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Vladislav Rybakov

THE RSFSR PEOPLE’S COMMISSARIAT FOR JUSTICE
AND THE COURTS MANAGEMENT DURING THE GREAT
PATRIOTIC WAR

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Academic supervisor:
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**Relevance of the Research Topic**

In recent decades, historians have shown considerable interest in the non-military history of the Great Patriotic War, the life of the Soviet rear and the history of everyday life. Therefore, the study of justice administration bodies during the war, including their legal status, structure, personnel and work mechanisms, allows not only to reveal the peculiarities of the functioning of the administrative apparatus in emergency conditions, but also to get an idea of the social regulators of civilian life and the practices of implementation of the government policy in the field of justice.

The study of the specifics of the organization and functioning of the Soviet justice authorities is also useful in connection with discussions on the essence of the totalitarian/authoritarian state, the distinctive features of the Soviet model of the combination of powers, as well as the place of courts and the role of justice administration bodies in the party-state apparatus.

In current research literature, it is widely acknowledged that in the USSR state bodies were subordinated to party structures and courts were subordinated to the executive power. However, the mechanisms and instruments of this subordination are not clearly understood. The study of specific practices of courts management enables us to shed light on this issue.

The analysis of the personnel of justice administration bodies, which is an integral part of the research, allows, within the framework of social history and political anthropology, to create a prosopographic portrait of Soviet justice officials who came to the state apparatus on the eve of the war. In addition, the investigation of the biographies and career trajectories of the employees of administration
authorities forms an idea of who directly carried out courts management and the role of the personal factor in this process.

**Literature Review**

The works on the history of the Soviet state apparatus during the Great Patriotic War, the number of which is relatively small, provide a general overview of the changes in the state apparatus and administration, with a focus on the emergency authorities established in connection with the outbreak of the war. Tatiana Arkhipova’s research is almost the only study of the history of the RSFSR wartime state apparatus. She put forward the thesis that the Soviet state system was ready to work in extraordinary conditions. Simultaneously, Arkhipova rightly notes that the independence of the RSFSR as a state entity within the USSR was very limited, and the activities of the republican bodies were largely secondary to the all-Union ones. At the same time, the researcher did not focus on the administration of justice.

It is a well-established statement in research literature that changes in the government apparatus during 1941–45 were aimed at centralization of management. However, some authors have recently argued for the existence of an opposite trend. In this regard, Oleg Khlevniuk’s articles are particularly interesting. Studying the bodies of economic administration, he focuses on the practices of decentralization applied by the heads of economic people’s commissariats during

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the war and comes to the conclusion about a more complex combination of centralization and decentralization in the Soviet administrative system.

A number of researchers positively assess the decentralizing elements in governance during the war and the Stalinist period as a whole. Peter Solomon, for instance, notes that in the Stalinist system, the considerable independence of local judges and prosecutors from the center significantly mitigated the extremely harsh repressive instructions of the central government and thus played a positive role. However, the correlation between centralizing and decentralizing tendencies in governance during the period 1941–45 remains an insufficiently studied and unresolved issue in historiography.

A separate group of literature comprises works that directly study the RSFSR justice administration authorities. However, most of them are devoted to the history of the RSFSR People's Commissariat for Justice (PCJ RSFSR) until 1936, when there was no all-Union department of justice (PCJ USSR) and the PCJ RSFSR coordinated the activities of similar departments of the Union republics. The significance of these works for my thesis is that they provide, within the framework of the institutional-functional approach, methods for studying justice administration bodies, their organization and activities.

The other literature on justice administration authorities covers, due to its broad chronological scope, the period of the Great Patriotic War in relation to the RSFSR fragmentarily or not at all.

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Alexander Kodintsev's articles on the activities of the justice administration bodies of the USSR and the Union Republics during the war are particularly important for my study. The author, like Tatiana Arkhipova, concludes that the activity of the republican apparatus was of a secondary nature, since the republican authorities were extremely restricted in their rights. This inference is generally agreed upon, but requires clarification, because the RSFSR People's Commissariat for Justice was endowed with powers that the all-Union People's Commissariat for Justice did not have. In addition, the researcher's statements regarding the staffing of the PCJ RSFSR and the powers of its regional departments seem controversial.

In recent times, there has been an increasing interest in studying the activities of local justice bodies in 1941–45. The significance of these works for my thesis is that they introduce documents from regional archives into the scholar debate and provide a local perspective on the subject.

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The personnel of the RSFSR justice administration authorities remains poorly investigated, and there are no special researches on it\(^{10}\). The leading staff of the republican-level justice administration bodies as a whole has not been examined at all. In the literature there is practically no information about most of the wartime heads of the RSFSR People's Commissariat for Justice\(^{11}\).

Numerous titles have been dedicated to the historical and legal analysis of Soviet justice. Both foreign and Russian researchers have extensively studied it, particularly the Stalinist period\(^{12}\). There are general works as well as specialized ones focusing on specific branches of law and areas of justice, often at certain stages of development. However, foreign historiography has not shown special interest in Soviet justice during the Great Patriotic War, mainly due to the severe lack of available sources at the disposal of researchers\(^{13}\).


Soviet justice is often viewed as the outcome of the interaction between various systems and levels of governance, including political leadership and justice, intradepartmental relations, regional influences, the degree of operational independence of judges, and others.

Two aspects of the extensive historiography are relevant to the topic of my thesis: courts management and the degree of independence of the judiciary.

From this perspective, Peter Solomon’s monograph, which analyses Soviet criminal justice from 1924 to 1953, is of great interest. The scholar’s main finding was that the justice system under Stalin functioned in principle and was largely independent of the state. However, his research lacks an independent section devoted to justice during the war, although some political and institutional processes of that time are mentioned.

The issue of justice administration is covered in Alexander Kodintsev’s monograph and thesis, which analyze state policy in this area during the 1930s-50s. The author argues that Stalin's policy towards justice aimed to create a totalitarian model, in which the main goal of the justice system was to implement the punitive-educative function of the state through procedural means. The researcher also identifies the main characteristics of this model.

