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## THE IMPLEMENTATION OF THE SOVIETIZATION POLICY BY LAW ENFORCEMENT AGENCIES IN 1920-1930

**Abstract.** *Every nation has a legal system based on the structure of its state, the nature of national identity, psychology, customs and traditions. Soviet power was created in Kazakhstan after the Soviet revolution. In addition to the norms of the law of the Kazakh people the Soviet law was written. The structure of Soviet legal organizations was created by paying special attention to the selection of employees of legal structures.*

*At present, in many sources one can find information that Goloshchekin and his retinue abused power in the 1920s-1930s. But the problem of the mistakes and distortions of the legal system that occurred on the basis of the Soviet system of power remains unnoticed by historians. History indicates that the governing body of the Soviet administrative power, the Soviet People's Commissariat of Justice, judicial organizations exercising state power, and the organization of the state prosecutor's office adapted to the administrative-authoritarian system in a short time and turned into an anti-people tragedy in the course of implementing party policy. In this article, based on the process of turning prosecutorial control into an integral part of the Soviet administrative system, we tried to reveal the relevance of this issue.*

**Keywords:** *revolutionary legitimacy; totalitarianism; administrative-authoritarian system; antagonistic estates; prosecutor's control; United State Political Administration; sovietization policy; special council.*

### *Introduction*

Issues related to the activities, structure, composition of the staff of Soviet judicial and investigative, prosecutorial, administrative organizations in 1925–1932 were studied quite unequivocally in historical science in Soviet times. After all, the history of the structure and activities of Soviet human rights organizations was based on the theory of Marxism-Leninism - this scarce theory was part of Soviet law.

The communist ideology that has developed in civilized states, understood as “a rigid support of the rule of law, where law enforcement agencies protect the interests of not a separate class, but society as a whole,” and has been severely criticized. Therefore, as a result of the political and economic campaigns of 1925-1932, historians had to write works justifying the criminal activities of Soviet human rights organizations that threatened human rights, bowing to the violent force of the administrative-authoritarian system that swept the Kazakh people with mass starvation and refugee and repression. As for the scientific point of view, Martha Brill Olcott said that many of Kazakhstan's citizens, it is hard to know what proportion, view the Soviet period with real nostalgia, seeing it as something quite distinct from Russian colonial rule [Olcott, 2011]. In history, issues related to the activities of legal organizations related to the process of turning law enforcement agencies into an integral part of the system of administrative-authoritarian power, which intensified in the second half of 1920, have not been reliably investigated.

Conducting specific studies by historians from a new point of view related to the activities of Kazakhstani human rights organizations in 1925–1932 after our country gained independence, testifies to the relevance of the topic we are raising. President of the Republic of Kazakhstan K-Zh.



Tokayev puts forward new requirements for historians in the study of national history. K-Zh. Tokayev calls to address the problem of historical reality. Historians have not yet written a special study on the history of the creation and formation of human rights organizations that became subordinate to the Soviet administrative-authoritarian system in the 1920s and 30s. This fact increases the relevance of the research topic.

#### *Materials and Methods*

The purpose of the research topic is to analyze the reasons for the destruction of the centuries-old traditional legal system of the Kazakh people on the bases of historically-driven data. Additionally, analyze the work of "protecting revolutionary legitimacy" during various economic and political campaigns, the process of adaptation of the human rights organizations to the administrative-authoritarian system and the reasons for directing the powers of the authorities to persecute their native people.

Main research questions are:

- to study and reveal the structure of Kazakhstani law enforcement organizations based on the theory of Stalinist administrative-authoritarian power in 1925-1932 on the basis of scientific works and data;
- to analyze the work of the prosecutor's control under the totalitarian regime and the determination of the reasons for his inability to fulfill his duties;
- to determine the reasons why the prosecutor's control has become a component of the administrative system and to prove this process on the basis of data.

The topic of the study covers the period when prosecutorial control became a component of the Soviet administrative-authoritarian system, i.e. the period 1925-1928.

