UNION OF SOVIET SOCIALIST REPUBLICS (USSR), 1917 – 1991

Legal system
The Bolshevik Party seized control of the Russian Empire’s state apparatus on November 7, 1917. The Russian Soviet Federated Socialist Republic was formed. The Soviet Union (Union of Soviet Socialist Republics: USSR) was formed in 1922 when the civil war between the Bolsheviks and the supporters of the old regime ended. Russia retained its dominant status among the Soviet republics throughout the Soviet period, which ended in 1991. Each republic was nominally a sovereign socialist state that derived its power from the workers and peasants. The Constitution of 1936 (the Stalin Constitution) established a federal structure that lasted for about fifty years. Some changes to the constitution were made in 1978.

The Soviet Union (SU) was divided into autonomous republics, autonomous oblasti and okrugy, as well as provinces and krai. The highest organ of state power in each sub-division was called the Supreme Soviet. All sub-divisions (of which Russia was one) were represented in the legislative branch, which were the Supreme Soviet of the USSR and the RSFSR. Both were bicameral.

The jury-trial, introduced in 1864, was abolished by the Bolsheviks, along with other liberal legal institutions. The cases in the Soviet judicial system were decided either by a professional judge or by a judge and two lay assessors. The lay assessors were supposed to decide not only the substance but the legal issues as well. The jurors in the pre-1917 trials only reviewed the facts of the case, not the legal issues. The Soviet lay assessors lacked judicial training.

Radical changes started taking place in the Soviet Union when Mikhail Gorbachev came to power in March 1986. Fundamental changes to the political system of the USSR altered the nature of the Soviet federal state. Some republics chose to declare sovereignty from the Soviet Union.

In June 1990, the Congress of RSFSR declared that Russian law was to take precedence over Soviet law. The post of ‘President of the Russian Federation’ was created in April in the following year. Boris Yeltsin won the democratic presidential elections. The Soviet Union was, at the same time, headed by
Mikhail Gorbachev. Gorbachev, by this time, held the title ‘President of the Soviet Union’ but had not been elected by popular vote. He stepped down from office in December 1991 after the Soviet Union had been abolished by a political decision in Minsk, without his participation and without a deciding referendum.

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