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**LEGAL SERVICES OF HIGHER AND CENTRAL AGENCIES OF THE  
PROVISIONAL GOVERNMENT**

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12.00.01 – Theory and history of law and state;  
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**Importance of the research topic.** Analysing the activities of legal departments within the higher and central institutions of the Russian Provisional Government helps to resolve a number of important scholarly problems related to the study of how legal support was provided for legislative and administrative activities in March-October 1917 and significantly expand the academic understanding of the history of the October Revolution. This dissertation focuses on the problem of continuity in the institutions of the Provisional Government during the pre-revolutionary period. The methodological approach chosen by the author introduces a corpus of sources that had previously not been of interest to researchers of the Provisional Government into the scholarly discourse and reveals new patterns when working with existing sources. This dissertation aims to broaden the understanding of how state institutions and the legal system function in a time of revolution and in crises. It seeks to identify important trends in the development of statehood, the legal system and social order in Russia in March-October 1917.

**Subject of the study** are social relations formed in the public administration system during the period of the Provisional Government.

**Scope of the study:** the organizational and legal status and activities of legal departments within the higher and central institutions of the Provisional Government.

The **chronological framework of the study** is based on the period during which the Provisional Government existed. The study covers the period from 2 March 1917, the date when the Provisional Government came to power, until 25 October 1917, when the Provisional Government relinquished its power. In a number of cases, however, the logic used to consider the problem requires going beyond this chronological framework, particularly as it pertains to issues that must be thoroughly considered to gain a proper historical retrospective.

**Extent of previous research on the topic.** Even though the historiography of 1917 features a clear preponderance of studies devoted to the October Revolution<sup>1</sup>,

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<sup>1</sup> Solovyev K.A. and Shelokhayev V.V. February in the Shadow of October (historiographic results and research tasks) // *Russian History*. 2018. No. 1. p. 161.

Soviet as well as post-Soviet researchers have traditionally paid increased attention to several topics from the history of the Provisional Government. For instance, historical studies have provided detailed reviews of the political history of the Provisional Government, the evolution of its members, the dynamics of the ideological agenda, the Provisional Government's relationship with the Petrograd Soviet<sup>2</sup> and the concept of 'dual power,' among other issues. Studies on the history of law have looked at the formal legal aspects of the history of the Provisional Government's legislation and the main focuses of its legislative policy. Foreign historiographies have addressed the history of the February Revolution and the Provisional Government, but mainly provide more of an overview and focus on a wide range of problems.

The methodological approach prevailed for many years, with researchers primarily interested in the results of the government's legislative and administrative activities. Meanwhile, the decision-making mechanisms, formal and informal relations within the government system and the organization of power within the ministries were clearly never given proper attention. D.I. Raskin, the author of several reference, encyclopaedic and monographic works on the history of Russia's higher and central government institutions in the 19<sup>th</sup> and early 20<sup>th</sup> centuries, made a significant contribution to expanding the subject area of research on the state system in March-October 1917. The works of S.V. Kulikov are devoted to the history of the bureaucratic apparatus, while studies by A.S. Senin, I.I. Voronov, M.A. Andreyev and A.V. Sokolov focus on the history of individual ministries. However, the tradition of a special study of individual legal subdivisions within the system of ministries has not yet developed. An exception to this rule is the legal department of the military agency, which was the subject of works by G.A. Zolotukhin, G.A. Reshetov and N.V. Marchenkova. However, the legal advisory units within the ministries and agencies of the Provisional Government have never been the subject of special consideration in broad terms.

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<sup>2</sup> The Petrograd Soviet of Workers' and Soldiers' Deputies.

The body within the system of legal departments in the Provisional Government that has been studied the most is the Legal Council, a special institution that provided expert legal support for the activities of the highest authorities in March-October 1917. N.L. Rubinshtein studied certain aspects of the Legal Council's activities back in the 1920s. The first work that directly focused on the Legal Council was an article by Y.A. Skripilev published in 1967. Subsequently, O.N. Znamensky, L.G. Protasov, N.G. Dumova and S.V. Redkikh addressed various aspects of the Legal Council's activities. The key work devoted to the Legal Council was a dissertation by A.L. Starodubova, which was the first to systematically analyse the history of the Legal Council's establishment, its members, legislative programme and activities<sup>3</sup>.