While conducting the research, we took as a basis new methodological and theoretical approaches, innovations that have taken place in historical science in recent times. The need to revise one-sided studies by historians of the Soviet era of the activities of Soviet administrative, human rights organizations in 1925–1932 only from the point of view of communist ideology led us to new searches. Therefore, we not only proceed from such principles of scientific knowledge as holism, objectivity, historical comparability, but also generalize on the basis of comparative-historical analysis and we were guided by new scientific considerations and conclusions formulated recently and used logical, statistical methods of research.

The adaptation of human rights organizations to the administrative-authoritarian system began in the second half of the 1920s and ended in the first half of the 1930s. Therefore, we took these years as a period of study.

In the course of studying the topic of the article, we proceeded from the disclosure of the essence of the methodological guideline “the activities of human rights organizations in 1925–1932 to protect revolutionary legality is a tragedy for the whole society, especially the Kazakh people.” Such a position, guided, firstly, by the fact that until now in our history, criticizing the activities of generalized Soviet administrative, human rights organizations, not only exposed their negative, sometimes unfair actions that infringe on human rights, but also help deeply explore the "gaps" in the history of the Kazakh people, which went unnoticed.

As the information sources were used followings: materials of the prosecutor's office, the people's commissariat of justice, archives of the President of the Republic of Kazakhstan, instructive orders sent to the legal organizations of the Kazakh regional committee and the newspaper “Enbekshi Kazak” (since 1932 “Socialistik Kazakhstan”).

#### *Results and Discussion*

Thanks to the independence of Kazakhstan, domestic historians have formed a fund of research related to the history of the formation of the Soviet administrative- authoritarian system.

During the period of domination of the communist ideology, the question of the activities, structure and employees of the legal bodies of the KazASR in 1925-1932 remained outside the comprehensive study.



Because in the 1920s, the Soviet state, according to the teachings of Marxism-Leninism, considered the rule of law as a temporary phenomenon and was convinced that in the future, with the establishment of communism, legal organizations would be destroyed [1]. That is, during the years of the existence of the Soviet state, the study of the activities of Soviet legal organizations had a historical aspect, while the activities of human rights organizations were assessed more objectively.

In works published before the 1990s, the structure of Soviet human rights organizations is described unilaterally, unfounded, based on a unified theory of state power. These works are based on Lenin's theory of the activities of legal organizations, the structure of which is built in such a way that it is adapted to protect the interests of the "managerial class".

Only after the collapse of the USSR appeared the first studies related to the activities of human rights organizations in the 1920s and 30s appear. The authors of these works were not Kazakhs. In 1990, in the collection "30s: a view from today" [2], well-known Moscow scientists criticized and analyzed the structure of state power, the activities of legal organizations in the 1920s and 30s. In the work of V.P. Danilov and N.A. Ivitsky "Documents testify" [3], the activity and structure of human rights organizations in the course of the political and economic campaigns of the 1920–30s are affected.

Talas Omarbekov is one of the researchers who, for the first time in the period after our country gained independence, gave a historically reliable assessment of the activities of Kazakh law enforcement agencies in the 1920s and 30s. T. Omarbekov's article "How the Invasion of the Peasants Began" [4], published in 1993 in the journal Pravda, describes the involvement of human rights organizations as a punitive force of Soviet employees and peasants who did not fulfill the plan of the 1928 grain procurement campaign. The article contains valuable information related to the structure and activities of human rights organizations. Also, T. Omarbekov in the article "How revolutionary legality was carried out in Kazakhstan" [5] cited statistical data related to education, nationality, professional competencies of employees of the judicial prosecutor's office for the period from 1924 to 27. The author, commenting on the term "Revolutionary legality", makes conclusion that "in the 1920s and 1930s, Soviet party leaders, under the guise of revolutionary legality, punished hard-working peasants growing grain through legal organizations, accusing them of protests and propaganda against the grain procurement campaign."

