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### **Formation of the Soviet judicial system in the Far East of Russia (1917 – 1926)**

*The article reveals the legal basis for the activities of the Soviet courts during their formation in the Far East, which covers the time period from the fall of the tsarist power to the utterance of the power of the Soviets. In the course of study, the main stages in the formation of the Soviet judicial system in the region were identified. Based on normative acts and unpublished documents, the author concludes that the development of the judiciary system also traces the general trends inherent in the Soviet judicial system as a whole, and its special features typical of the Far East. In particular, this process was protracted, when for a long time there was an emergency legislation and there were specific judicial bodies - disciplinary courts in the cities and tribal courts - in the areas of tearing of small nations.*

**Keywords:** *the Far East, the Far-Eastern Republic, the Far-Eastern Revolutionary Committee, democratic republic of Congo, constitution, court, judiciary, law and order, tribunals, administrative courts, emergency legislation.*

### **Становление советской судебной системы на Дальнем Востоке России (1917 – 1926 гг.)**

*В статье раскрываются правовые основы деятельности советских судов в период их формирования на Дальнем Востоке, который охватывает временной отрезок от падения царской власти до утверждения власти советов. В ходе исследования выявлены основные этапы формирования советской судебной системы в регионе. Основываясь на нормативных актах и неопубликованных документах, автор делает вывод о том, что в становлении судебной системы прослеживаются и общие тенденции, присущие советской судебной системе в целом, и её особенные черты, характерные для Дальнего Востока. В частности, этот процесс имел затяжной характер, когда длительное время действовало чрезвычайное законодательство и существовали специфические судебные органы – дисциплинарные суды в городах и родовые – в районах проживания малочисленных народов.*

**Ключевые слова:** *Дальний Восток, Дальневосточная республика, Дальневосточный революционный комитет, Конституция, суд, судебная власть, правопорядок.*

The relevance of this publication is due to the fact that the judicial system is one of the most important elements of public administration, ensuring the stability and legitimacy of power. Hence, its constant improvement is vital, taking into account practical experience, which, in turn, requires scientific study. However, the topic we are considering has not been properly sanctified in the historical and legal science. The existing publications [see: 1, 2, 3, etc.] are mainly historical in nature, so that the emphasis is not on studying the regulatory framework governing the functioning of the judicial system in the Far East, but on the eventual outline of the activities of judicial bodies, in the context of the history of the Far-Eastern region.

The purpose of this article is to show, on the basis of an analysis of mainly normative and legal acts, general patterns and features of the development of the Soviet judicial system in the Russian Far East in the period of its formation, which lasted for almost 10 years in the region.

In the period 1917 – 1918. In Soviet Russia, the old judicial system was scrapped and, at the same time, the reconstruction of justice in the country began on a Soviet basis. Decree No. 1 of the Council of People's Commissars of the RSFSR of November 22, 1917 (according to style) is the first state legal act that initiated the formation of a single Soviet judicial system in the country. This decree established:

a) "To abolish existing general judicial procedures: district courts, chambers of justice and the government Senate with all departments, military and marine courts of all denominations, as well as commercial courts, to replace all these provisions by courts formed on the basis of democratic elections ...";

b) "To abolish existing institutions of judicial investigators, prosecutor's supervision, private and sworn advocacy institutions";

c) "Local courts decide cases by the name of the Russian Republic and are guided in their decisions and negotiations by the laws of overthrown governments that are not abolished by revolution and do not oppose revolutionary legal consciousness" [4].

In order to further improve the judicial system, on February 18, 1918, the All-Russian Central Executive Committee adopted Decree No. 2 [5], which legally enshrined the principles of socialist justice, namely: to try cases exceeding the jurisdiction of the local court, people's district courts (one district court for several counties). Decree, along with the existing local people's courts and their cassation courts, congresses of people's judges, introduced district courts, and as a cassation instance for them - regional courts; at the head of the court system was to become the Supreme Judicial Control. He introduced a new principle: judicial records management should have been conducted in national languages. In July 1918, SNK adopted the Decree on court No. 3, which expanded the jurisdiction of the local court, delineating the jurisdiction between district and local courts. Local courts considered minor civil and criminal cases. District people's courts considered cases of banditry, robbery, bribery and others. The cassation instance retained the county court for the local people's courts that considered cases, and in the capitals - the capital's congress of local people's judges [6].