The Legal Council is often viewed as the primary and sole body that provided legal support for the Provisional Government's activities. The legal advisory departments that existed in the ministerial system until 1917 and continued to perform their functions after the February Revolution operated in the background. In this context, the hypothesis put forward by F.A. Gayda is of particular interest<sup>4</sup>. In an analysis of the law-making process in 1917, Gayda concluded that some of the bills underwent a legal expert examination at the Legal Council, while others were studied by the legal advisory unit of the Ministry of Justice. Gayda does not expound on this thesis in detail, nor does he consider the importance of other legal advisory units operating within the ministries.

This dissertation provides a comprehensive analysis of the system of legal departments within the higher and central institutions of the Provisional Government and aims to fill in historiographic gaps by reconstructing the legal units of various agencies and identifying their role and significance in the legal support system for the Provisional Government's activities.

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<sup>3</sup> Starodubova A.L. Legal Council of 1917: Main Areas of Activity. Dissertation. Candidate of Historical Sciences. Moscow. 2000.

<sup>4</sup> Gaida F.A. The Mechanism of Power of the Provisional Government (March-April 1917) // *Domestic History*. No. 2, 2001. pp. 141–153.

The **goal of the study** is to identify the distinguishing features of how the legal departments were organized and functioned within the higher and central institutions of the Provisional Government in March-October 1917.

Achieving this goal requires accomplishing the following **tasks**:

1) identifying and studying the legislation that established the legal framework for the functioning of the legal departments within the highest and central institutions of the Provisional Government;

2) describing the legal policy of the Provisional Government in terms of organizing the legal departments within its higher and central institutions and establishing which legal services were reformed, created and abolished in March-October 1917;

3) determining the extent of continuity of the legal advisory departments within the Provisional Government's ministerial system in terms of the system of legal advisory units that existed in the run-up to the February Revolution;

4) tracking changes in the personnel of the legal advisory units within the ministries of the Provisional Government and the individual subdivisions of the ministries as well as the specific ways in which the personnel of advisory institutions involved in providing legal support for the Provisional Government's activities were assembled;

5) establishing the place and role of the legal departments within the higher and central institutions of the Provisional Government in the legislative and administrative decision-making mechanism in March-October 1917.

**Sources for this dissertation.** A wide range of sources was used to accomplish the aforementioned tasks, many of which are being introduced into the scholarly discourse for the first time.

The procedural and institutional framework of the legal departments' activities was analysed based on a broad scope of regulatory legal acts that are part of the Complete Collection of Laws and the Code of Laws of the Russian Empire and the Code of Maritime and Military Regulations. Regulatory legal acts issued in

1917 were analysed based on the Collection of Statutes and Government Decrees. Collections of orders on the military agency were also used in this work.

The main corpus of sources used in the study consists of archival materials found in six archives in the Russian Federation and abroad: the Russian State Historical Archive (St. Petersburg), the State Archive of the Russian Federation (Moscow), the Foreign Policy Archive of the Russian Empire (Moscow), the Russian State Archive of the Navy (St. Petersburg), the Russian State Military Historical Archive (Moscow) as well as the Bakhmeteff Archive of Russian and East European History and Culture at Columbia University (New York).

The need to use such a large number of archival documents is due to the specifics of the topic. Given that the Provisional Government's activities were interrupted by the October Revolution, some of the regulatory legal acts that had been prepared did not reach the stage of approval and were deposited in the archival funds as notes and drafts. In addition, some of the regulatory legal acts that were adopted were never published. The personnel of the legal departments in 1917 also cannot be researched without archival material.

The memoirs of B.I. Koshko, an employee of the Chancellery of the Provisional Government in March-October 1917 (Koshko Family Memoirs), from the Bakhmeteff Archive at Columbia University also hold a special place in the archival sources used for this dissertation. They contain important information about the history of the legislative process in 1917, the involvement of fellow ministers in the Provisional Government's work, the Legal Council's role in the system of legal support for the decisions made by the Provisional Government as well as the personality of Legal Council Chairman N.I. Lazarevsky and his relationship with the ministers of justice<sup>5</sup>.