Information related to the research topic was published in the works of T. Omarbekov "Kazakhstan tragedy of the 20-30s" [6], M. K. Kozybaev, Zh. B. Abylgozhin, K. S. Aldazhumanov "Collectivization in Kazakhstan is a tragedy of the peasantry" [7], Zh. B. Abylgozhin "Essays on the socio-economic history of Kazakhstan in the twentieth century" [8]. Despite the fact that these studies concerned the activities of employees of Soviet human rights bodies, there is no data on the structure of human rights bodies.

In the work on this research topic, dissertation researches are conducted by G. I. Moldakhanov "The activities of the OGPU in Kazakhstan", D. Sh. Orynbaeva "Political repressions in Kazakhstan in 1937–1938: problems of comparative political analysis" [9], works by D. A. Shaimukhanov and S.D. Shaimukhanova "Karlak", although the data related to some structures of human rights organizations are not directly related to the topic of our article.

The purpose of the political work of the department of the prosecutor's office of the People's Commissariat of Justice of the KazASR in the 1920s was the sovietization of the local population. In this regard, agitation and propaganda work was actively carried out among the population under the slogan "measures for the protection of revolutionary legality." Representatives of the Kazakh people began to be involved in the implementation of this work. Particularly active was the publication of articles on the awarding of revolutionary legitimacy in the press. Thus, a policy was carried out with the aim of separating the people from traditional society, turning them into a slave of the Soviet totalitarian society.

This policy, carried out since 1920, was also monitored by human rights bodies. From 1927–1928 legal bodies begin to subordinate the population to the policy of the administrative-command



system through violent coercion. Indeed, over the years, legal organizations have become an integral part of the administrative-authoritarian system.

The purpose of the political work of the department of the prosecutor's office of the People's Commissariat of Justice (PCJ) of the KazASR in 1925:

1. familiarization of peasants, pastoralists, workers with the measures of the Soviet government to protect revolutionary legality, speeches at meetings of workers, conversations with the working population,

2. active involvement of the working people in the work of conducting revolutionary legislation; involvement in the work of people's assessors, public prosecutors,

3. informing the population through the press about the progress of the revolutionary legitimacy,

4. control over the course of carrying out revolutionary legality [10].

This work was carried out by the prosecutor's office jointly with the party organization. At the 5th All-Kazakh Conference of the Party, the question of the course of carrying out revolutionary legality was considered, the reasons for its successful implementation were discussed. In summary, the main reasons were: "the predominance in rural areas of aksakals, wealthy manaps, dissatisfied with the Soviet regime, incorrect work of the judicial and police systems, creation of conditions for the commission of crimes based on tradition by employees of the local council" [11]. The Soviet system of power did not take into account that kinship relations in Kazakh society were especially strong, that there were no "antagonistic classes" in them.

In 1925–1926 in Kazakhstan, 922 people were involved in the position of public prosecutor, of which 344 were in rural areas. Of all the prosecutors who belonged to the countryside, only 62 were of Kazakh nationality (12). During these years, representatives of the prosecutor's control spoke at meetings of workers with reports on the protection of revolutionary legality, the number of visits was as follows:

Almaty gubernia – 18

Aktobe gubernia - 40

Semey gubernia - 32

Kostanay district - 26

Syrdarya gubernia - 24

Oral gubernia - 11

The Karakalpak Autonomous Region - 14

Adai district - 12

Total – 202

The issues of protecting revolutionary legality were explained to the population through printed pages, and members of the judicial prosecutor's office worked closely with Soviet journalists. The goal was to reward the work of judicial-investigative, prosecutorial organizations that steadily implement the policy of the Soviet government and the party. In addition, a large number of articles were published in the newspapers about the recognition of some customs and traditions of the local Kazakh people as a crime, as well as about the expansion of the local judiciary.

In 1925-1926, the judicial prosecutor's office initiated 1140 criminal cases because of newspaper articles. The writing of articles by gubernias is as follows:

Semey - 314

Akmola - no information

Karakalpak Autonomous Region - no information

Syrdarya - 248

Aktobe - 437

Zhetisu - 64

Oral - 254

Aday province - 8

Kostanai - 129



Total - 1459.