To coordinate and guide the judicial activity on July 23, 1918, the People's Commissariat of Justice of the RSFSR issued the Instruction "On the organization and operation of local people's courts" [6]. and on November 30, 1918, the All-Russian Central Executive Committee adopted the Provision on the People's Court of the RSFSR. Article 1 of the Regulations provides that "A single people's court shall be established within the RSFSR". By this normative act district courts have been abolished, a single people's court has been introduced within the RSFSR in the composition of one permanent people's judge, two or six people's assessors, depending on the complexity and social significance of the criminal case in question. The number of court sites within administrative units was determined by county, city and provincial executive committees. The courts were obliged to provide legal assistance to the population [7]. In the first decrees on the court, the main principles of socialist justice and its organizational structure, uniform for the entire country, were fixed. At the same time, the scrapping of the old judicial system took place, and the formation of new Soviet courts.

However, the establishment of the Soviet judicial system in the Far East was interrupted by political events. In the spring of 1918, a Japanese military landing landed in Vladivostok, which meant the beginning of military intervention in the Far East. By the autumn of 1918, Soviet power in the Far East fell. During the military intervention, the White regimes naturally abandoned the Soviet judicial system.

In the spring of 1920, the Red Army troops liberated Siberia from the Kolchakians, and withdrew to Transbaikalye. On the territory of the Far East, the local governments were formed, ready to proclaim the establishment of Soviet power. But, in order to avoid a direct clash with the troops of the interventionists, a "buffer" Far-Eastern republic, led by the Bolsheviks, was formed at the initiative of Lenin, but not on Soviet, but on general democratic principles. The purpose of creating a "buffer" is to avoid war on two fronts: in the West - against Poland, in the East - against Japan.

The normative legal act that laid the foundations of the court system of the FER was the Order of the Minister of Justice of the Republic of April 25, 1920 "On the Court". They abolished the bourgeois court and on the same day the FER government introduced the "Provisional Regulations on the Court of the FER". During the first year of the republic's existence, the FER government adopted a number of normative and legal acts regulating the activities of the judicial system, namely: the Regulations on the Political People's Court, the Regulations on Military Courts of the FER, and the Provisions on the People's Court of the Far Eastern Republic.

Military and people's courts existed as independent judicial systems. The principles and forms of their education were different. If military courts were appointed, the people's courts were elected. The Constitution of the FER legally declared the people's court a single court on the territory of the "buffer" republic. The system of people's courts included local people's courts in towns and villages and congresses of people's judges in the regions. Functions of judicial management and supervision belonged to the Minister of Justice. At the core of the organization

and activities of the people's courts of the FER were such principles as the election and the replacement of the composition of the judiciary; participation of people's assessors in the examination and resolution of cases; open trial of cases in courts; ensuring the defendant the right to defense.

With the liquidation of the buffer, the Far East was annexed to the RSFSR. The Far-Eastern revolutionary committee is formed on its territory. The creation of the Dalrevkom as an emergency and transitional authority was caused by the peculiarities of the international situation and the internal situation of the region. The legal status of Dalrevkom was determined by the Resolution of the Central Executive Committee and the Council of People's Commissars of the RSFSR of July 25, 1923 [8, p. 43–44]. Being the highest authority of the central power in the Far East, Dalrevkom exercised its leadership of the Amur, Trans-Baikal, Pribaikal, Priamur, Primorye provinces, Buryat-Mongolia, Kamchatka and Northern Sakhalin. In its activities, the DRC was subordinate to the All-Russian Central Executive Committee and the Council of People's Commissars of the RSFSR [8, p. 43–44].