This dissertation also cites documents about the activities of the Provisional Government, the range of which has expanded significantly in recent years. Another

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<sup>5</sup> We have published selected excerpts from this source. See Neverov E.D., Tumanova A.S. 'Is Intelligence and Education Really Not Enough to Wisely Rule a State'. From B.I. Koshko's memoirs about service in the Chancellery of the Provisional Government in 1917 // Historical Archive. 2021. No. 2. pp. 138–159.

group of sources came from the academic and journalistic works of G.E. Blossfeldt, V.V. Vodovozov, F.F. Kokoshkin, N.I. Lazarevsky, V.A. Maklakov, A.N. Mandelstam, S.K. May, V.D. Nabokov, A.E. Nolde and B.E. Nolde. An analysis of these sources helped to reconstruct the academic views and stages of the career of lawyers who were involved in providing legal support for the Provisional Government's activities and to complement the assessment of the personnel of the legal departments that were studied.

Among the private sources cited, the memoirs of V.B. Lopukhin, G.N. Mikhailovsky, V.A. Maklakov, B.E. Nolde, V.D. Nabokov, I.V. Gessen and others were of particular importance for this dissertation, as was an interview with G.C. Guins<sup>6</sup>, who headed the legal advisory unit of the Ministry of Food in 1917 and whom we also introduced into the scholarly discourse for the first time.

**Research methodology.** Work on this dissertation was carried out using a number of special research methods: legalistic, comparative historical as well as historical and biographical. The research is based on approaches to an analysis of the Provisional Government and the modernization of the Russian political system in the early 20<sup>th</sup> century presented in the works of D.I. Raskin, K.A. Solovyov, S.V. Kulikov, A.S. Senin, A.L. Starodubova, N.V. Beloshapka, G.A. Gerasimenko, A.V. Remnev, V.A. Demina and N.A. Kovalenko. It uses modern methodological approaches to the history of state institutions and everyday political life, which involve not only studying the legal and regulatory framework of the activities of state institutions, but also the formal and informal relations that exist between the

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<sup>6</sup> *George C. Guins*. Professor and Government Official: Russia, China, and California / an Interview conducted by Boris Raymond in 1966. Berkeley, 1966 (i.e. 1968). URL: <https://digitalassets.lib.berkeley.edu/rohoia/ucb/text/guinsconstprofes00guinrich.pdf> (Reference date: 30 August 2020). The interview with G.C. Guins had never been translated into Russian, so this crucial source on Russian history in the early 20<sup>th</sup> century escaped the attention of Russian researchers. We analysed and translated individual fragments containing information about the events of February-October 1917 in the publication: Neverov Y.D. Interview with George Constantinovich Guins as a Source on the History of the February Revolution and the Provisional Government // Social and Political Thought of Russian Liberalism in the mid-18<sup>th</sup> and Early 20<sup>th</sup> Centuries: Materials of the International Academic Conference on 9-10 October 2019, 12<sup>th</sup> Muromtsev Readings. Oryol, 2020, pp. 219–227.



government and administrative bodies and affect the functioning of government institutions<sup>7</sup>.

The focus of this study is the system of legal support for the activities of the highest and central governmental agencies of Russia during the period of the Provisional Government. The dissertation uses terminology that is well-established in modern historical and legal literature. This approach goes back to the works of N.P. Eroshkin, who understood a state agency as a group of civil or military officials (officials) specially organized by the state, performing certain tasks by coercion, with the help of money and office work. The historian also introduced the stable phrase "the highest and central agencies of the Provisional Government" into scientific circulation. In this sense, these terms are used in this dissertation.

A similar approach was developed in the studies of D.I. Raskin, in whose works the concept of a governmental agency is used both to describe the administrative apparatus before the February Revolution, and for the period from March to October 1917.

The term "agency" is actively used in modern historical and legal literature. So, it is used in the work of A.A. Dorskaya, dedicated to the history of state institutions in Russia until 1917. This approach to terminology was also fixed in educational publications on the history of the state and law of Russia. For example, in the textbook I.A. Isaev, the term "agency" is used to refer to state bodies in various eras of national history, including the period of the Provisional Government. Meanwhile, in modern sectoral jurisprudence, the terms "agency" and "governmental agency" have acquired a new meaning and are used in a different sense.

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<sup>7</sup> In particular, the methodological works of Professor K.A. Solovyov on the study of everyday political life were used. See Solovyov K.A. Legislative and Executive Power in Russia: Mechanisms of Interaction (1906-1914). Moscow, 2011; *Ibid.* Political Culture // Essays on Russian Culture, late 19<sup>th</sup> and early 20<sup>th</sup> Centuries. V. 2. Moscow, 2012. pp. 74-161; *Ibid.* The Political System of the Russian Empire in 1881-1905: The Problem of Law-making. Moscow, 2018.