Since one of the ultimate goals of the political activity of the Prosecution Department of the People's Committee of Justice (PCJ) is to bring the local population under the influence of law enforcement organizations, many consultation centers have been opened in densely populated areas, providing assistance to the people in legal issues by opening consultation centers in the provincial press, women's departments, and workers' clubs. All employees of law enforcement organizations were to take turns to advise the public. However, such places with regular service existed only in Semey, Oral gubernias and Kostanay district. The advice given to the public by the consultation centers is as follows:

12.9 oral, 484 written in Semey gubernia  
Oral 1342, written 449 in the Oral gubernia  
Oral 918, written 301 in Kostanay district  
The final score is oral 1965, written 1234.

At the 5th All-Kazakhstan Party Conference, it was emphasized and criticized that "revolutionary legality in rural areas is violated every step of the way". That is why the political work of the Prosecution Department of the People's Committee of Justice (PCJ) in rural areas was intensified in 1925-1926 compared to 1924-1925.

In order to explain to the population the issue of protecting revolutionary legality, representatives of the PCJ Prosecutor's Office went to the countryside 127 times over the years, after reading 295 reports [13].

In 1925 there were 22 meetings of the presidium of the Kazakh department of the Supreme Court. The purpose of the work of the presidium is to carry out work to protect revolutionary legality on the basis of control over the work of the provincial people's courts. The Criminal Cassation Collegium monitored the strict observance by the courts of a class orientation, the correct application of criminal punishment. The Judicial Collegium set a goal to create an institution of public prosecutors and to strengthen this work in the future. The Presidium explained to the local courts the course of application of criminal articles, and was engaged in sending out circulars. At the same time, some articles of the criminal code were changed due to a number of Kazakhstani peculiarities. For example, until 1925, "shamanism" was tried under Articles 166, 167 of the Criminal Code of the Russian Federation, and at the request of the Presidium of the Armed Forces, the punishment for this crime was again considered in the legislative bodies of the Russian Federation and it was established that now "shamanism" would be tried under Article 233 Criminal Code of the Russian Federation.

Under the influence of the Supreme Court of the RSFSR and the decree of the All-Russian Central Executive Committee and the Council of People's Commissars of August 24, 1925, articles closely related to the Kazakh way of life were introduced. These are article 232, which condemns polygamy, and article 230, which is related to kalym [14].

During these years, a large number of articles about crimes based on tradition and everyday life were published on the pages of the "Enbekshi Kazak" newspaper. For example, the article "in the Supreme Court" says that the court must judge a citizen who gave the horse to the biy [15], the article "In the vicinity of the court" says that within the framework of the policy of equality and freedom for women a judicial divorce of the spouses was carried out by the Soviet judicial authorities (16).

In 1926–1927, the fight against crimes based on tradition intensified. At the 3rd All-Russian meeting of People's Commissars of the Autonomous Republics, held in June 1927, Brandenburgsky, a member of the PCJ, proposed strengthening the policy of protecting revolutionary legality, stating: "Kyrgyzstan is the most backward republic living in a patriarchal tribal society, despite the 10th anniversary of the establishment of Soviet power".

This year, prosecutors read 564 reports at working meetings:  
Semey 50



Aktobe 39  
Kostanai district 93  
Syrdarya district 85  
Karakalpak Autonomous Region 63  
Oral 31  
Adai District 27  
Zhetisu 128  
Akmola 48 [16].

The increase in the number of reports compared to previous years indicates that the judicial and prosecutorial bodies most actively pursued a policy of consulting the population. This year, the PCJ in the final report of the prosecutor's office noted that the department closely cooperates with party bodies as the main achievements in social and political work.

In 1926–1927 prosecutors designated to journalists how to deal with violators of revolutionary legality [17]. According to journalists, 2,473 criminal cases were initiated this year [18].

Judicial-investigative, prosecutorial bodies strictly carry out the policy prescribed by the party “toward the countryside.” In pursuance of this task, prosecutors visited the countryside 194 times in 1926-1927 and spent 1413 days in the countryside. During these visits, local village councils, investigators and other subordinate Soviet organizations were found to be weak in the fight against crime. The main focus of crime in rural areas: "feudal remnants - rich Kazakhs and religious leaders", "the ways that Soviet workers are greatly influenced by rich people and officials indicate the beginning of a campaign to destroy the rich Kazakhs" [19].