Kodintsev examined courts administration during the Great Patriotic War in a number of articles, but they are not focused on the RSFSR and do not exhaust all the multidimensionality and ambiguity of the topic.

The mentioned works by Alexey Kazakov, Robert Abdulin, and other authors consider some elements of courts management during the Great Patriotic War. However, they do not provide a comprehensive view of the mechanisms and tools used to ensure the subordination of the judiciary to administration authorities.

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14 Solomon, op. cit.
Thus, the analysis of the research literature shows that there are no special works on the history of the organization and activities of the RSFSR justice administration bodies during the Great Patriotic War.

My research issue is to determine the role and nature of the activities of the RSFSR People's Commissariat for Justice in the sphere of organization and functioning of courts and to identify the mechanism of subordination of courts to executive authorities in wartime emergency conditions.

The novelty of my study lies in the fact that it is the first comprehensive research, based on a wide range of published and unpublished sources, of the competence, structure and personnel of the RSFSR justice administration bodies and their activities in courts management during the Great Patriotic War. The investigation of these characteristics of the state institution from a historical point of view allows us to trace not only the general transformation of justice administration authorities and the repressive policy of the government during the war, but also specific practices of its implementation in the activities of the RSFSR People's Commissariat for Justice and its local departments.

The object of the research is the RSFSR People's Commissariat for Justice.

The subject of the investigation is the competence, structure, personnel and activities of the PCJ RSFSR and its local departments in the field of courts management in 1941–45.

The purpose of the study is to determine the nature of the activities of the RSFSR justice administration bodies and to identify the mechanism of courts management in wartime emergency conditions.

In accordance with the goal, there are the following tasks:

– To analyze changes in the competence and structure of the RSFSR People's Commissariat for Justice and its local departments;

– To examine the personnel of the PCJ RSFSR and its regional bodies and to draw up a collective portrait of the heads of the PCJ RSFSR and employees of this system as a whole;
– To investigate the organization and working conditions of justice administration authorities in the war situation;
– To identify and analyze the main instruments of the courts management mechanism in the RSFSR;
– To show the correlation between centralizing and decentralizing tendencies in the courts administration in the RSFSR during the war;
– To find out the nature of interaction of the RSFSR People's Commissariat for Justice with other state institutions and to determine its place in the Soviet party-state apparatus.

The chronological framework of the research is conditioned by the importance of the specific period for testing the viability of the entire state machine, because in the conditions of mobilization of the state apparatus in extraordinary circumstances of the war, the existing problems and mechanisms of functioning manifested themselves particularly vividly.

Research Methodology

The competence and activities of the RSFSR People's Commissariat for Justice and its local departments are studied using an institutional approach, with the perspective of neo-institutionalism, as well as structural functionalism.

The classical institutional approach (Maurice Duverger, John Commons, Thorstein Veblen) is most appropriate for the source base of the thesis, which is mainly consists of records management documents of the institution. Within the framework of this approach, justice administration authorities are considered on the basis of their organizational form and powers in the established sphere of activity, courts management.

The neo-institutional perspective, supported by Theda Skocpol, Douglass North, Paul Pierson, Kathleen Thelen, and other researchers, is used in this paper, first of all, to examine the personnel of justice administration bodies. The sources offer a chance to investigate, at least in part, the activities of people who endorse and/or alter the institution and the informal practices that emerge as a consequence. This enables us to view an institution as a set of restrictions and regulations, which
are established by people through social communication or enforced by social agents with social capital and shape interactions between individuals\textsuperscript{16}.

Structural functionalism, associated with the names of Talcott Parsons and Robert Merton, allows us to consider the RSFSR justice administration authorities as a system with its own structure and mechanisms of interaction between elements, each of which fulfills its own function. There is also a significant Parsons' suggestion that the system of coordinates of the subject's activity is formed under the influence of norms and values of the social system in which this subject exists. The use of this approach makes it possible to place the history of the justice administration bodies within the history of Soviet society as a (macro)system.

A narrower and more specific historical framework for my research is the conception of state power in the USSR during the Stalinist period proposed by Graeme Gill, according to which personal dictatorship and the weakness of the center’s control over the lower levels of government were two complementary features of the system of power at that time\textsuperscript{17}. These ideas seem to be quite important for the study of the local justice administration bodies, as well as the problem of the correlation between centralizing and decentralizing tendencies in governance in the period 1941–45.

Due to the chronological framework of my research, it is also useful to apply the conception of mobilization in the USSR (Mark Harrison, Stephen Kotkin, Sergey Bakanov, Georgy Goncharov, Andrey Pass, and others) with its ideas of crisis management, the policy of priorities in the spheres of development and various practices of its implementation, adaptation of systems to the rapidly changing circumstances, increasing the efficiency of resource use through delegation of responsibilities and decentralization.


\textsuperscript{17} Gill, G. J. (1990). The Origins of the Stalinist Political System. Cambridge; N. Y.: Cambridge Univ. Press.
The prosopographic method is used to create a collective portrait of the heads and, in general, the operational staff of the RSFSR People's Commissariat for Justice and its bodies.

Finally, the study applies special legal methods. The formal-legal method helps to analyze the essence of normative-legal acts. The comparative-legal one is necessary to identify the common and specific features in the legal regulation of the activities of justice authorities in the period under consideration and at other times.

The source base of my thesis comprises several sets of documents.

First of all, there are normative-legal acts of state and party authorities that regulated the judicial system on the eve of the Great Patriotic War, the legal status of the USSR and RSFSR People’s Commissariats for Justice, the transformation of the state apparatus and judicial system due to the war’s onset, etc.18 These documents enable the analysis of the powers of justice administration bodies on a formal macro-legal level and the comparison of competence and organization of the all-Union and republican People’s Commissariats for Justice, as well as provide insight into the changes in the state apparatus and judicial system caused by the extraordinary circumstances of the war.