We will also give a brief explanation of the problem of the legal status of the Provisional Government. In March 1917, the powers of all three branches of government that existed in the previous government system were transferred to the Provisional Government. It was the legal successor of the Council of Ministers and inherited the powers of the houses of parliament in the legislative sphere. In addition, the Provisional Government received powers that previously belonged to the monarch, and therefore the Governing Senate and the Holy Synod, previously subordinate directly to the emperor, passed under the authority of the Provisional Government.

The Provisional Government retained the division of state agencies into higher and central, worked out long before the February Revolution. The Governing Senate, the Holy Synod, as well as the Provisional Government itself were among the highest state institutions. The central institutions of the Provisional Government include ministries as bodies of sectoral administration in the field of executive power.

**Academic novelty.** This dissertation is the first attempt at a comprehensive study of the system of legal departments within the higher and central institutions of the Provisional Government. The academic novelty of the dissertation is attributable to both the broad representation of its sources and the actual articulation of the research topic.

The academic novelty of the dissertation consists in the following:

– for the first time in the legal history literature a comprehensive analysis of the regulatory framework for legal departments in 1917 was carried out, as well as the projects of legal acts of the Provisional Government, which are a source of information about reforms of legal departments, were identified and analyzed;

– the personnel of the legal departments have never previously been the subject of a special analysis, including the structure of the positions and the number of officials, as well as a significant amount of biographical data was collected, which made it possible to make a collective portrait of a lawyer of the governmental legal services;

– on the basis of a wide range of archival materials the practical activities of the legal services were studied, the content of which allows us to draw conclusions about the complex nature of interaction between the legal departments of the ministerial system and advisory legal services in the sphere of legal support of the legislative process.

The dissertation thus sheds light on previously unexplored aspects of the functioning of the Provisional Government. The dissertation analyses the experience of adapting government bodies to cardinal changes in the form of government and political regime and makes a significant contribution to the study of the distinctive features of Russia's political and legal system in February – October 1917.

**Main results of the study and the provisions to be defended:**

1. Legal support for the legislative and administrative activities of the Provisional Government was provided by two types of institutions – advisory legal departments and the legal departments of ministries and agencies. The Legal Council was set up within the Provisional Government during the first few days after the new authorities came to power in order to address the most important issues concerning public law. In the past, there had never been such bodies with special legal expertise at the highest level of government. Subsequently, other advisory structures were also created based on the Legal Council – the Special Council for the Preparation of Electoral Law and the Special Commission for the Drafting of Fundamental State Laws.

In March-October 1917, the legal departments continued to function within the ministries. There was no uniform regulatory and legal framework for their work. In some ministries, the activities of the legal advisory units were governed by regulatory acts adopted in the 19<sup>th</sup> century, while in others the legal foundations of the legal department took on their final form just before the February Revolution. As a result, the legal advisory units had different legal statuses and occupied different positions within the structure of agencies. Some were independent subdivisions at the highest level of the organizational division of the ministry, others were part of the ministry's chancellery, while still others functioned as part of

separate directorates. A separate entity was the legal advisory unit of the Ministry of Justice, which was part of the First Department of the Ministry and had a close organizational relationship with the Council of the Minister of Justice (previously the Advisory Board under the Ministry of Justice).

2. The legal policy of the Provisional Government in terms of legislation on the legal departments of the ministerial system was marked by both continuity and variability. On the one hand, the Provisional Government retained the general principles whereby the legal departments were organized and functioned. On the other hand, the departments underwent multiple transformations to expand the staff and increase the number of legal advisory units. Fundamental structural changes affected the legal advisory units in the Ministry of Foreign Affairs and the Ministry of Finance. In a number of departments (the Ministry of Justice, Ministry of National Education and Ministry of the Navy), the innovations were limited to staff changes in the legal advisory units. Legal advisory departments were also created in the ministries established by the Provisional Government in May-August 1917 (the Ministry of Labour, Ministry of Food, Ministry of Posts and Telegraphs, Ministry of State Charity and the Ministry of Religious Confessions). The law-making procedures, which had been simplified following the February Revolution, made it possible to promptly carry out these reforms. Both the legislative ideas that were born in the Provisional Government and the projects to reform legal departments that were being prepared in the ministries prior to the February Revolution were implemented.