Departments and departments Dalrevkoma were created not through liquidation, but through the reorganization of the government apparatus of the FER. The jurisdiction of the Democratic Republic of the Congo, established on November 20, 1922, included the implementation of resolutions and orders of the Presidium of the Dalrevcom Committee on the organization of revolutionary committees and departments and the management of their activities. The Orgotdel contacted the subordinate bodies by organizing the departure of its authorized representatives for the inspection, supervised the correctness of the execution of Dalrevkom's decisions on the ground. A peculiarity of the structure of the apparatus of the Democratic Republic of Germany was that its departments were headed by authorized people's commissariats of the RSFSR, who were appointed by the relevant commissariats and approved by the SRT. In a similar manner, their displacement occurred.

One of the major departments of Dalrevko was the department for internal management. In his practical work he was guided by the "Collection of the most important decrees and decisions on internal management" sent by the Central Executive Committee of the RSFSR on November 30, 1922. However, the work of the internal management department was complicated by the insufficiency of normative acts, the lack of instructions in the current legislation of the People's Commissariat of Internal Affairs on a number of issues, connected with the peculiarities of the Far East.

Dalrevkom had wide powers in the legislative field, and in solving this issue, the legal commission under Dalrevkom, created on November 17, 1922 under the chairmanship of M.A. Gvozdev, was of great assistance. It was engaged in the preparation of Soviet legislation for implementation in the Far East and consulting work in the DRC.

Until early 1923, the Far East retained the design of the judiciary of the former DDA, that is, before the Statute on the Judiciary of the RSFSR was put into effect. In a circular letter of November 22, 1922, the Dal'bureau of the Central Committee of the RCP (B.) Stated: "It is inexpedient to conduct a break of the

existing judicial bodies of the" buffer "immediately, because, due to the lack of trained judicial officers, we can not provide judicial personnel, and the existing differences in the norms of the electoral law of the Constitution of the DDA and the RSFSR of 1918 do not allow many judges to retain their right."

The work of Soviet judicial authorities in the Far East during the Sovietization period was aimed at educating among the staff of the Soviet apparatus a conscious attitude to the norms of law, strengthening the legal consciousness of workers and peasants and, first and foremost, increasing the legal literacy of court personnel, prosecutors, etc.

The structure of the judiciary of the former DDA was largely preserved until the beginning of 1923, that is, until the introduction of the new Regulations on the Judiciary. The class orientation of the new judicial system was perceived by the administrative authorities of the Far East as a necessary condition for the stabilization of legality. The class principles laid down in the basis of the cadre policy contributed to the successful implementation of the main political and ideological tasks of the Soviet court and created a considerable number of difficulties. Most of the people who claimed to fill positions of people's judges in the Far East, responded only formally to the requirements. The low educational level forced judges to be guided not so much by the provisions of the emerging legislation as by the principle of "revolutionary conscience".

By decision of the III session of the All-Russia Central Executive Committee of the IX convocation, on May 25, 1922, the Public Prosecutor's Office was established as part of the People's Commissariat of Justice and the Regulations on Prosecutor's Supervision were adopted. Its main task was to supervise compliance with laws and fight crime. Supervisory functions of the justice departments were subject to transfer to the prosecutor's office, and the departments themselves disbanded. Judicial bodies in their activities were closely connected with the prosecution authorities. The Provision on Prosecutor's Supervision, which was put into effect in the Far East by the Dalrevkom decree of November 23, 1922 [9], indicated that, in order to supervise the legality and combat crime, a public prosecutor's office was established within the People's Commissariat of Justice. It is responsible for exercising, on behalf of the state, overseeing the legality of the actions of public authorities, administrations, organizations and citizens. With the establishment of Soviet judicial bodies in the Far East, the judicial process has significantly improved. At the same time, there were many old specialists in the court, who used the old laws and misinterpreted the laws and decrees of the Soviet state the percentage of Communists was not high. This required the purge of the judiciary, their strengthening by the Communists.