The materials in the legal departmental periodicals are of certain value as a source19. In particular, the heads of justice authorities express their views in their

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18 ‘Postanovlenie SNK RSFSR № 258 ot 1 iyunya 1939 g. “Ob utverzhdenii Polozheniya ob upravleniyakh Narodnogo komissariata yustitsii RSFSR pri kraevykh i oblastnykh sovetakh deputatov trudyashchikhsya” ’ (1939), Sobranie postanovlenii i rasporyazhenii pravitel'stva RSFSR, 8, art. 26; ‘Postanovlenie SNK SSSR № 859 ot 15 iyunya 1939 g. “Ob utverzhdenii Polozheniya o Narodnom Komissariate Y ustitsii Soyuza SSR” ’ (1939; 1940), Sobranie postanovlenii i rasporyazhenii Pravitel'stva SSSR, 40, art. 301; 18, art. 441; ‘Postanovlenie SNK RSFSR № 646 ot 11 noyabrya 1939 g. “Ob utverzhdenii Polozheniya o Narodnom Komissariate Yustitsii RSFSR” ’ (1939), Sobranie postanovlenii i rasporyazhenii pravitel'stva RSFSR, 10, art. 37; ‘Postanovlenie SNK SSSR i TsK VKP(b) ot 29 iyunya 1941 g. “O perevode iz Moskvy Narkomatov i Glavnykh upravlenii” ’ (1990), Izvestiya TsK KPSS, 6, pp. 212–214; and others.

19 Gorshenin, K. P. (1942). ‘Boevye zadachi sudov i organov yustitsii’, Sotsialisticheskaya zakonnost’, 13–14, pp. 1–5; Basavin, I. A. (1945). ‘O nedostatkakh v rabote narodnykh sudov i organov NKYu RSFSR’, Sotsialisticheskaya zakonnost’, 10, pp. 16–20; and others. At the beginning of the war, the scholarly and practical journal ‘Sovetskaia yustitsiia’, edited by the USSR People's Commissariat for Justice and the USSR Supreme Court, was merged with the journal ‘Sotsialisticheskaya zakonnost’, edited by the USSR Prosecutor's Office, and was published under the latter name until August 1942 and since 1944.
Although these articles have a low level of analysis and are predominantly propagandistic in nature, they serve as illustrative examples of the public administrative and legal rhetoric of the time.

This research is based on records management documents from the funds of the RSFSR and USSR People's Commissariats for Justice for the period 1941–45, which are kept in the State Archive of the Russian Federation (GA RF)\(^{20}\). Over 300 files, including declassified documents of the Special Unit of the PCJ RSFSR, have been used.

The documents of the superior body, such as resolutions of the Board and orders of the PCJ USSR, demonstrate the interaction mechanism between the two levels of governance and the role of each in courts management, as well as contain criticism of the republican authority, which helps to better understand its activities.

The transcripts and minutes of the meetings of the Board of the RSFSR People's Commissariat for Justice are valuable for the comprehension of the debates and disagreements within the leadership of the People's Commissariat on the organization and functioning of the justice system, and thus show the range of articulated positions rather than a single winning line.

Secret orders and directive instructions of the PCJ RSFSR reveal the non-public aspects of its work, including the non-public mechanism of courts administration.

The materials of inspections of the courts provide abundant and versatile material for studying the mechanism of judicial administration in individual territories and areas of activity.

The semi-annual reports of the RSFSR People’s Commissariat for Justice for 1943–45 are crucial for examining and evaluating its activities, as they contain generalized quantitative and qualitative characteristics of various aspects of its work. The lack of reports for 1941–42 is partly compensated by the survey of the work of the republican PCJ, conducted by the USSR PCJ in March 1942.

\(^{20}\) The State Archive of the Russian Federation (GA RF), fund A-353 (The RSFSR Ministry for Justice), series 13, 14, 16; fund R-9492 (The USSR Ministry for Justice), series 1, 2.
The documents of the Personnel Department of the RSFSR People's Commissariat for Justice, which, unlike the reports, were preserved for the entire war period, are primarily important for studying the staff of the People's Commissariat and its local bodies. Personnel records, indicating in dynamics the number of employees, their level of education, party affiliation, etc., allow for a comparative analysis of the staff of the justice administration authorities and the courts. The practical competence of these people is evaluated based on inspection materials, which characterize the work of not only judges, but also the inspectors who checked them.

In addition to the main set of materials from the fund of the PCJ RSFSR, there are used records management documents from four regional archives containing information on the activities of local justice administration departments: Arkhangelsk, Leningrad regional and city, Rostov, and Tambov. The incorporation of the documents of these justice authorities, including their party organizations, into the research enables a more accurate and comprehensive representation of their work conditions and the problems faced at the lower level of the justice system.

Thus, the materials related to the higher, middle, and lower levels of the justice system, taken together and complementing each other, compensate for the limitations of records management documents as a historical source and allow for a comprehensive examination of the object from multiple perspectives.

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21 The State Archive of the Arkhangelsk Region (GAAO), fund R-674 (The Department of the Ministry for Justice of the Russian Federation for the Arkhangelsk Region).
22 The Central State Archive of Historico-Political Documents of St. Petersburg (TsGAIPD SPb), fund R-1715 (The Primary Organization of the CPSU of the Department of the Ministry for Justice for the Leningrad Region); fund R-2243 (The Primary Organization of the CPSU of the Department of the RSFSR Ministry for Justice for Leningrad).
23 The Center for the Documentation of the Contemporary History of the Rostov Region (TsDNIRO), fund 1881 (The Primary Organization of the CPSU of the Department of the Ministry for Justice for the Rostov Region).
24 The State Archive of Socio-Political History of the Tambov Region (GASPITO), fund P-1045 (The Tambov Regional Committee of the RSFSR Communist Party).
The study of the heads of the RSFSR People's Commissariat for Justice relied mainly on their *accounting party documents and personal files* (as nomenclature workers), which are stored in the Russian State Archive of Socio-Political History (RGASPI)\(^\text{25}\). These materials provide information about the professional level and career trajectories of the leaders, which characterizes the personnel potential of the authority and forms the basis for compiling their collective portrait.

