So, I advise you not to stir up things any further.'" The threat to have the protestors shipped off to the most remote and forbidding Siberian prison was all the more menacing for having been made against a background of a recent contract-killing of the popular young mayor of Sergiev Posad, Evgenii Dushko.<sup>39</sup> The Dushko killing, which took place on August 22, 2011, was thought to be linked to a conflict that the mayor was having with development firms.<sup>40</sup> Dushko's father accused the chief administrative officer of Sergiev-Posad region, V. N. Korotnikov, of having ordered the killing. Interestingly, this is the

---

38 Here we see a strong case for a psychological entitlement moral right to land that people have shared as a public good, common resource and homeland over a long period of time. See the analysis in C. Leigh Anderson and Richard O. Zerbe, "Psychological Entitlement, Reference Levels, and Valuation Disparities," in Daniel H. Cole and Elinor Ostrom, eds., *Property in Land and Other Resources* (Cambridge, MA: Lincoln Institute of Land Policy, 2012), chapter 10.

Interview with Elena Nikolaevna Abramova, Novosëlki, May 26, 2012. Other villagers likewise mentioned the orchard with regret. It was a prominent symbol for them of the passing of the good things associated with their youth before the rapid changes of the last 20 years and the invasion of their farmland by outsiders, even if they admitted with a sigh that, of course, people stole from the orchard. Interview with Belov and Evgenii, at the valley by Novosëlki, May 26, 2012.

39 Aleksei Reutskii, "Zashchitniki okhrannoi zony drevnego goroda Radonezh ugrozhaiut raspravoi," *Tserkovnyi vestnik* (September 16, 2011, 8:32 am) [[http://e-vestnik.ru/society/zashchitnikam\\_ohrannoy\\_radonegzony\\_3538/](http://e-vestnik.ru/society/zashchitnikam_ohrannoy_radonegzony_3538/)]

40 According to a report in *News 24*, "In July 2009, he claimed in the local press that four 'muscular goons' had confronted him 'so that the local parliament does not take any decisions that are not favourable' to specific firms seeking access to construction projects." "Russian Mayor Shot Dead," *News 24* [<http://www.news24.com/World/News/Russian-mayor-shot-dead-20110822>], accessed January 18, 2012. See also "Ubit glavy goroda Sergiev Posad—Evgenii Dushko," *Sergiev Posad gorodskoi portal* (August 22, 2011) [<http://www.sergiev-posad.su/news/all/0/577/>], accessed May 19, 2015.

same official who liquidated the zone of protection around Radonezh. The cozy connection between Korotkov and the construction firms seemed to have been confirmed when a local blogger reported that Korotnikov's deputy for construction questions, the person who controls development in the Radonezh area, was hiding from the Civic Chamber and journalists.<sup>41</sup>

The increasingly harried position of the local populace was further explained by Evgenii, the resident quoted above. He pointed out in a report from September 2011 that the construction firm had destroyed the road out of his village by running heavy equipment on it and turned his village into an island. The residents were cut off by a fence on one side and a ravine the width of a backhoe bucket on the other. "We can no longer get to our church, the river, or the forest," he complained, "because someone has purchased the properties leading to them. We are living in a 'ghetto.'" <sup>42</sup> These conditions were confirmed by our research team during our work in 2012. Indeed, the conditions had greatly deteriorated, from the point of view of the villagers, because the construction had not only continued on the properties already appropriated and fenced in with high walls, but the broad lush valley running down to the Voria River that had belonged to the local collective farm and was considered their common heritage was being crisscrossed and deeply scarred by a giant scraper that was preparing the ground for further luxury housing developments.

Local residents had a clear notion of the process by which housing developers were able to obtain lands in a region where much of the land lay within a zone of cultural preservation or protected forests. One of the people who explained this matter most succinctly was a stableman whom our research team found pasturing horses in a field alongside the Paraklitova hermitage east of Sergiev Posad.<sup>43</sup> The stableman, Sergei, who claimed to be a former prison inmate, now worked for a private farmer whose acquisition of land there may have been in dispute. Accordingly, Sergei was at first suspicious of our reasons for asking questions. But he soon relaxed, and his remarks revealed that he was very well informed about local land questions and had strong opinions about how "the powerful people who run things" were enriching themselves through illegal transfers of land. "I find the whole thing shitty," he said. "They give leases on good land for a mere 12,000 rubles [then ca. \$375]... Then after holding the lease for a while they quietly take them over as private property, build luxury houses all around the hermitage and sell them."<sup>44</sup>

---

41 Zashchitniki Radonezha. Blog post from September 14, 2011.

42 Reutskii, "Zashchitniki okhrannoi zony." Evgenii repeated this story to our research team when we interviewed villagers in May, 2012.