November 11, 1922 adopted the Regulations on the Judiciary of the RSFSR. He established a unified system of judicial institutions and determined that its task is to protect the gains of the revolution, safeguard the interests of the state, the rights of workers and their associations, and introduce the principle of selecting judges and people's assessors by the Soviets [10]. The article 1 of the Regulations was: "The following unified system of judicial institutions operates on the territory of the RSFSR: the People's Court as a permanent judge of the people. The People's

Court is composed of the same permanent people's judge and two people's assessors. Provincial Court. The Supreme Court of the RSFSR and its collegium. It provided for the temporary existence of special courts along with a single judicial system like: military tribunals, military transport tribunals, labor sessions of people's courts land commissions, arbitration commissions (Article 2).

Thus, a unified system of judicial institutions was formed in the RSFSR: a people's court composed of a permanent people's judge, a provincial court and the Supreme Court. As the "judicial center of the province and the organ of direct supervision of the activities of people's courts," the provincial court acted. He was also a cassation instance on their decisions and sentences. The Provincial Court was headed by a chairman whose two deputies were at the head of the civil and criminal cassation departments. Twelve permanent members of the court helped them to administer justice. The decree also determined in detail the powers of the chairman of the provincial court, who exercised the overall leadership of the subordinate institutions, provided candidacies for the approval to executive bodies, dealt with the allocation of funds, and drafted and submitted reports to the provincial executive committee and the NKJ of the RSFSR. The plenum of the provincial court, which was assembled as part of "all the currently available members of the court", as well as the provincial prosecutor or his assistant, was responsible for administrative, organizational and disciplinary matters. The Regulations on the Judiciary contained a strict and sustained system of re-elections, reviews and dismissals of judicial personnel. People's assessors "could be all working people of both sexes who have the right to elect and be elected to local Soviets" [10].

In the Far East, the democratization of the judiciary was carried out gradually. For the democratization of the judiciary the Dal'buro of the Central Committee of the RCP decided before the Dalrevkom legal commission to prepare cadres for the judicial apparatus from the workers and peasants. The first school of training was the legal courses in Chita, created in December 1922. 45% of the listeners were judicial officers, of whom 41% were members of the RCP (b) and candidates, workers and peasants accounted for 62% of the audience, while in general According to the RSFSR, by January 1922 only 36% of the people's judges were members of the people's judges, and 78% of the chairmen of the gubernia courts. To assist the organization of strengthening the judiciary of the Far East, the Supreme Court of the RSFSR sent experienced lawyers to work. By the order of the DRC from May 1, 1923 in the Far East, the Regulations on the Judiciary of the RSFSR were put into effect. The accession of the territory of the former DDA to the RSFSR raised the question of the procedure for carrying out decrees and decrees of the central government issued at the same time.

Dalrevkom November 15, 1922 adopted Resolution No. 1 on the abolition of the Far Eastern Constitution of the FER and "the implementation of the Constitution of the RSFSR, but with changes and additions to it" [11]. On the basis of Dalrevkom's Decree of November 19, 1922, Dalrevkom's departments and offices were given the right to enact departmental legal acts of the People's

Commissariats of the RSFSR without special sanction of the DRC, but with mandatory consideration by the legal commission.

November 28, 1922 Dalrevkom issued a decree number 8 on "the enactment in the territory of the Far East since December 15, 1922 Criminal Code of the RSFSR [9]. On the same day, the DRC issued Decree No. 9 on "the enactment throughout the territory of the former Soviet Union. And on December 18, 1922 Dalrevkom jointly with the Central Executive Committee of the RSFSR adopted a resolution "On the order of introducing decrees and resolutions in the Far East." Changes in the Codes were made by Dalrevkom in consultation with the Central Executive Committee.