Consequently, the complex analysis and synthesis of the systematized set of sources of various types, created in the Soviet administrative-political and legal culture of the time, allow us to systematically present the organizational structure, personnel composition and activities of the RSFSR justice administration bodies in the sphere of courts management in the conditions of the Great Patriotic War.

**Conclusions Put to Defense**

1. The RSFSR People's Commissariat for Justice, which functioned during the Great Patriotic War on the basis of the 1939 Statute, had significant organizational and control powers over the courts. This was officially established the subordination of the judiciary to the executive bodies. In the war period, the republican PCJ had greater authority over the general civil courts than the all-Union one, having the right not only to control the correct application of legislation by the courts, but also to provide normative instructions to improve their activities.

2. The main trend in the functioning of the RSRSR People's Commissariat for Justice during the war was a significant change in power distribution between the central and local levels of justice administration in favour of the latter, which was aimed at prompt resolution of issues in emergency conditions. Against the background of the low educational level of local heads and employees, this led to a mechanical approach to courts management, interference in judicial practice and the establishment of ‘local’ legality in certain territories. The increased regional influence on the work of the courts in 1941–45 also failed to humanize judicial

\(^{25}\) The Russian State Archive of Socio-Political History (RGASPI), fund 17 (The Central Committee of the CPSU), series 99, 100, 107, 108.
practice. Therefore, from this perspective, the decentralization of courts administration during the war was not justified.

3. The top officials of the PCJ RSFSR were primarily party appointees from the ranks of the workers and peasants who came to the justice administration apparatus in the late 1930s and early 1940s, following a campaign of repression and purges. Young age and short professional experience were the distinguishing features of these people.

4. The main characteristics of the collective portrait of the employees of the RSFSR People's Commissariat for Justice and its local bodies are low educational level and little professional experience, compensated, in accordance with the logic of the Soviet system, by their party affiliation, which played a key role in their appointment.

The average inspector from the justice administration authorities who carried out surveys of the courts work had a lower level of professionalism than the average judge. This resulted in the inability of the administrative apparatus to provide qualified assistance to judges, which led to disorientation of the judiciary and negatively impacted their work quality.

5. During the Great Patriotic War, the forms and methods of work of the RSFSR justice administration bodies remained the same, despite significant changes in legislation and the increasing role of extraordinary jurisdiction authorities (military justice). The only modifications were in the proportion and intensity of their use.

6. The key area of activity of the PCJ RSFSR in 1941–45 continued to be judicial administration, which was carried out through control over the observance of legislation by the courts and their functioning, as well as personnel and organizational support of their work.

7. The mechanism of subordination of the judiciary to the administration authorities included a number of instruments, the most important of which were: control over the correct application of the law by the courts and the right to give
them normative instructions on matters of law enforcement; inspections of the courts; and administrative powers over judges.

8. An analysis of the mechanism of courts management reveals that in the Soviet model of the combination of powers, the justice administration authorities played a dual role. They aimed to ensure uniformity in the functioning of the courts and the correct application of legislation, while also exerting direct unlawful pressure. The activities of the RSFSR People’s Commissariat for Justice helped to maintain the viability of the judicial system. However, it had an ambiguous impact on courts practice, contributing both to the large-scale repression of citizens and to the limitation of the arbitrariness of local justice bodies. Meanwhile, the degree of the courts' lack of independence varied according to the type of offence and its relevance during the war. As a result, the justice system demonstrated relative stability and the ability to function in wartime conditions.

**Structure and Summary of the Work**

The thesis comprises an introduction, three chapters, a conclusion, a list of tables, a list of sources and literature, and appendices.

The first chapter, ‘Organizational Structure of the RSFSR People's Commissariat for Justice and Its Local Authorities on the Eve and during the War’, analyzes the competence, structure, staffing and organization of work of the central apparatus of the RSFSR People's Commissariat for Justice and its territorial authorities on the eve of the War and their transformation during the war period.

Section 1.1, ‘ Competence and Structure of the PCJ RSFSR and Its Local Bodies’, notes that during the Great Patriotic War the system of republican justice bodies retained the general principles that had been established in the pre-war period on the basis of the Law ‘On the Judicial Organization of the USSR, Union and Autonomous republics’ of 1938 and the Statutes on the RSFSR People's Commissariat for Justice and its territorial departments of 1939.

The RSFSR People's Commissariat for Justice carried out courts management, which until 1938 was under the jurisdiction of courts: plenums and presidiums of the RSFSR Supreme Court, supreme courts of autonomous republics, regional
In the sphere of judicial administration, the RSFSR People's Commissariat for Justice had both organizational and supervisory powers. The most important right of the PCJ was to check the activity of the middle and lower courts and the correctness of their application of the legislation, based on the results of which incorrectly resolved cases were sent to the RSFSR Supreme Court. The RSFSR People's Commissariat for Justice was also empowered to study and generalize judicial practice, to raise before the USSR PCJ the question of giving guidance to the courts; to issue orders and instructions on the organization and improvement of the work of the courts; to apply incentive measures to judicial workers and to submit proposals to the relevant councils of workers' deputies to impose disciplinary penalties on judges. The organizational powers of the RSFSR PCJ included the right to conduct elections of people's courts, to direct the organization of reports of people's judges to the electorate, to organize the work of court bailiffs, and to direct the organization of judicial statistics.

A comparative analysis of the provisions of the RSFSR and USSR People's Commissariats for Justice of 1939 shows that the powers of the republican agency with regard to the general civil courts were much broader than those of the all-Union one. The RSFSR PCJ was vested with the right to give guidelines to the courts on the organization and improvement of their work.

The RSFSR People's Commissariat for Justice exercised direct management of medium-level courts. People's courts were administered through the commissariats for justice of autonomous republics, regional and city departments of the RSFSR PCJ. The people's commissariats for justice of the autonomous republics and the local departments were under double subordination – to the RSFSR People's Commissariat for Justice and to the local councils. The territorial bodies of the RSFSR PCJ were also entrusted with both organizational and supervisory powers.