43 For background on this hermitage and its closely related Gefimanskii/Chernigovskii hermitage, see chapter 3 in Scott M. Kenworthy, *The Heart of Russia: Trinity-Sergius, Monasticism, and Society after 1825* (New York: Oxford University Press, 2010).

44 Interview with Stableman Sergei, in the hamlet of Smena, Sergiev Posad region, May 28, 2012.

The stableman had a very high opinion of the murdered mayor Evgenii Dushko. He called Dushko an honest man who exposed the corruption of the local government offices. Dushko went on television and named names. "I saw the program," Sergei reported, "and then I looked it up again on the internet." Dushko shouted into the camera: "You are a thief! You personally stole 30 million rubles. You are not going to get away with it!" Then, continued Sergei, "a week later he was killed. And that, too, they shouldn't get away with." The stableman believed nevertheless that Dushko had not died in vain, that he had frightened the local officials out of making further backroom deals on land. He also believed that Vladimir Putin was going to do something about the situation. The stableman compared conditions in his area with what had happened in Borodino, which he also seemed to know well. There, he said, they were doing the same thing as here. The generals from the Ministry of Defense would first lease properties around the historical battlefield and build mansions; then on the sly they would begin to privatize them and build high walls around them. "The people stopped them," the stableman exclaimed approvingly. Here he was referring to the recent demonstrations at Borodino that brought attention to the land grabs and decisions to halt them. He repeated his understanding of the process. "First they get a lease and then privatize, you get it? They pay for a lease for a couple of years then privatize, and then they can do whatever they want. You see? Don't take me for some brainy guy or a Cassandra for god's sake, but this is happening everywhere."

The stableman's views coincided with those of most of the other people we interviewed. They were not in the dark about what was happening even when they did not know all the specifics. It was clear to them that the local administration was acquiring property primarily through enforcement of tax or other liabilities. I pointed out earlier in this article how enterprises were shedding obligations for the upkeep of housing, day care centers and other properties by turning them over to the municipalities. In the case of former collective farms, the farmland was privatized and members of the collective received shares (*pai*) that could amount to several hectares. But the farms were unprofitable. They had been in decline since late Soviet times when the men moved away to take better-paying jobs in manufacturing. After the division of the farm into shares, the fields had increasingly gone uncultivated.<sup>45</sup> As a consequence, what the shareholders acquired was less a benefit than a burden. As Katherine Verdery discovered in connection with her study of privatization in post-socialist Transylvania, people usually think first of the positive aspects of private property. The "public discourse about property is saturated by talk of rights," she remarked. In a "celebrated list of the eleven basic incidents of a private property relation only two concern duties or liabilities rather than

---

45 Interview with long-time resident of collective farm at Radonezh, Antonina Voronina. Radonezh, May 27, 2012.

rights.”<sup>46</sup> But as soon as a property is transferred from state control into private hands, the obligations and risks of ownership become palpable. Both in the land privatizations that Verdery was studying and in the privatization of former collective farms in Moscow province the new owners had to operate in much different circumstances than they had previously known. They had to find the money to pay taxes on the land and to insure themselves against liabilities, yet most of the new owners had neither the means nor the knowhow to make the property yield a profit. Indeed, many shareholders were beyond working age. When officers of the regional government or nearby municipality offered to take over their shares and the accompanying obligations, villagers saw little cause to object. In the case of the village residents in the Radonezh area, they naively assumed that the established zone of cultural protection would exclude any construction that might change the character of the countryside. The rules for the zone of protection allowed only light farming. Construction of any kind was prohibited, with the small exception of remodeling or rebuilding of structures on lots in existing villages. It never occurred to the local residents that the administrative head of the Sergiev Posad region and the Moscow Province Ministry of Culture, with the connivance of the Moscow Province Procuracy, could simply declare the zone of protection an outdated artifact of Soviet law and then proceed to sell off large tracts of land to developers of high-priced housing.

