

**THE COURT CORPS IN TAMBOV PROVINCE DURING
THE NEW ECONOMIC POLICY PERIOD:
PROBLEMS OF PERSONNEL POLICY**

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Abstract: The paper looks into the problems of personnel policy in judicial bodies of the Soviet State in 1920-s on the example of Tambov Province.

Selection of specialists was one of the main problems in Soviet administration of justice in 1920-s. The successful functioning of the court was mainly a result of faith (moral character), professionalism, and political allegiance of court members. Their character determined public attitude to them and consequently to the Soviet justice. So the problem of personnel policy and the problem of the court prestige were closely connected, that produced the necessity of scrupulous attention and control from the direction of the authorities. The politics in this direction was remarkable for its purposefulness and it had as its object the creating of the authoritative Workers' and Peasants' court.

During the nep period Soviet judiciary system was closely integrated with the State machinery, it was entirely subordinated to the line of policy and it was an active instrument for realization of government regulations. It determined a list of special claims, put onto court members by the authority.

According to the article № 11 of the constitution of the judicial system of the RSFSR of the 11 of November 1922, any citizen of the RSFSR, who met the following requirements, could become a judge in People's Court:

- 1) having the right to elect and to be elected in Soviets;
- 2) having no less than a two- year record of political service in Workers' and Peasants' trade union organizations, or a three-year record of practical service in the institution of justice, taking up a post not below an investigator in People's Court;
- 3) having no previous convictions;
- 4) not to be read out of the public organizations for some detractive actions.

Thus we see that the qualifying standards were quite exacting and they reduced a scanty cadre unit as it was. Taking it into account, the constitution of the judicial system of 1926 essentially extended the category of people, who had the opportunity to execute the Soviet justice. Now men could be eligible for a judge in People's Court place, if they had a record of social and political service at any public institution, but not necessarily at the institution of justice.

The election and release of court members was controlled by the Administrative Bodies. Judges in People's Court were elected by province executive committees on a motion of the province court or People's Commissariat of Justice of the RSFSR (PCJ

RSFSR) for a term of a year. The candidates could be dismissed, reelected and displaced within the province according to the regulation of the province executive committee and upon authorization of the PCJ RSFSR. The province executive committee tried to trace the expediency of magistracy assignment. With the help of letters of inquiry it was ascertained if an assignment was reasonable or not. The estimations, given by the province executive committee, were according to the following standards.

1 An approximate estimation of the work made for the fixed period. Here they took into account an employee's initiative, capability to work as a manager, administrator, officer or on the contrary lack of initiative, showing himself as a weak manager, administrator or an officer.

2 If there were any changes in the manager's work since his assignment. If they were changes for the worse or changes for the better. The overall changes which took place in the court since the manager's assignment [1. F. 176. p. 1.].

Looking for some more advisable recruitment selection and job placement, there was the practice of workspace mobility which got a wide distribution in 1920-s, and unfortunately it wasn't rather successful. A high rate of workspace mobility might be observed during the 1920-s. In the Tambov province 44 judges in People's Court were displaced or replaced during the period from the November 1923 until the November 1924 [1. F. 18. p. 2, 3, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31, 34, 37]. A similar situation is observed in the latter half of the 1920-s. There were 19 people who were displaced or replaced to work at another court [1. F. 374. p. 30, 40, 65]. The number of the replaced workers in both cases were less than a half, the rest of the people was dismissed. This information is confirmed and supplemented with the results of E.A. Sosedov's research. According to it, 18 from 70 judges in People's Court (25,7 %) left their posts during the second six months in 1927. 11 people of them were dismissed and 7 were replaced [2]. Such a practice of the workspace mobility prevented from holding an investigation without any delay and besides it adversely affected the quality of court decisions.

The practice of the workspace mobility, like a panacea for problems of personnel policy, was reflected even in the methods of raising the level of court member's skill. According to the regulation of the XIII congress of the RCP(B) about the nomination of employees from low levels for the responsible assignment, as well as according to the circular decree of the People's Commissariat of Justice of the RSFSR, there was organized the system of temporary replacement of members from the Tambov court to the uyezds courts and vice versa was organized [1. F. 176. p. 36.].