With the beginning of the war the process of decentralization of administration and expansion of powers of territorial justice authorities intensified. In June 1941, a special system of military justice was introduced in areas declared under martial law and in areas of military operations. Military tribunals were formed on the basis of
people's and regional courts, the management of which was entrusted to regional justice departments. In mid-July 1941, the USSR People's Commissar for Justice gave the local justice departments the right, in case of cases wrongly resolved in the courts, to submit representations on overturning the verdicts directly to the chairman of the USSR Supreme Court, bypassing the people's commissariats for justice of the Union republics. The powers of the heads of regional departments were also expanded. In September 1941, they were granted the right to independently, without the authorization of the RSFSR People's Commissariat for Justice, to raise before local councils the issue of dismissal of people's judges. The reduction of the staff and the total budget of the RSFSR PCJ with the beginning of the War led to the fact that its central apparatus was unable to inspect subordinate institutions in remote territories, so in 1942 this right was delegated to some territorial departments. The expansion of the powers of local administrations during the Great Patriotic War was forced and dictated by wartime emergencies.

Section 1.2, ‘Personnel Composition of the RSFSR Justice Administration Authorities’, shows that most of the heads of the RSFSR People's Commissariat for Justice replaced the vacancies created by the pre-war purges and repressions in the justice system. The nominees who came to the leading positions in the republican PCJ were characterized by a relatively young age and ‘correct’ social origin. In the nomenklature system, the shortcomings of professional training and little practical experience were compensated for by party affiliation, which played a key role in the appointment to positions, which fit into the basic parameters of Stalin's personnel revolution. The official biographies of nomenklature workers testify to the appointment of nomenklature cadres to the RSFSR People's Commissariat for Justice on a residual principle and not in favor of its authority. The lack of the proper level of professionalism and significant practical experience of the nomenclature top staff had a direct impact on the activities of the People's Commissariat in the emergency war conditions.

The staff of the republican PCJ, which in 1941 suffered the most among other RSFSR people's commissariats, by the end of the War almost recovered its number.
At the same time, the main increase was at the expense of household subdivisions, which had previously been reduced more than others.

The analysis of the reports of the Personnel Department shows that in the central apparatus of the RSFSR People's Commissariat for Justice there was a large number of employees without any legal training, who made from 30% to 50% of the operational staff, which is quite consistent with the low level of professionalism of the staff of the state apparatus as a whole, significantly weakened by the purges and repressions of the 1930s.

When selecting employees, party affiliation and practical experience in the justice system were no less important than legal education. Among the operational staff of the RSFSR PCJ from 50% to 70% of employees were members of the All-Union Communist Party (Bolsheviks), more than 60% had more than five years of experience.

The staff number of employees of territorial departments, which in the second half of 1941 was reduced by 23% of the pre-war level, and the actual number of employees – a half of the staff number, has been consistently growing since the first half of 1942. Further, during all the War the staffing level of the regional authorities did not fall below the pre-war level.

Despite the relatively stable quantitative composition of the personnel of the regional justice departments, with the exception of the territories that were under occupation, its qualitative composition has changed significantly. The indicators of party affiliation of the personnel of local departments correlate with the RSFSR People's Commissariat for Justice and amount to more than 50%, while the indicators of education and length of work are noticeably lower than in the central apparatus. From 15% to 22% of local departmental employees had higher legal education among the operational staff, and from 41% to 50% of employees did not have any legal education. The main characteristics of the collective portrait of the staff of local justice administration departments are a low educational level and little professional experience, compensated for by party affiliation, which played a key role in the Soviet system when appointing to positions.
Section 1.3, ‘Organization of Work in Wartime Conditions’, notes that some signs of mobilization of the state apparatus appeared already in the pre-war period and were related to the tightening of labor discipline, based on the ‘Internal Labor Regulations for Employees of the Courts and Bodies of the People's Commissariats for Justice’ of May 1941, which were in force during the war.

Two stages can be distinguished in the functioning of the central apparatus of the RSFSR People's Commissariat for Justice during the Great Patriotic War. The first stage, 1941–42, associated with the division of the apparatus into two parts and its protracted evacuation, is characterized by a significant reduction in the number of employees, deterioration of working conditions and logistics, weakening of operational management of subordinate bodies and communication with them. The second stage, 1943–45, marked by the return to Moscow and the reunification of parts of the apparatus, is characterized by an increase in the number of staff, a relative improvement in logistics, and the restoration of communication with local authorities.

Section 1.4, ‘Forms and Methods of Work’, is devoted to the organization of the People's Commissariat's work in the sphere of courts management. During the Great Patriotic War, in the conditions of the loss of part of the territory, reduction of staff and cutbacks in operational costs, the forms and methods of work of the RSFSR justice administration bodies remained the same, only their ratio changed.

The control over the work of the territorial bodies of the RSFSR PCJ and the courts was exercised in various forms, the main of which remained inspections. The number of inspections conducted by the RSFSR People's Commissariat for Justice did not decrease in war conditions, only their geography, mainly due to the occupation of a number of territories. The main difference of wartime was the change in the range of cases, on which inspections were conducted. Crimes, mainly under wartime decrees, came to the forefront. Unlike the central apparatus of the RSFSR PCJ, in the activities of regional departments the number of court inspections decreased during the war and there was a redistribution of forms of control in favor of targeted inspections of cases most relevant in wartime conditions.
The main methods of work of the RSFSR People's Commissariat for Justice remained administrative: issuing orders (on average about 100 annually) and directive activity, which remained quite active throughout the war, with the exception of 1942, when most of the divisions and employees of the PCJ were in evacuation, and many justice institutions ceased work due to the occupation of a large part of the RSFSR territory.

The second chapter, ‘The Mechanism of Courts Management in 1941–45’, examines the main directions of the RSFSR People's Commissariat for Justice in the sphere of courts administration, shows how the powers of the PCJ and its local authorities were realized in practice, and characterizes the activities of the republican PCJ during the war. In analyzing the mechanism of courts management, emphasis is placed on the main instruments by means of which the courts were subordinated to administrative bodies: guidelines for the application of legislation, inspections of the courts work, provision of personnel for the courts, and administrative powers over the judiciary.