Claims increased from 7219 in 1925-1926 to 1805 in 1926-1927. The fact that the main part of the petitioners are workers and peasants indicates the contradiction in the structure of the Soviet state. In 1927, the PCJ Prosecutor's Office visited the countryside 222 times during its political activities and read 380 reports [20]. With the help of journalists, 2328 cases were initiated [21].

In previous years, the prosecutor's office did not pay attention to the work of economic establishments, but in 1926-1927, the prosecutor's office strengthened the control of the gubernatorial, district, regional administrative departments, land departments, and trade hall. In 1926-1927, the prosecutor's office objected to 755 only necessary resolutions of the gubernatorial, district, regional, and regional committees, the disregard of other resolutions of the said organizations by the prosecutor's office, shows that the Soviet government organizations lost their management function in those years, that is, the administrative- authoritarian system became stronger.

Table 1 – The numerical data of the types of crimes committed in Kazakhstan in 1926-1927 are as follows:

| Types of crime                | 1926-1927 | %    |
|-------------------------------|-----------|------|
| Against public administration | 36        | 0,5  |
| Working position              | 580       | 9,1  |
| Religious                     | 2347      | 35,3 |
| Farming                       | 26        | 0,4  |
| Personal                      | 1372      | 21   |
| Property                      | 1185      | 18,6 |
| Protection of discipline      | 47        | 0,7  |
| Household                     | 454       | 7,1  |

As we can see, many religious crimes were committed in 1926-1927. This situation shows that during these years, human rights organizations fought the religious beliefs of the people as much as possible, that is, they pursued the policy of sovietizing the people. The growth of economic crimes



shows that the people were opposed to the political and economic campaigns that started to be conducted in a rough manner in these years.

In 1926-1927, the number of criminal cases reviewed by the courts: 32 cases were considered under the Criminal Code, while the criminal cassation department considered 632 cases. 5,513 cases were brought to the regional courts and 5,343 cases were completed [22]. Compared to previous years, the number of crimes in 1926-1927 decreased sharply. Considering the strengthening of the administrative-authoritarian system in those years, we cannot conclude that the numerical data on crimes are accurate.

The article entitled "The case of the place of investigation" published in the newspaper "Enbekshi Kazakh" proves that the work of the employees of police and criminal investigation organizations has worsened. It says: "Most of the organizations that are police and crime investigation organizations serve as assistants to people's courts. They don't help in providing assistance to people's courts, even worse, they affect negatively. The reason for this is that until today there are young people who are not very literate in reference organizations, and many of them try not to go on business trips... If the court and the prosecutor's office do not supervise, many works will not be completed. The proof of this is the report received from September, it was known that there are 1,200 cases in the reference organization of Kyzylorda region, and 300 cases in Shayaly region, which are not yet completed... [23]."

Since 1928, documents in the archival shelves associated with the legal authorities indicate that they were focused on the course of a particular campaign. That is, since these years, the legal bodies have adapted to the administrative-authoritarian system and have become its support. Since this year, law enforcement officers have begun mass trips to the countryside to prepare agricultural products, to carry out campaigns aimed at eliminating the Kazakh rich [22]. This circumstance asserts to the termination of prosecutor's supervision.

#### *Conclusion*

It is known that the soviets, having concentrated legislative and administrative functions in their hands and formed a single authority, created a centralized structure of the Soviet state. Subordination to law enforcement agencies operating in a hierarchical system did not allow them to act independently, as indicated in the Constitution. In the years when the administrative-authoritarian system was established in Kazakhstan and the party concentrated all the leading functions of the state in its hands, the mechanism of prosecutorial control ceased to exist. This process indicates that the prosecutor's office has become a body exercising control over the implementation of party policy. This process began in 1927-1928.

From 1925 to 1927, the prosecutor's control began to protect the revolutionary legality by condemning the traditions and customs of the local Kazakh people.