Due to the fact that the Far East became Soviet since November 1922, the RSFSR Code of Labor was introduced only in January 1923, but with additions. Since November 16, 1923, the joint decree of the All-Russian Central Executive Committee and Dalrevkom all legislation of the RSFSR in the territory of the Far East was introduced without change. Thus, in accordance with the law, the political commissars of the former DDA were renamed into gubrevtribnaly, which were the extraordinary courts. Military courts were transformed into military divisions, gubrevtribinly. The Supreme Court of Cassation - in the department of the Supreme Tribunal with colleges: military, cassation, judicial. People's courts were established in the localities, which considered both criminal and civil cases, with the exception of those that were under the jurisdiction of the revolutionary tribunals. The Provincial People's Court had two instances: the people's court, which considered the cases on the merits, and the congress of people's judges - the cassation instance. Many cases have been brought to the courts, both criminal and civil. Sometimes the cases were very complicated, because of large claims, as well as difficult-controversial cases. These circumstances forced to introduce into the structure of the court the old specialists. On December 6, 1922, the composition of the collegium of judicial attorneys was approved. A characteristic feature of the creation and operation of people's courts in the Far East was that their composition was appointed by the revolutionary committees and approved by the provincial departments of justice. Thus, Order No. 4 of the Chairman of the Primgugsud A. Ivaks on the Primorsk Provincial Court dated May 1, 1923, states: "Appointed to serve in the staff of the Primorsk Provincial Court from May 1, 1923, the following employees ... [10]. In its Order No. 5 of May 3, 1923, in paragraph 1 it is indicated: "The organization of the Gubzud is divided into: a) the administrative and economic administration; b) Civil Division; c) the criminal department ". In paragraph 2, it is stated: "In addition, directly under the jurisdiction of the Gubzud in the person of its chairman are: a) reserve judges; b) bailiffs; d) Board of Advocates; e) Notary ".

The creation of the Supreme Court of the RSFSR was of great importance for the strengthening of socialist legality and the establishment of uniform judicial practice. The People's Commissariat of Justice could give guidance on judicial practice only through the Supreme Court. In May 1923, the Far Eastern branch of the Supreme Court of the RSFSR was created to coordinate and guide the judicial activity of the Far Eastern region. Its subordination included six provincial courts

(Amur, Primorsk, Pribaikalsk, Priamursk, Zabaikalsk and Buryat-Mongolian). The structure of the Far Eastern branch of the Supreme Court included: the presidium of the department, the cassation board for civil and criminal cases, the judicial board. The chairman and members of the department were approved by the Presidium of the All-Russian Central Executive Committee on the proposal of the Supreme Court of the RSFSR. The leadership of all activities of the Far Eastern branch of the Supreme Court of the RSFSR was carried out by the chairman K.P. Roginskiy. The presidium of the department was responsible for the distribution of duties among the members of the court, appointed a special composition of the courts. The prosecutor of the Far-Eastern region was at the Far-Eastern branch of the Supreme Court.

In addition to directing the activities of local judicial bodies, the department considered cases of counter-revolutionary crimes. Thus, from June 25 to July 6, 1923, in the Far Eastern branch of the Supreme Court, chaired by K.P. Roginsky considered the case of the counter-revolutionary organization Zakhar Gordeev, a former member [14; 15].

On July 9, 1923, the Far Eastern branch of the Supreme Court of the RSFSR issued the Circular, which stated that all cases considered by the former regional people's courts, gubrevtribinals and the people's tribes before the introduction of the Criminal Code of the RSFSR in the Far East were revised, because for some of them the punishment was determined above the norms RSFSR Criminal Code of 1922.

In accordance with the Regulations, the transformation of the judicial system began on the territory of the Far East. Since May 1, 1923, the activity of people's courts was led by the presidium of people's judges, who became a member of the provincial court formed in accordance with the Regulations on the Judiciary of the RSFSR. Due to the remoteness from the center, poor material support for judges, the activities of the people's courts were carried out in harsh conditions. Despite this, many judges showed conscientiousness and objectivity, working for conscience, and not for fear.