3. The members of the legal departments within the ministerial system remained relatively stable. The revolution, political crises and change in the Provisional Government did not have a fundamental impact on the members and activities of the legal departments. "Old school" officials who had made a career for themselves in the civil service prior to the February Revolution continued to serve in the legal advisory units of the ministerial system in March-October 1917. In addition, new appointments were generally made from among the lower ranks of the relevant ministry. Hundreds of lawyers were employed in the legal advisory units of

the ministries: more than 100 people served in the legal units of the Ministry of Railways alone, and 50 people served in the legal advisory unit of the Ministry of Justice. An analysis of materials concerning the members of the legal advisory units suggests that the lawyers employed by the ministries consisted of a special professional group working within the legal profession in Russia in March-October 1917 who were distinguished by common educational and career paths.

4. The number of lawyers involved in advisory legal departments was significantly smaller. The Legal Council only had 13 lawyers over the entire period of its existence from March to October 1917. The Legal Council was assembled on a political basis, primarily from among law school graduates associated with the Constitutional Democratic Party. The formation of a coalition government in April 1917 resulted in representatives of left-wing parties being included in the Legal Council. Representatives of various political forces were also represented in the Special Council for the Preparation of Electoral Law and the Special Commission for the Drafting of Fundamental State Laws. Nevertheless, law school cadets continued to play a leading role in the advisory structures throughout the period in question. At the same time, along with the political affiliation of the members of the advisory legal departments, this dissertation proves the importance of bureaucratic experience in the appointment of members of the Legal Council.

5. Legal advisory units within the ministries and individual subdivisions of the ministries played various roles in the process of making administrative and legislative decisions. The materials of the legal advisory units within the Ministry of Justice and the Ministry of Finance suggest that they were primarily in charge of administrative and legislative cases of the highest level. Research shows that these legal advisory units provided legal support for the activities of the Provisional Government on a par with the Legal Council. This means that there were three channels of expert support for law-making activities within the structure of the Provisional Government. The key bills were considered by the Legal Council or the legal departments of the Ministry of Finance and the Ministry of Justice. Moreover, the involvement of ministerial departments in the law-making process was not

limited to narrow sectoral interests and extended to a wide range of bills of different topics and importance. Notably, the two types of legal departments were not isolated from one another: multiple lawyers worked concurrently in the legal advisory units of the ministries and also on councils in the Provisional Government. Certain cases were considered in parallel or sequentially in the legal departments of the ministries and in advisory bodies.

The law-making activities of the legal departments were significantly influenced by changes in the political environment, which were accompanied by changes in the makeup of the government. In particular, after the establishment of “socialist” ministries of labour, post and telegraph, food and state charity in May 1917, changes can be seen in the legal argumentation used in the opinions of the legal advisers of other ministries. Their arguments started to have a political content that was used to justify the failure of measures proposed by socialist ministers. For example, adhering to the ideas of legality and the rule of law, lawyers in the legal advisory units of the Ministry of Justice and the Ministry of Finance often gave negative assessments of the bills that were drafted by the Menshevik leadership of the Ministry of Labour.

6. The legal units of the Ministry of Railways, the legal advisory unit of the Ministry of National Education and the legal consultant of the Most Holy Synod Ober-Procurators<sup>8</sup>, among others, were not actively involved in the law-making process and mainly dealt with cases coming from neighbouring or subordinate divisions of the relevant agency as well as its regional bodies. The clerical style of these legal divisions did not undergo any significant changes as a result of the February Revolution. Lawyers from the ministries carried out pre-judicial work with claims, appeared in courts on behalf of the agency, drew up draft agreements and opinions on contracts and advised other divisions of the ministry on legal issues. In their activities, they continued to rely on the sources of law adopted prior to the February Revolution. Many of the cases being processed by the legal advisory units

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<sup>8</sup> The Ober-Procurator was the official title of the head of the Most Holy Synod, effectively the lay head of the Russian Orthodox Church, and a member of the Tsar’s cabinet.

of ministries in March-October 1917 had been initiated even before the revolution. Yet, the legal services were handling a large proportion of cases that reflected the specifics of that time in history. Such cases were related to revolutionary events in Petrograd and other localities (compensation for damages caused during the coup or the restoration of documents lost during riots), wartime needs and the interpretation of new legislation.