## CONCLUSION

It is interesting to observe that in one respect the views of the stableman Sergei proved prescient. Soon after our team submitted its 2012 report on conditions in the zone and on the opposition of the local people, the legal and political circumstances began to shift in favor of the preserving the zone as originally designed. In the course of the year 2014 six court decisions were handed down that forbade the construction of housing developments in the Radonezh zone of protection, and the Supreme Court of the Russian Federation affirmed the legality of the protective zone as defined in 1986.<sup>47</sup> These decisions would in normal circumstances have put an end to the matter. Construction should have stopped, and illegally built housing dismantled and removed. Indeed, for a few months construction was halted. But this past May 2015, when a team

---

46 Katherine Verdery, “The Obligations of Ownership: Restoring Rights to Land in Postsocialist Transylvania,” Katherine Verdery and Caroline Humphrey, eds., *Property in Question: Value Transformation in the Global Economy* (Oxford: Berg, 2004), p. 139, where she cites A. M. Honoré, “Ownership,” A. G. Guest, ed., *Oxford Essays in Jurisprudence* (first series) (Oxford: Oxford University Press, 1961), pp. 107–147.

47 For the Supreme Court decision, which rejected a series of challenges to the zone of protection, see Verkhovnyi Sud Rossiiskoi Federatsii, *opredelenie*, No. 4-APG14-3, February 19, 2014 [<http://base.consultant.ru/cons/cgi/online.cgi?base=ARB&n=384849&req=doc>], accessed June 1, 2015.

from the All-Russian Popular Front, a civic organization created by Vladimir Putin in 2011 to check on the implementation of government policies, visited the Radonezh site, it found the construction again in full swing.<sup>48</sup> This defiance of decisions of not just district courts but even the Supreme Court and an order from the office of the President raise questions about the strength of Russian political and judicial institutions in the face of the cupidity of local officials and ambitious investors and builders. One investor encountered by the Popular Front team had purchased seven lots inexpensively, begun to build, and expected the homes subsequently to be legalized and to sell at a large profit. He was no doubt counting on a gambit being used by allies within the Moscow province officialdom to redefine the zone of protection to exclude housing developments already in place—with a concession to plant rows of trees and other greenery to conceal the structures.<sup>49</sup>

To sum up, the shift from Soviet socialism to a free market economy has produced a rapid transformation of land use in Russia. The change disproportionately affects the Moscow region because of the capital city's population, wealth, and demand for suburban and vacation homes. Yet this region also contains an abundance historical and cultural sites that many people wish to protect and nurture as open air museums and pilgrimage destinations. The conflict between real-estate investors and their political allies, on the one hand, and preservationists and longtime residents of rural areas, on the other, is dangerous, fueled as it is by illegal land seizures, demonstrations, petition campaigns, law suits and counter suits, threats and even an apparent contract killing. But it also has created alliances of local residents, professional specialists, and patriotic and religious associations, in short, small islands of civil society that may allow citizens to restrain the excesses of one-party government and powerful business organizations.

---

48 "ONF prizyvaet vlasti zashchitit' Podmoskovnyi Radonezh ot zastroek," *Gazeta "Mozhaisk Segodnia"* (May 29, 2015) [<http://mozhaysksg.ru/news?id=1150>], June 1, 2015. A member of the team told me that they had alerted the authorities. "The mayor of Kho'tkovo and a Ministry of Internal Affairs department head came to the scene. A report was compiled. But that evening, following our departure, construction work continued." Personal communication from Sergei Chernov, a member of the All-Russian Popular Front inspection team. May 20, 2015.

49 "Minkul't RF protolknul novyi status drevnego Radonezha. Dlia prodolzheniia zastroiki?" *Moskovskii komsomolets* 26493 (April 3, 2014) [<http://www.mk.ru/mosobl/article/2014/04/02/1008144-minkult-rf-protolknul-novyy-status-drevnego-radonezha-dlya-prodolzheniya-zastroyki.html>], accessed May 19, 2015; "Minkul'tury spaset krepost' Radonezh ot dal'neishei zastroiki," published by Ministry of Culture (February 17, 2014), and found at [<http://www.imha.ru/1144540008-minkultury-spasaet-krepost-radonezh-ot-dalneyshey-zastroyki.html#.VWYih0aJUeE>], accessed June 1, 2015. Larisa Khudikova, "Eksperty vyiasniaiut kto prikrivaet zastroiku zapovednika 'Radonezh,'" *Gazeta "kladoiskatel'"* (January 10, 2013) [<http://clubklad.ru/blog/article/2390/>], accessed June 2, 2015.