Section 2.1, ‘Control over the Correct Application of Legislation’, examines the directive activities of the republican People's Commissariat for Justice in the field of courts management.

Even in the years before the War, the republican PCJ was becoming a judicial administration body implementing judicial policy, which gave the courts instructions of a normative nature, including on the application of laws.

During the war special attention was paid to the courts practice of counter-revolutionary crimes. Thus, a secret directive of September 15, 1941 instructed the courts, regardless of whether the area was declared under martial law, to apply part 2 of article 58-10 of the RSFSR Criminal Code, which provided for capital punishment for anti-Soviet agitation and propaganda, while part 1 of this article provided only for imprisonment. The policy documents of the RSFSR People's Commissariat for Justice demanded the ‘correction’ of judicial practice in the spirit of tougher penalties, and the courts were criticized ‘for rotten liberalism’.
The course of toughening criminal repression was also pursued with regard to other cases: cases of embezzlement and plundering of industrial goods and products, cases of absenteeism and unauthorized departure from work, etc. The degree of unfreedom of the courts was also emphasized. At the same time, the degree of unfree courts was different, depending on the nature of the offenses.

In order to maintain the stability of the party-state system, the judicial bodies had to work according to certain rules, guided by a uniform understanding of the law and ensuring predictability of decisions. Therefore, another part of the directives and instructions of the RSFSR People's Commissariat for Justice was aimed at correcting obvious violations in the application of the law, including procedural norms. This primarily concerned cases of unauthorized departure from enterprises and institutions, as well as cases of speculation and violation of trade rules. A considerable part of the directive documents of the RSFSR PCJ and its Department of Courts was devoted to the regulation of the process in various categories of cases and the organization of the work of the courts.

The local justice departments turned out to be pursuers of a rigid line. Often adopting a mechanical approach to the management of people's courts, they gave the latter incorrect instructions on the application of legislative norms and committed gross violations of the law. Such actions disorganized judges and led to lawlessness on their part. At the same time, the widespread practice of issuing illegal directives by regional justice departments is seen not as a deliberate policy to toughen penalties, but rather as a low level of professionalism of their employees.

The expansion of the powers of local justice authorities against the background of the low educational level of their operational staff led to direct interference in courts practice and the establishment of ‘local’ legality in some regions. The increased influence of local administrative justice bodies on the work of the courts during the war did not contribute to the humanization of judicial practice. And from this point of view, the decentralization of judicial administration during the Great Patriotic War did not justify itself.
Section 2.2, ‘Inspections of Courts Activities’, is devoted to the most important area of the RSFSR People's Commissariat's for Justice activities in the sphere of courts management. It is noted that the number of inspections did not decrease, but their quality decreased.

The work of the courts, as a rule, was not checked comprehensively, and its analysis was often made on the basis of reports or reports of their heads. Auditors of the People's Commissariat did not travel to many remote regions during the War. Until March 1942 the RSFSR PCJ did not check the activity of courts in civil cases, but even after 1942 this area of work remained a bottleneck. The management of the People's Commissariat did not demand detailed reports from the auditors, limiting themselves to stenciled statements. In most cases, the inspections did not achieve the main goal of identifying and correcting illegal verdicts and decisions. In most cases, the inspections did not achieve the main goal of identifying and correcting errors and improving the work of the inspected court.

Unlike the central apparatus, the number of inspections of people's courts conducted by territorial departments decreased during the war. Many of them, due to their limited staff, substituted audits for targeted inspections of cases that were most relevant in wartime conditions. The quality of audits at the local level of the administrative justice authorities was even lower than at the central level. Facts of unjustified convictions, criminal activity, and immoral behavior of people's judges were often overlooked by the auditing apparatus. However, the main problem was that in many cases the acts of the audits were not followed up by measures to correct really illegal and often cruel sentences and decisions, including unjustified convictions to capital punishment.

As a result, the level of courts work remained rather low. This led to a large number of verdicts and decisions being overturned by higher courts: on average, higher courts reviewed about 25% of criminal and 40% of civil cases during the war.

Thus, the system of administrative justice bodies balanced between direct unlawful pressure on the courts and the desire to achieve uniformity in their work and the enforcement of laws. Such activities had an ambiguous impact on judicial
practice, contributing both to large-scale repression of citizens and limiting arbitrariness on the ground. At the same time, the degree of the courts' lack of independence varied depending on the types of crimes and their relevance during the war.

**Section 2.3, ‘Organizational Support for Judicial Work’,** is devoted to the topic of organizational and financial sustenance for the courts.

During the war, the issues of determining the staff of courts, their dislocation, and the restoration of their functioning in the liberated territories became particularly important. As a consequence of conscription into the army and defense work, mass evacuation of workers and factories to the USSR eastern regions, as well as deaths of residents of the occupied territories and their removal to Germany and other countries, the population in many regions of the RSFSR underwent a significant shift, which resulted in imbalances in the work of judicial institutions.

The uneven distribution of cases among the RSFSR judicial districts was due to the untimely revision of the staff and location of people's courts, which was the responsibility of the Department of Judicial Bodies of the Republican People's Commissariat for Justice.

An acute problem was the provision of premises for the courts, which was the responsibility of the Department of Affairs of the RSFSR PCJ. The judicial institutions were forced to operate in conditions that severely compromised their ability to function effectively. The available premises, even in the rear, had not been repaired for an extended period, the provision of courts with premises was inadequate, which led to a multitude of violations of procedural legislation, including failure to comply with the requirement of publicity of the proceedings, violation of the secrecy of the deliberation room, and so forth.

The work of the republican PCJ in financing the judiciary was significantly hindered by wartime conditions and did not meet the requirement of maximum observance of state discipline. The funding of the courts was delayed, on occasion without the necessary documents.
The section demonstrates that the activities of the RSFSR People's Commissariat for Justice in providing organizational support for the courts during the war period were inadequate and ineffective. Furthermore, the majority of the identified problems persisted until the end of the war.

