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**CRIMINAL LEGAL CONTROL MEASURES
WITH TERRORISM IN RUSSIA AT THE BEGINNING OF THE XX
CENTURY**

The article examines the criminal law measures to combat terrorism, taken in Russia at the beginning of the XX century. The author analyzed the results of the adoption of the Criminal Code of March 22, 1903.

In article criminally-legal measures, on the fight against terrorism, accepted in Russia in the XX-th century beginning are investigated. Also the author analyzes results of acceptance of Criminal Ulozhenija from March, 22nd, 1903.

Key words: acts of terrorism, state system, criminal law measures, Criminal Code of 1903, responsibility.

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The beginning of the XX century. (from the point of view of the development of criminal legislation) was marked by the adoption of the Criminal Code of March 22, 1903. Traditionally, for the pre-revolutionary Russian criminal legislation, its special part was opened with a chapter on crimes against faith, and then followed by the chapter "On revolt against the supreme power and on criminal acts against the Holy Person of the Emperor and Members of the Imperial House." Substantively, these norms have not changed much in comparison with the Code of Penalties and Correctional Laws of 1845. The main objects of encroachment - the state system, the territorial integrity of the state, which are characteristic of terrorist crimes, were not mentioned in the norms of the Criminal Code.

Another direct object of a terrorist act, in addition to the person of the emperor and members of his family, in the articles of Ch. 3 is not indicated, although in the "terrorist war" of the populists with the government, many statesmen of the highest echelon, middle-level officials and ordinary citizens of the state died. Apparently, this is the autocratic thinking of the legislator. T. Isaeva correctly notes that the terms "terrorist act", "terror" or "terrorism" are not found in the Criminal Code; probably, the legislator perceived them as a street neologism and preferred to use more familiar, descriptive expressions ("encroachment on life, health, freedom, inviolability of the sacred person of the reigning emperor", "encroachment on overthrowing the reigning emperor from the throne", "violent encroachment on changing the way of government " etc.).

Given the political and criminal situation that developed at the beginning of the XX century. in Russia, in the Criminal Code of 1903 was included Art. 126, which established responsibility for participation in a community that deliberately set the goal of its activities to overthrow the existing social system in the state by means of explosives or shells. The content of this norm is close to the existing in modern reality criminal law measures.

It is necessary to pay attention to the fact that the norm does not establish responsibility directly for the commission of terrorist acts - this is still done on the basis of the legislation envisaged for wartime, that is, emergency in peace. This rule establishes responsibility, so to speak, for a deferred, future intent. A crime is considered completed from the moment a person enters such a community, regardless of whether any preparations have already been made or, even more so, attempts. Cooking and assassination require additional qualifications under the relevant emergency legislation. Since the objective side of this crime is only participation in society, and not the preparation and commission of terrorist acts, the responsibility provided for by this norm is much softer: hard labor for up to eight years or exile. It seems that the inclusion of such a norm in the criminal law is a correct and necessary step towards overcoming terrorist acts.

In 1906, taking into account the situation in the country, P.A. Stolypin took the initiative to introduce even more emergency measures to normalize the situation. He noted: "Unfortunately, the bloody delirium, gentlemen, has not yet subsided, and with hardly an ordinary way to suppress it on the shoulder of our ordinary regulations ... The state can, the state is obliged, when it is in danger, to adopt the strictest, most exclusive laws to protect yourself from decay. " As a result of the initiative of P.A. Stolypin, the Imperially approved provision of the Council of Ministers "On strengthening responsibility for the spread of anti-government doctrines and judgments among the troops and on the transfer of cases on the indicated criminal acts to the department of military and naval courts" dated August 18, 1906.

The criminally-legal measures to combat terrorism here were the norms of Article 1 on responsibility for calls for the overthrow of the existing system in the state in a manner dangerous to the lives of many people. In this case, the perpetrator could be punished with hard labor for a term of at least six years. Art. 3 of the Regulations indicates that such crimes are tried in military courts. Approved the next day - August 19, 1906 - the Regulation on the establishment of courts-martial enshrined a speedy and simplified procedure for considering cases. So, for example, the court must complete the consideration of the case no later than two days; the verdict takes effect immediately and is carried out immediately (in any case, no later than 24 hours from the date of its pronouncement). Decisive government measures at the beginning of the XX century. along with the improvement of the activities of the detective services, by 1909, according to K.V. Gusev, it was possible to detect and prosecute the most dangerous criminals. However, not all [2]. Some of the losses were especially sad for Russia. The head of the Petersburg security department AV Gerasimov wrote: "The terrorist act of July 15, 1904 deprived the empire of a major leader, a man who was too arrogant, but strong, domineering, who held all the threads of domestic policy in his hands" [2].

Thus, it should be recognized that Russia in the XIX and early XX centuries. allowed unacceptable slowness, which led to the physical elimination of a number of powerful statesmen and actually beheaded the country.

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