7. An analysis of the activities of the legal departments within the higher and central institutions of the Provisional Government refutes the viewpoint given in domestic historical and legal literature that the activities of the Provisional Government were not particularly intense or effective in March-October 1917. Research shows that they engaged in large-scale legislative work during the period in question. This resulted in the drafting of bills and accompanying materials on the legal status of individuals, local self-government and administration and preparations for the convocation of the Constituent Assembly, among other things. Reforms in the judiciary, legal proceedings and the law enforcement system underwent reviews by the legal departments. Legislative measures were drafted to meet the needs of wartime as well as labour and procedural legislation. Legal departments working on law enforcement issues also had a very intensive workload in 1917. The legal departments considered hundreds of cases that required the preparation of legal opinions based on requests from government agencies of various levels, public organizations and individuals.

**Theoretical and practical significance.** This dissertation includes an analysis of organization and activities of legal departments within higher and central institutions of the Provisional Government which is important not only for the legal history and the history of government institutions, but also important for modern social sciences. The main results presented in this work may be used in the development of theoretical approaches to the study of bureaucracy, institutions of power and general patterns of social development during crises.

The experience of legal regulation of legal departments within higher and central institutions of government, as well as the experience of their reforming in

March-October 1917, may be taken into consideration in the formation of modern state policy in the field of legal support for the activities of legislative and executive bodies. In 1917 the government institutions faced the need to develop new procedures of legal support in the context of radically changing political course and accelerated modernization of the legal system. At the newest (post-Soviet) stage the approaches developed by the Provisional Government to the organization of the system of legal departments may become an aid in making organizational and legislative decisions.

The results of this dissertation and important archival materials that were introduced into scholarly discourse can be used to conduct academic research on the history of state and law, history of government institutions, history of the 1917 Revolution, as well as to study the basic curriculum on the history of the Russian state and law and general Russian history. The results of this dissertation can be used during the preparation of training courses as well as for lectures and seminars on these issues.

**Practical evaluation of the research results.** The results of this dissertation have been published in 14 of the author's scientific papers covering a total of nine pages, including three articles in journals recommended by the Higher School of Economics. Certain conclusions and results of this dissertation have also been presented as reports at scientific conferences.

#### **Main content of the work:**

The **introduction** details the importance of the dissertation theme and provides a description of the subject, scope and chronological framework of the study. It offers an analysis of the extent of previous research on the issue and explains the reasons for significant gaps in the existing academic literature concerning the problems of legal support for the activities of the Provisional Government. An analysis of these gaps defines the goal and objectives of the study, formulates the provisions to be defended, substantiates the academic novelty of the theme and explains the theoretical and practical significance of the study.



**Chapter 1 ‘Fundamental legal principles of the activities of legal departments’** contains a description of the legal framework for the functioning of legal departments that provided legal support for the activities of the Provisional Government.

*Paragraph 1.1 ‘Advisory legal departments within the Provisional Government’* offers an analysis of the legal status of the advisory legal departments. It describes the history of the creation and the unique legal status of the Legal Council, which was the first body with special legal expertise established at the highest bureaucratic level. It addresses the issue of the Legal Council’s place in the system of the Provisional Government’s institutions, its powers and the official goals of its activities. It shows that other advisory legal departments were closely associated with the Legal Council.

*Paragraph 1.2 ‘Legal departments within the ministerial system that retained their legal status after the February Revolution’* contains a detailed description of the legal framework for the functioning of legal departments within the following ministries: justice, national education, railways military and navy. In particular, the paragraph analyses the legislation that confirmed the staffs of individual legal departments, describes the number of positions and provides data on the amount of their salaries. It backs up the thesis that the Provisional Government’s policy aimed to bolster and expand the legal departments. In particular, the legal departments within these ministries did not undergo a radical transformation, however, staff changes did take place, as the number of positions and their funding increased significantly in 1917.

*Paragraph 1.3 ‘Reform of legal departments within the ministries in March-October 1917’* reflects the results of an analysis of the legal status of the legal departments within the Ministry of the Imperial Court, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Agriculture, the Ministry of Trade and Industry and the Office of the Most Holy Synod Ober-Procurator. It shows that certain major reforms carried out by the Provisional Government, such as the creation of the Legal Department within the Ministry of Foreign Affairs, had been

contemplated even before February 1917 within the agencies. Other reforms were due to the needs of the Provisional Government itself. In particular, the reform of the legal advisory unit of the Ministry of Finance can be attributed to the important role it played in the system of legal support for the activities of the Provisional Government. The paragraph also analyses cases when legal departments were abolished and shows that all such cases were due to the elimination of the agencies to which the departments belonged.