Section 2.4, ‘Judicial Staffing’, examines the activities of the RSFSR PCJ in staffing the judiciary, its quantitative and qualitative composition, and provides a comparative analysis of the professional training of administrative workers and judges.

The war and the processes caused by it aggravated the already difficult situation with personnel both in the administrative bodies and in the courts. The number of people's judges decreased by 22% between 1941 and 1945. People's courts were not elected during the war. The practice of replacing judges with people's assessors became widespread. The RSFSR People's Commissariat for Justice had to work on the selection of candidates to replace those leaving the courts. Throughout the war, the staffing of the courts remained an acute and poorly solved problem. In 1945, even in the capital regions, the courts were not fully staffed.

One of the tasks of the RSFSR PCJ was to staff the courts and bodies of the People's Commissariat in the liberated territories. However, being on the move until February 1942 inclusive, the central apparatus practically did not deal with this problem. The main work on the restoration and staffing of the judicial bodies in the liberated territories was carried out by the regional justice departments, which themselves were in need of personnel, while the new audit staff of the departments, which had just been formed, needed training and could not provide qualified assistance to the judges.

The educational level of the judiciary during the War, as well as in the pre-war period, remained quite low. In the middle and lower ranks, about a quarter of judges still had no legal education. Nevertheless, a comparison of the professional training of judges and operative officers of the RSFSR People's Commissariat for Justice, who were called upon not only to check the work of the courts, but also to assist them, shows that the judicial corps was somewhat better prepared. Among people's
judges, 25%–27% had no legal training, while among the operational staff of justice departments this figure was 1.5–2 times higher.

Thus, the work of the RSFSR People's Commissariat for Justice on staffing the courts cannot be recognized as effective. There was still an acute shortage of judicial personnel (especially problematic were the liberated regions), low qualification of judges, many of whom did not have any legal education. This, in turn, led to an overload of judges and poor quality of their work.

The justice administration bodies had broad powers to punish and encourage judicial personnel, which served as one of the effective ways of the courts management. According to the order of the USSR PCJ of December 1941, disciplinary penalties could be imposed on judges for violations of labor discipline directly by the people's commissars for justice, heads of their local authorities, and presidents of courts. At the same time, the sources analyzed show a very subjective application of certain penalties in a number of cases.

With the outbreak of the war, the powers of local justice bodies expanded. In September 1941, the people’s commissars for justice of autonomous republics and the chiefs of the regional departments were granted the right to independently, without the authorization of the RSFSR People's Commissariat, raise the issue of recalling people's judges before local councils. However, given the irregularity of council sessions in wartime conditions, there is reason to believe that local heads went so far as to directly violate the law by dismissing judges from office, and there were cases in which the question of their dismissal was raised by auditors. It can be stated that the expansion of the powers of local departments in the field of disciplinary responsibility of judges served as another instrument of subordination of the courts to the administrative apparatus.

The third chapter, ‘The Place of the RSFSR Justice Administration Authorities in the Soviet Party-State Apparatus’, examines the place of the PCJ RSFSR and its regional departments in the Soviet system of power.

Section 3.1, ‘Relations with the USSR People's Commissariat for Justice’, analyzes the control, organizational, personnel and other powers of the all-Union
PCJ in relation to the RSFSR one and states that, despite the formal breadth of powers of the republican authority, it was under the full control of the USSR People's Commissariat for Justice. The main forms and methods of the all-Union People's Commissariat’s management of the republican PCJ were similar to the administrative arsenal of the latter.

Section 3.2, ‘Forms of Interaction with Republican Agencies’, shows how the RSFSR People's Commissariat for Justice, endowed with significant powers in the area of courts management and law enforcement, was in an inferior position, in most cases acting through the RSFSR Council of People's Commissars and the RSFSR Prosecutor's Office. The forms of control and reporting of the republican PCJ to the RSFSR Council of People's Commissars, to which the former was subordinated in organizational and financial terms, were similar to the USSR People's Commissariat for Justice and were actually duplicated: the same issues were coordinated with two bodies – the all-Union PCJ and the republican Council of People's Commissars, and reporting documentation was sent to both addresses. However, unlike the USSR People's Commissariat, the RSFSR Council of People's Commissars did not interfere with the basic activities of the republican PCJ for courts management.

Section 3.3, ‘Interaction with Party Bodies’, is devoted to the analysis of the mechanism of party-state management of the justice system, which included a number of instruments. The real levers of management of the RSFSR justice authorities were in the hands of the Party organs, which regarded the judicial administration as an instrument of state power, solved all significant personnel issues, and were arbitrators in disputes between state structures. The Party organs not only decided on the appointment of the heads of the RSFSR People's Commissariat for Justice, but also controlled its activities both internally and through the supervisors of the Central Committee of the All-Union Communist Party (Bolsheviks), directly interfering in operational management and judicial practice. The wartime was characterized only by a greater degree of control on the part of the
Party structures and the obvious administrative powerlessness of the justice authorities, which clearly shows the attitude to the third power in the Soviet state.

Thus, legally vested with significant powers in the field of courts management and observance of the rule of law, the RSFSR People's Commissariat for Justice was in an inferior position, in most cases acting through the all-Union PCJ and party bodies.

The conclusion summarizes the results of the study and draws general implications from the findings.

During the Great Patriotic War, the system of republican justice and courts continued to function based on the pre-war legal framework, which was adjusted by subordinate and departmental legal acts in accordance with the new challenges.

The RSFSR People's Commissariat for Justice and its bodies, functioning on the basis of the USSR Law of 1938 ‘On the Judicial System of the USSR, Union and Autonomous Republics’ and the Statutes of 1939, had a wide range of rights in the area of judicial management, possessing organizational and control powers over the courts, which officially consolidated the subordination of the judiciary to the executive authorities even in the pre-war years. Meanwhile, the republican PCJ was given more powers than the all-Union one in the administration of general civil courts, as the former had the rights not only to control the correct application of legislation by the courts, but also to issue normative instructions for the improvement of their activities. In contrast, the USSR PCJ only had similar powers with respect to special courts.