The absence of a law protecting the customs and traditions of the Kazakh people, who were part of the Soviet state, and the frequent adoption of measures aimed at eradicating the religion of the people, explain the Kazakhs' rejection of the Soviet system of government. It is also known that the Kazakh people suffered greatly from the political and economic campaigns carried out by the administrative-authoritarian system in 1927-1932. History has shown that from 1929 to 1931 there were 372 mass uprisings against the violence of the Soviet state.

The gross distortion of the articles of the criminal code, the formation of the United State Political Administration, its boards, the "triple" of the United State Political Administration, the formation of the "five", which had the possibility of pre-trial sentencing, shows the crisis of the Soviet system of power in the course of economic and political campaigns. That is, the system of power in the Soviet state was not initially formed properly. The Soviet system of power ignored the traditional power structure and local characteristics of the Kazakh people, and the famine of 1931-1932 became the tragic result of the policy of mass sovietization of the Kazakh people. With the beginning of political and economic campaigns, prosecutorial supervision ceased to function fairly and became an integral part of the administrative-authoritarian system.



The topic of the article that we are studying is based on a unique basis and is being studied for the first time. As a result, it shows that in the period of 1925-1928, the law-enforcement bodies carried out the policy of mobilizing the local population (attracting the poor to their side), deliberately divided the Kazakh nation into two opposing groups, and prepared articles of the Criminal Code against the customs and traditions of the Kazakh people. At the same time, it proves that not only individual leaders (Goloshchekin) had a direct impact on the establishment of the administrative- authoritarian (totalitarian) system in the Soviet state, but also the lack of a fair legal basis of the society.

It is known that the soviets, which concentrated the legislative and administrative functions and created a unified power, created the centralized state structure of the Soviet state. Subordination of the law enforcement agencies, which worked in a hierarchical system by submitting to each other, to the Soviets, limits their independent activity specified in the Soviet Constitution. Now the principles of the Constitution have remained verbatim. In Kazakhstan, an administrative-authoritarian system was gradually established, the leadership of the party over all state management functions increased, and the prosecutorial control mechanism stopped. This process mainly started in 1925, the year when Goloshchekin became the Executive Secretary of the Kazakh Regional Party Committee, supervision of the implementation of party policy by the prosecutor's office was undertaken, and this became normal in 1927-1928.

In conclusion, when we studied the activities of the law enforcement organizations in the Sovietization campaign in 1925-1932, we realized that the process of adaptation of the law enforcement organizations to the administrative-authoritarian system of power began actively in 1925 and was completely completed in 1932. In the legal documents, we found out that the organizations that are supposed to legally protect the people during these years adapted to serve the totalitarian order and abandoned their initial duties. This will be the main hypothesis of the research topic.

The administrative- authoritarian system regulated law enforcement officers on a class basis. During the selection process, not only the personal professional knowledge of the employees, their reputation among the people, but their ability to serve the established power system was given great importance.

Since the collapse of the Soviet system of power, which had an incorrect political and legal structure from the beginning, was an inevitable historical law, the Soviet state, which had existed for about 70 years, was finally dissolved, and today Kazakhstan has become an independent state. Now the new Constitution Law is placed above all.

The study of the structure of the prosecutor's office organization, its activities during the consultation of the people will have a positive effect on the future political development of independent Kazakhstan. The reason for the inappropriate actions that law enforcement officers cannot get rid of in modern law enforcement organizations have their origins from the 1920s and 30s. Therefore, the conclusions made in the research work can be used in the course of preparing monographs on the socio-economic and political history of Kazakhstan in the 1920-30s, writing textbooks, conducting elective courses and seminars. The research topic has great scientific and practical importance.