One of the directions of work on establishing and disseminating legality was the holding of demonstration processes and visiting sessions at the crime scene. The work of the people's courts was held in "difficult conditions" caused by a shortage of qualified workers. In May 1923, with all the provincial courts, labor sessions of the people's commissions were created, which dealt with cases involving violations of the Labor Code. They included: standing people's judges, representatives from the gubprofsovet and the provincial department of labor. According to the article 163 and 169 of the Labor Code of the RSFSR, labor sessions considered claims of workers and entrepreneurs, as well as violations of the code of labor laws on rationing, the employment of wage labor, and others.

In view of the remoteness of the Far Eastern region from the center and the special conditions of the transition period, in November 1923 the Far Eastern Regional Disciplinary Court was created, which included representatives from the Far Eastern Revolutionary Committee and the Far Eastern branch of the Supreme Court. He was accused of cases of official omissions, misconduct and wrong



actions committed by the chairman or members of the presidiums of the executive committees, head departments of Dalrevkom and gubernia executive committees authorized by the People's Commissariats in the Far East, as well as directors and members of the boards, trusts and individual enterprises subordinated to Dalrevkom. In provinces, the provincial disciplinary courts were created and acted. The activities of the branch of the Supreme Court and the Disciplinary Court were diverse. However, bringing to the disciplinary responsibility of the employees of the court, investigation and the prosecutor's office was carried out not by disciplinary courts, but in accordance with the Regulations, that is, the disciplinary colleges of the courts concerned. This new judicial institution was necessary in the hardest conditions for the restoration of the national economy, destroyed by the Civil War and foreign intervention.

The judicial system, in accordance with the Regulations on the Judiciary, included military and military transport tribunals. All water, sea and railway routes throughout the Far East were determined by the area of jurisdiction to the Far Eastern Military Transport Tribunal. The military transport tribunals owned the right in each individual case, having recognized the case directed to them not to be subject to them, to forward it for consideration to the provincial court. However, at the time when the Regulation was issued, a decision was taken to liquidate the military transport tribunals in Soviet Russia. It is for this reason that these special judicial bodies have not been developed in the Far East. By January 1, 1924, they were liquidated throughout the country.

No less peculiarly regulated was the organization of the administration of justice among the small peoples of the Far East. As noted in the letter addressed to the All-Russian Central Executive Committee in 1924, the chairman of the Dalvrekom Ya. B. Gamarnik, the disorganization of the northern peoples residing in the Far East, and as a consequence factors such as the cruel exploitation of their speculators, the impoverishment and extinction of the aborigines, native tribes". In his view, the full implementation of the Constitution of the RSFSR with the indigenous population, which leads a nomadic way of life and is at a very low level of development, would inevitably face "insurmountable obstacles". Taking into account this circumstance, the department of the Dalrevkom administration developed the "Provisional Regulation on the Management of Native Tribes Living in the Far Eastern Territory". In July 1925, at the first Far-Eastern "indigenous congress," the Provisional Regulations "was recognized as meeting the needs and requirements of the peoples of the North. In October 1926, the All-Russian Central Executive Committee and the Council of People's Commissars of the USSR approved the Provisional Regulations on the Management of Indigenous Peoples and Tribes of the Northern Regions of the RSFSR. "Provisional Regulations" determined the competence of the provisional bodies. According to the provision, the activities of the following administrative bodies were envisaged: clan councils, tribal assemblies, "native congresses and district" native "executive committees [16, p. 24–25]. The organs of administration were endowed with judicial functions, while being guided by "existing customs".

In 1924, the first Constitution of the USSR was adopted. Chapter Seven of the Constitution was devoted to the Supreme Court. It describes the goals, tasks, competence and structure of the judicial system. To implement it, it was necessary to create a unified judicial system covering the whole country, including the judiciary of the Far East, which conducted their work in the conditions of the existence of Dalrevkom.