*Paragraph 1.4 'Legal departments within the ministries created by the Provisional Government'* contains a description of the legal departments that were created within the Ministry of State Charity, the Ministry of Labour, the Ministry of Posts and Telegraphs, the Ministry of Food and the Ministry of Religious Confessions that were established by the Provisional Government. It shows the continuity of the use of traditional models for establishing legal departments. At the same time, the dissertation argues that the Provisional Government's activities to establish legal departments within new ministries were not implemented in full: the regulatory framework was not fully drafted, or the regulatory legal acts that were adopted were not fully implemented.

**Chapter 2 'Personnel of legal departments'** provides an analysis of the personnel of legal departments based on a range of archival materials. It recreates a collective portrait of the employees of the legal advisory units and describes their level of education and career path.

*Paragraph 2.1 'Personnel of the unreformed legal departments within the ministerial system'* analyses the personnel of the legal departments of the Ministry of Justice, the Ministry of National Education, the Ministry of Railways, the Ministry of War and the Ministry of the Navy in 1917. It shows that the most substantial changes in March-October 1917 occurred in the legal advisory unit of the Ministry of Justice: new appointments were made to most of the legal advisory positions. Consistent principles were used to staff the legal department: in most cases, new appointments were given to individuals who had previously served in

lower positions of the ministry. The mostly non-political nature of the appointments was typical for other legal departments in which personnel changes took place.

*Paragraph 2.2 'Personnel of the reformed legal departments within the ministerial system'* shows that the makeup of certain legal departments changed significantly as a result of the February Revolution. New individuals were appointed to various positions, including senior positions. However, these were not political appointments. Most of the promotions were granted to officials who had served in these ministries prior to the February Revolution. In cases where a lawyer from outside the bureaucratic system was invited to senior positions in a legal advisory unit, academic merit and reputation was the key selection criteria, rather than their political views.

*Paragraph 2.3 'Personnel of advisory legal departments'* shows that, unlike the ministerial legal departments, the makeup of the Legal Council and other advisory structures was mostly politically motivated. However, it also proves the importance of bureaucratic experience when selecting members of the Legal Council. Special attention is devoted to N.I. Lazarevsky, who in 1917 concurrently served as a manager in the legal department of the Ministry of Finance and was also a member of the Legal Council and, as such, was one of the key figures in the system of legal support for the new government's activities.

**Chapter 3 'The main activities of legal departments in March-October 1917'** analyses the practice of legal departments within the higher and central institutions of the Provisional Government. It details the specifics of the activities of legal units in various agencies based on a wide range of various archival sources.

*Paragraph 3.1 'Participation of legal departments in law-making'* examines the activities of three key legal departments in the legal support system for the Provisional Government's activities – the Legal Council, the legal advisory unit of the Ministry of Justice and the legal advisory unit (later the legal advisory division) of the Ministry of Finance. It substantiates the conclusion that, contrary to the prevailing views in historiography, the Legal Council was not the only body that conducted legal expert examinations of bills in 1917. It shows that the legal

departments of the Ministry of Justice and the Ministry of Finance were also actively involved in the law-making process on a wide range of issues that were not limited to sectoral interests. In March-October 1917, these departments considered the main bills of the Provisional Government, including bills concerning key reforms in state-building and the legal status of individuals. At the same time, the paragraph shows that legal advisers from other ministries and agencies had limited involvement in legislative work. In most ministries, the legal advisory units were not at all involved in preparing opinions on draft laws, while in some units, their activities in this area were limited to narrow sectoral interests.

*Paragraph 3.2 'Legal support for administrative, judicial and contractual practices'* is devoted to an analysis of the legal advisory practice of legal departments within the higher and central institutions of the Provisional Government in March-October 1917. Based on archival documents, it reconstructs the scope of activities of the legal advisory unit of the Ministry of National Education, the Ministry of Railways and the Ministry of Trade and Industry, the legal adviser of the Office of the Most Holy Synod Ober-Procurator and the legal departments of the Ministry of War and the Ministry of the Navy. It analyses the number and scope of cases that were considered by the legal departments in 1917. In addition, it shows that lawyers from the Legal Council, the Ministry of Justice and the Ministry of Finance were also involved in performing legal advisory duties to resolve particular issues. It separately considered how wartime and revolutionary events influenced the practice of legal advisers.