The policy of the workspace mobility didn't bring some grave changes to the judicial agencies; it also didn't stir up the employees' enthusiasm neither in the province court nor in the People's Courts. For a member of the province court it meant that they would change their usual scope of activity, while the salary would be well reduced.

As we have already said, one of the necessary requirements to become a court member was to have no previous convictions, that was strictly controlled by the authorities. The executive powers sent a letter of inquiry even if a court member had not a conviction, but a prosecution. Thus in 1924 the province executive committee sent to the Tambov province court a letter of inquiry about the arguments of continuance in office of a trainee Comrade Dmitrievskiy, who was on trial for the receiving of some church valuables [1. F. 176. p. 8]. In its answer the province court explained that it was true that Dmitrievskiy was brought before the court on the mentioned charge, but they closed the books on this case, because of his guiltlessness. Realizing the meaning of the claim the province court justified its actions: "... showed himself as a good worker. The province court doesn't have a lot of specialists and the need to have skilled jurists is indisputable. Besides, the post of a trainee isn't so responsible. He receives only 35 rubles per week" [1. F. 176. p. 19].

But even under such a strict system of control there were some precedents. Thus, for example, in his report Comrade Mordovkin, the instructor of the district committee, who analyzed the staff of the Tambov province court, made the following conclusion: “There are a lot of strange in the province court, even with a member’s past” [1. F. 176. p. 71].

The character of a court member was also controlled by the Disciplinary Collegium under the Tambov province court. For example, in January and February 1924 the Disciplinary Collegium tried 18 cases on the court members’ actions, which were incompatible with their image [1. F. 190. p. 56].

The Disciplinary Collegium paid special attention to courts efficiency, as well as different prevarications: non-execution, tardy inquiry answers [1. F. 356. p. 2] and so on, and only to some extent to the character of a court member. Here we can give an example of the conflict between the judge in People's Court Sadovets (8-th district in Tambov province) and his wife. It captured the headlines in the local mass media, and reached even the ears of the members of the first department PCJ RSFSR.

The heart of the conflict was rather banal: Sadovets was left by his wife and he, suspecting her of the unfaithfulness, decided to insult his wife with the aid of a defractions article in the “Bednota” newspaper. The article was called “Give Bread to Judges” (heretofore Sadovets sent the article of a similar content, called “A dissolute wife”, to the “Tambov Truth”, but it wasn’t published) [1. F. 311. p. 44]. The most interesting thing for us is that the province court didn’t care about the reputation of the judge in People's Court though he washed his dirty linen in public. First of all they paid their attention to the fact, that Sadovets misled the audience, saying that court members were held back wages for several months and for that reason they had to starve. The situation was exactly as he said with the exception of fact that Sadovets, having for an object to represent himself as the injured party in the conflict, dissembled that during the first six months in 1924 he received a double salary in comparison with members of the province court, who were on the public finance [1. F. 311. p. 23].

Putting an end to the whole preceding, we should mention, that the implementation of the personnel policy in the Tambov province had some distinguishing features. First of all we see, that it was influenced by the narrowness of the regular unit in the region. Secondly it was connected with a number of other aspects, for example, for example, the court prestige.

References

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Судебный корпус Тамбовской губернии в период нэпа: проблемы кадровой политики

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Ключевые слова и фразы: кадры; мораль; профессионализм; суд; юстиция.

Аннотация: Статья на материалах Тамбовской губернии раскрывает проблемы кадровой политики советского государства по формированию судебных учреждений в 1920-е годы.

Gerichtlicher Körper des Tambowerer Gouvernements im Laufe der neuen ökonomischen Politik: Probleme der Personalauswahl

Zusammenfassung: Im Artikel werden auf den Materialien des Tambower Gouvernements die Probleme der Personalauswahl des sowjetischen Staates nach der Formierung der gerichtlichen Institutionen in 1920 Jahren geöffnet.

Le corps judiciaire de la province de Tambov dans la période de la nouvelle politique économique: problème de la politique des cadres

Résumé: A la base des matériaux de la province de Tambov le présent article montre les problèmes de la politique des cadres de l'état soviétique en ce qui concerne la formation des établissements judiciaires dans les années 1920.