In the years 1924 – 1926 in the RSFSR a new administrative-territorial division was carried out on the basis of economic zoning. In March 1924, Khabarovsk became the administrative center of the Far-Eastern region. On January 4, 1926, the Far-Eastern territory was formed with the center in Khabarovsk, which consisted of nine districts: Khabarovsk, Vladivostok, Zeya, Chita, Amur, Sretensky, Nikolaevsky-on-Amur, Kamchatsky, Sakhalin. In their composition there were 75 districts [14]. At the same time, Dalvrekom was eliminated with the creation of the Far Eastern Territory. In this regard, in the Far East it was necessary, first, to establish a judicial system common to the whole country, and secondly, the provincial and district courts should be replaced by the district and district systems.

In February 1926, in accordance with these changes, Dalkrayispolk reviewed the draft Provisional Regulations on the Judiciary of the Far Eastern Territory. November 19, 1926 the session of the All-Russian Central Executive Committee of the RSFSR adopted the All-Russian Statute on the Judiciary in the Territorial Associations. Before that time, the Far Eastern Regional Court acted on the basis of the Provisional Regulations approved by the Territory Executive Committee. On the basis of this Statute, a regional court was established in the Far Eastern Territory, and the provincial courts were reorganized into court-cassation sessions on the rights of provincial courts. The functions of the court of cassation were limited exclusively to the consideration of civil and cassation cases. The regional court was headed by all judicial institutions of the region. The regional court consisted of the plenum, presidium, civil and criminal departments, permanent and visiting sessions.

Thus, as a whole, in the Far East by 1926 an all-Russian Soviet judicial system was established. So it was not immediately, but here we also came to the three-stage structure of the courts, which ensured full territorial coverage and a clear distribution of powers and functions (People's Court of the district, city court, Supreme Court of the RSFSR). During the entire Soviet period this model was successfully implemented. As a result, the legal basis of justice was strengthened, and the creation of the Supreme Court of the USSR was of great importance for strengthening socialist legality and establishing uniform judicial practice within the framework of a single union state.

However, the establishment of the Soviet judicial system in the region had its own characteristics, reflecting the specifics of the development of the Far East, namely:

1. The formation of the Soviet judicial system in the Far East dragged on for almost a decade after the well-known events of October 1917, while in the Central

Russia this happened already by 1922. This period can be traced to the following stages:

- October 1917 – the summer of 1918 the beginning of the scrapping of the tsarist judicial system and the creation of the first Soviet courts;
- Autumn of 1918 – the beginning of 1920 the liquidation of the first Soviet courts in the region and the creation of a judicial system of the white regimes operating on the organizational and legal basis of the former tsarist courts;
- April 1920 – February 1922 functioning of the judicial system in the context of the DDA;
- the end of 1922 – February 1926 functioning of the judicial system of the region in the context of the existence of the DRC.

2. In Central Russia, the liquidation of the tsarist judicial system was of a fleeting nature, and the formation and improvement of the new Soviet judicial system took place continuously and ended in 1922. In the Far East, the process of the formation of the Soviet system began only after the FAR, but the people's courts "republics were not liquidated, but gradually transformed into Soviet courts.

3. In a difficult situation in the Far East in 1922 – 1926 there was an emergency legislation and the corresponding system of organization and structure of the courts. In particular, if in general the people's judges were elected in the country, then they were appointed in the Far East. For a certain period, special judicial bodies – territorial and transport tribunals – also acted.

4. The existence of specific judicial bodies such as the disciplinary courts in the cities and tribal courts among the small indigenous peoples of the Far East has become a reflection of the unique nature of the region.