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**Сағнайқызы. С., Сартаев С.А.**

### **О ПРОВЕДЕНИИ ПОЛИТИКИ СОВЕТИЗАЦИИ ПРАВООХРАНИТЕЛЬНЫМИ ОРГАНАМИ В 1920-1930 ГОДАХ**

**Аннотация.** При составлении Уголовного кодекса в цивилизованных государствах учитываются обычаи и традиции доминирующей нации, живущей в этом государстве. Например, известно, что культурные особенности доминирующей нации в каждом штате США учитывались при составлении Уголовного кодекса. В государстве СССР наоборот, законодательная система республик, вошедших в состав СССР после Октябрьской революции, сложившаяся на протяжении веков, была забыта, и все республики были подчинены единообразному советскому уголовному кодексу. В республиках в составе СССР были созданы единичные правоохранные, административные организации, в которые были отобраны только работники из бедных слоев населения. Алашская интеллигенция, богатые и духовные деятели Казахстана и их потомки были дистанцированы от советских правозащитных организаций. Советские экономико-политические, культурные кампании, в которых допускались самые крупные преувеличения, проводились в рамках идеи советизации. В ходе консультационной кампании правоохранные организации отклонились от первоначальных требований службы, выполняли требования Коммунистической партии и стали подчиненными административно-командной системы. До настоящего времени не было написано фундаментальных исследований со стороны историков, касающихся деятельности казахстанских правозащитных организаций в данном направлении. Документы, внесенные в исторический оборот в рамках исследования,



свидетельствуют о том, что правовая система совета вела красный террор, ставила гражданское право местного населения на последнее место и приносила большие страдания.

**Ключевые слова:** революционная законность; тоталитаризм; административно-командная система; антагонистские сословия; прокурорский контроль; ОГПУ, политика советизации; особый совет.

**Сағнайқызы. С, Сартаев С.А**

### **1920-1930 ЖЫЛДАРДАҒЫ ЗАҢ ҰЙЫМДАРЫНЫҢ КЕҢЕСТЕНДІРУ САЯСАТЫН ЖҮРГІЗУ ТУРАЛЫ**

**Андапта.** Өркениетті мемлекеттерде Қылмыстық Кодекс жасалу барысында, сол мемлекетте өмір сүріп жатқан басым ұлттың салт-дәстүрлері мен әдет-ғұрыстары ескеріледі. Мысала, АҚШ мемлекетінің әр штатындағы басым ұлттың мәдени ерекшеліктері Қылмыстық Кодексті құрастыруда ескерілгені белгілі. КСРО мемлекетінде керісінше, қазан революциясынан кейін КСРО құрамына енген республикалардың ғасырлар барысында қалыптасқан заңдық жүйесі ұмыт болып, барлық республикалар біркелкі кеңестік Қылмыстық Кодекске бағынышты болды. КСРО құрамындағы республикаларда біркелкі құқық қорғау, әкімшілік ұйымдары құрылып, аталмыш ұйымдарға тек кедей табынан шыққан қызметкерлер іріктелді. Қазақстандағы Алаш зиялылары, бай және діни қызметкерлер және олардың үрім-бұтақтары кеңестік құқық қорғау ұйымдарынан алшақтандырылды. Аса ірі асыра сілтеушіліктерге жол берілген кеңестік экономикалық-саяси, мәдени науқандар кеңестендіру идеясы аясында жүргізілді. Кеңестендіру науқаны барысында құқық қорғау ұйымдары бастапқы қызмет талаптарынан ауытқып, коммунистік партия талаптарын орындап, әкімшіл-әміршіл жүйенің қолишоқпарына айналды. Қазіргі кезеңге дейін осы бағыттағы қазақстандық құқық қорғау ұйымдарының қызметіне қатысты тарихшылар тарапынан іргелі зерттеу жазылмаған десек қателеспейміз. Зерттеу тақыры аясында тарихи айналымға қосқан құжаттар кеңестің заң жүйесінің қызыл террорды жүргізіп, жергілікті қалықтың азаматтық құқығын аяқ асты етіп, үлкен қайғы-қасірет әкелгенін дәлелдейді. Бұл ахуалды біз қазақстандық прокуратура мекемесінің қызметі негізінде аштық.

**Кілт сөздер:** революциялық заңдылық; тоталитаризм; әкімшіл-әміршіл жүйе; антагонистік таптар; прокурорлық бақылау, ОГПУ; кеңестендіру саясаты; ерекше кеңес.