The main trend in the evolution of the republican justice administration bodies during the war was a significant change in power distribution between central and local levels of administration in favour of the latter, which was aimed to resolve issues promptly in emergency conditions. However, the decentralization of courts management resulted in numerous abuses at the local level and, in this sense, did not warrant itself. Against the background of poorly educated lower administrative staff, the expansion of the powers of local authorities led to a mechanical approach to courts management, direct interference in judicial work, and the establishment of
‘local’ legality in certain territories. Additionally, the strengthening of regional influence on the activities of the courts did not contribute to the humanization of judicial practice; in most cases, the directives of the administrative apparatus were intended to increase the severity of punishment.

The personnel composition of the RSFSR justice administration bodies was rather typical for the administrative apparatus of the pre-war and war periods in general and occupied a middle position among similar institutions in other Union republics in terms of its main features. The heads of the RSFSR People's Commissariat for Justice, who were directly involved in courts management, were mainly party nominees from the workers and peasants. They joined the administrative apparatus of justice in the late 1930s and early 1940s after a campaign of repression and purges. These people were marked by their relatively young age and short professional experience. The collective portrait of the operational staff of the PCJ RSFSR and its local authorities is characterized by a low level of education and little professional experience. Nevertheless, in the logic of Soviet personnel policy, these shortcomings were compensated for by party affiliation, which played a key role in the appointment process. The average inspector, who surveyed the work of the courts, had lower levels of professionalism than the average judge. The consequences of it were a poor quality of inspections and a lack of competent support for judges, which led to their disorientation and adversely affected the quality of their work.

The toughening of legislation and the increasing role of extraordinary jurisdiction authorities in time of the war did not fundamentally affect the structure of the RSFSR justice administration bodies, the organization of the labour process in them, as well as forms and methods of their work, which remained the same, only their ratio and intensity changed. This demonstrates that the administrative apparatus was highly prepared to work in wartime conditions.

The primary focus of the RSFSR People's Commissariat for Justice and its authorities in 1941–45 remained courts management, which was achieved through control over their adherence to legislation, overseeing their activities, as well as
providing personnel and organizational support. The mechanism of courts management by the PCJ RSFSR and its local departments consisted of a number of instruments that subordinated the judiciary to the administrative apparatus. The most significant of them were the legally enshrined right to provide normative guidelines to the courts, inspections of them, as well as administrative powers over judges.

An analysis of the practice of judicial administration in the RSFSR reveals that, within the framework of the Soviet model of the combination of powers, the justice administration authorities played a dual role. On the one hand, they aimed to achieve uniformity in the functioning of courts and the correct application of laws. On the other hand, they exerted direct unlawful pressure on courts. During the Great Patriotic War, the activities of the republican People’s Commissariat for Justice helped to maintain the viability of the judicial system. At the same time, they had an ambiguous impact on judicial practice, leading to both large-scale repression and limitation on arbitrariness at the local level. Despite the challenges of the war, the entire justice system proved to be relatively stable and capable of functioning. Regarding this matter, it is difficult to disagree with Peter Solomon’s thesis that the Soviet justice system under Stalin was functional in principle. However, the claim that it was independent of the state needs to be qualified: the degree of autonomy depended on the type of offence and its relevance in wartime conditions.

When evaluating the work of the RSFSR justice administration bodies as a whole, it is important to consider the objective circumstances caused by the extraordinary constraints imposed on the whole state apparatus: mobilization and general reduction of staff, prolonged and multi-stage evacuation and re-evacuation of the PCJ RSFSR, as well as unsatisfactory material and technical support of its activities. Working in such conditions did not contribute to solving the problems faced by the republican People's Commissariat for Justice in the areas of personnel, organizational, and financial support for the courts.

However, it is necessary to acknowledge also the subjective aspects. The main reason for the poor quality and formality in the activities of the RSFSR People's
Commissariat for Justice and its authorities is attributed to the unskilled management and lack of professional competence among their staff.

Regarding the position of the RSFSR People's Commissariat for Justice in the Soviet party-state system, it should be emphasized that the republican PCJ, endowed with extensive powers in the area of judicial administration, was in an inferior position, because it was fully subordinate to the Personnel Department of the Central Committee of the All-Union Communist Party (Bolsheviks) and the all-Union PCJ. It served as an instrument of state justice policy.

The activity of the republican justice authorities, which was carried out in line with party-state directives, was one-sided, aimed mainly at tightening legislation and courts practice, as well as incomplete, since it focused on certain groups of cases, mainly under wartime decrees.

Three appendices contain the structure of the central apparatus of the RSFSR People's Commissariat for Justice for 1939 and 1945, as well as official and biographical information about the heads of the republican PCJ during the war.

My thesis has theoretical value as it demonstrates, through the lens of the institutional approach with the perspective of neo-institutionalism, structural functionalism, and the conception of mobilization, the correlation between centralizing and decentralizing tendencies in the courts management in the RSFSR, as well as reveals the mechanism of subordination of the judiciary to administration bodies within the framework of the Soviet model of the combination of powers in emergency wartime conditions. The research results will enhance scholarly knowledge of the Soviet state and society during the Great Patriotic War.

The dissertation also has practical applications in academic research, in the preparation of general and specialized works on the history of the Soviet (Russian) justice, especially in the period 1941–45. The material and results of the thesis can even be used in the drafting of textbooks and courses on the history of the Great Patriotic War, the party-state apparatus, Soviet justice and society.

Degree of Reliability and Approbation of the Research Results
The reliability of my study is ensured by the use of a representative corpus of historical sources and the application of relevant methods of their analysis in order to achieve the research goal and tasks.

The main findings of this work were presented and discussed at six academic conferences, four of which were international and two of which were all-Russian:


**List of the author’s main publications in journals, included in the list of high-level journals, recommended by HSE University, as well as indexed by Scopus**