### ***Literature and the sources:***

1. Сергиенко В. А. Деятельность советских судебных органов на Дальнем Востоке в 20-е гг. XX в. // *Власть и управление на Востоке России*. Хабаровск : Издательство ДВАГС, 2008. № 1. С. 100–107.
2. Исаева Т. С. Создание единой судебной системы Дальнего Востока и ее демократические принципы (1922 – 1926 гг.) // *Сб. научных трудов: Проблемы российского законодательства*. Владивосток : Изд. Дальневост. университет, 1997. С. 22–24.
3. Сонин В. В. Становление Дальневосточной республики (1920 – 1922). Владивосток : Изд-во Дальневост. ун-та, 1990. 137 с.
4. СУ РСФСР. 1917. № 4. Ст. 50.
5. СУ РСФСР. 1918. № 26. Ст. 420.
6. СУ РСФСР. 1918. № 52. Ст. 589. Ст. 597.
7. СУ РСФСР. 1918. № 85. Ст. 889.
8. Дальревком. Сб. документов. Хабаровск, 1957. 287 с.
9. СУ РСФСР. 1922. № 36. Ст. 424.
10. СУ РСФСР. 1922. № 69. Ст. 902.
11. Газета «Дальневосточный путь» № 291 от 18 ноября 1922 г.
12. Газета «Дальневосточный путь» № 304 от 28 ноября 1922 г.

13. РГИА ДВ Р-17. Оп. 1. Д. 6. Л. 1, 5–7.
14. Газета «Дальневосточный путь» № 461 от 16 июня 1923 г.
15. РГИА ДВ Р-17. Оп. 1. Д. 2. Л. 32.
16. Бобышев С. В. Социалистическая модернизация традиционных этносов Дальнего Востока (20-е – середина 80-х гг. XX века): этапы и итоги : монография. – Хабаровск : Изд-во ДВГУПС, 2014. 233 с.
17. ГАХК. Ф. 2. Оп. 2. Д. 247. Л. 10.

### **References:**

1. Sergienko V. A. *Deyatel'nost' sovetskih sudebnyh organov na Dal'nem Vostoke v 20-e gg. HKH v. // Vlast' i upravlenie na Vostoke Rossii. Habarovsk : Izdatel'stvo DVAGS, 2008. № 1. S. 100–107.*
2. Isaeva T. S. *Sozdanie edinoj sudebnoj sistemy Dal'nego Vostoka i ee demokraticheskie principy (1922 – 1926 gg.) // Sb. nauchnyh trudov: Problemy rossijskogo zakonodatel'stva. Vladivostok : Izd. Dal'nevost. universitet, 1997. S. 22–24.*
3. Sonin V. V. *Stanovlenie Dal'nevostochnoj respubliki (1920 – 1922). Vladivostok : Izd-vo Dal'nevost. un-ta, 1990. 137 s.*
4. SU RSFSR. 1917. № 4. St. 50.
5. SU RSFSR. 1918. № 26. St. 420.
6. SU RSFSR. 1918. № 52. St. 589. St. 597.
7. SU RSFSR. 1918. № 85. St. 889.
8. *Dal'revkom. Sb. dokumentov. Habarovsk, 1957. 287 s.*
9. SU RSFSR. 1922. № 36. St. 424.
10. SU RSFSR. 1922. № 69. St. 902.
11. *Gazeta «Dal'nevostochnyj put'» № 291 ot 18 noyabrya 1922 g.*
12. *Gazeta «Dal'nevostochnyj put'» № 304 ot 28 noyabrya 1922 g.*
13. РГИА ДВ Р-17. Оп. 1. Д. 6. Л. 1, 5–7.
14. *Gazeta «Dal'nevostochnyj put'» № 461 ot 16 iyunya 1923 g.*
15. РГИА ДВ Р-17. Оп. 1. Д. 2. Л. 32.
16. Bobyshev S. V. *Socialisticheskaya modernizaciya tradicionnyh ehtnosov Dal'nego Vostoka (20-e – sredina 80-h gg. HKH veka): ehrapy i itogi : monografiya. – Habarovsk : Izd-vo DVGUPS, 2014. 233 s.*
17. ГАХК. Ф. 2. Оп. 2. Д. 247. Л. 10.