The **conclusion** provides a generalized summary of the results of this dissertation.

The main conclusions of the research are presented in 14 publications with a total volume of 9 printer's sheets (p.s.).

**Articles in periodicals included in the list of HSE recommended  
scientific journals:**

1) Neverov E.D., Tumanova A.S. 'Is Intelligence and Education Really Not Enough to Wisely Rule a State'. From B.I. Koshko's memoirs about service in the

Chancellery of the Provisional Government in 1917 // Historical Archive. 2021. No. 2. pp. 138–159. 1 p.s.

2) Neverov E.D. The Autonomization Doctrine in the Work of the Juridical Council of the Provisional Government // The Journal of Education and Science “ISTORIYA” (“History”). 2019. Vol. The Great Russian Revolution of 1917 in the Regional Perspective. №5 (70). 1 p.s.

3) Neverov E. Lawyers and Revolution: Legal Ethos in The History of The Juridical Council in 1917 // Proceedings of Higher Educational Institutions. Pravovedenie. 2018. No. 1. pp. 118–127. 1 p.s.

#### **Other publications:**

4) Neverov E.D., Mamtsev R.V. Participation of Members of the Public in the Development of a Provisional Government Reform in the Local Self-Government Sphere // Civil Society in Russia and Abroad. 2021. №1. pp. 37-40. 0,5 p.s.

5) Neverov E.D., Davydov I.D. Forms of Public Involvement in Operations of the Provisional Government // Civil Society in Russia and Abroad. 2020. №3. pp. 35-38. 0,5 p.s.

6) Neverov E.D. Nikolay Lazarevsky in 1917: a State Law Theorist Serving the Provisional Government // Civil Society in Russia and Abroad. 2017. №4. pp. 33-36. 0,5 p.s.

7) Neverov E.D. The Interview of George C. Guins as a Source on the History of February Revolution and The Provisional Government // Socio-political thought of Russian liberalism in the middle of the XVIII – early XX centuries: materials of the International Scientific Conference on October 9-10, 2019, XII Muromtsev readings. – Orel: OSU named after I.S. Turgenev, 2020. pp. 219 – 227. 0,5 p.s.

8) Neverov E.D. The Problem of The Personnel Policy of The Provisional Government: Nikolay Lazarevsky in 1917 // Russian Liberalism and the State Duma of Russia: 1906-1917: Proceedings of the International Scientific Conference on October 11-12, 2019 – Orel: Orlik Publishing House, 2019. pp. 348-356. 0,5 p.s.

9) Neverov E.D. Legal Council of The Provisional Government: The Search for Bureaucratic Practices in The Conditions of The Revolution // The Capital of The Revolution. – Moscow: KnoRus, 2018. pp. 169-176. 0,5 p.s.

10) Neverov E.D. The National Question in The Program of the Legal Council of the Provisional Government in 1917 // Proceedings of the Faculty of Law. Vol. VII: Law in National and Multinational States: Problems of Theory, History and Practice. – St. Petersburg: Polytechnic University Press, 2017. pp. 218-227. 0,5 p.s.

11) Neverov E.D., Tumanova A.S. The Juridical Council of the Provisional Government: Legal Basis and Activity Content // Monuments of Law of The Provisional Government. Vol. XXI. – Moscow: Jurlitinform, 2016. pp. 41-50. 0,5 p.s.

12) Neverov E.D. The State-Territorial Structure of Russia in The Program of The Legal Council of The Provisional Government in 1917 // The Presidential Library Collections. “Studia Historico-Juridica” Series. Issue 3: Territorial Structure of The Russian State: History and Contemporaneity: The Collection of Scientific Works and Publications. – St. Petersburg: Boris Yeltsin Presidential Library, 2016. pp. 243-262. 1 p.s.

13) Neverov E.D. Draft Organizational Statute of The Constituent Assembly in The Program of The Legal Council of The Provisional Government // Law. Citizen. Society. Economy: The Collection of Papers by Doctoral, Master’s and Bachelor Students. Vol. 9. – Moscow: OOO “Original-maket”, 2016. pp. 274-280. 0,5 p.s.

14) Neverov E.D. Proceedings of the Faculty of Law. Vol. V: State and Law of The Era of The Frist World War in The Works of Students and Young Scholars. – St. Petersburg: Polytechnic University Press, 2015. pp. 47-55. 0,5 p.s.