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**IMPLEMENTATION OF DEMOCRACY IN THE USSR IN THE  
SECOND HALF OF THE 50S – FIRST HALF OF THE 80S  
OF THE XX CENTURY: HISTORICAL AND LEGAL RESEARCH**

Specialty 5.1.1.Theoretical and historical legal sciences

**annotation**

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**Relevance of the research topic.** The relevance of the study of the mechanism of Soviet democracy in the second half of the 1950s-the first half of the 1980s is due to its role in shaping the institutional and legal foundations of interaction between government and society in the USSR. The analysis of this mechanism makes it possible to reconstruct a holistic political and legal model of democracy, to identify systemic relationships between its normative design and real functioning.

The significance of the Soviet period of people's power is determined by the accumulated unique experience of implementing the idea of people's power through the creation of a single organization of state and public institutions. The period of the second half of the 1950s – the first half of the 1980s is of special scientific interest as a phase of the most complete development of this model in the context of building a nationwide state. A comprehensive study of its normative foundations, institutional structure, and everyday practices makes it possible to overcome the fragmentary nature of existing scientific approaches, which are reduced to ideological apologetics or total denial of the legal content of Soviet democracy.

In the second half of the 1950s and the first half of the 1980s, an attempt was made to rethink and normatively strengthen the representative role of the Soviets of People's Deputies in the public power system of the USSR. While maintaining the previously established multi-level structure of councils, this period is characterized by the desire to return to them the importance of bodies that directly express the will of the people, which was manifested in the development of institutions of electoral mandates, mandatory reporting of deputies, expansion of the activities of permanent commissions, clarification of the competence of local councils, etc. The development of these forms of popular power was carried out within the framework of the concept of a nationwide state and was accompanied by detailed legal regulation of their status and powers. The study of this period allows us to determine the limits and possibilities of implementing democracy in a centralized state system.

Soviet experience has shown that the activity of institutions of popular power increases confidence in the state. The USSR remains a positive symbol for most modern Russians. According to statistics for 2023, 66% of Russians regret the collapse of the USSR. According to polls conducted by the Public Opinion

Foundation in 2023, 61% of Russians consider the Soviet era to be the best time in the country's history.

Statistical data demonstrate the willingness of modern Russians to participate in state affairs. 32% of Russians are ready to work in local self-government. In Moscow, the Active Citizen project attracted 4.5 million users, of whom 25% regularly vote for city initiatives. According to the RANEPА survey, in 2022, in regions with developed self-government (Tatarstan, Moscow), confidence in local authorities is 15-20% higher than the national average. However, the new law on local self-government does not include democracy among the principles of its organization.

At the same time, historical experience shows that taking into account the interests of various groups of the population reduces the risks of growing protest moods in society and making erroneous political decisions. Public control remains an effective tool in the fight against corruption. Attention to the needs of ethnic and socio-cultural groups, implemented through the institutions of democracy, helps to neutralize the threat of separatism.

Historical and legal research makes it possible not only to analyze the content of people's power as a historically developing concept in the system of power relations in Russia, but also to reconstruct the institutional structure, procedures and competencies of Soviet people's power bodies, models of their interaction with party and state bodies.

The obtained data on the legal mechanisms of self-taxation, public discussion and control, nomination and recall of deputies serve as a basis for assessing the continuity and discreteness in the development of Russian legislation on public participation in government. The obtained conclusions allow us to formulate recommendations for solving modern problems of legal regulation of institutions of direct participation of citizens in governance, territorial self-government and industrial democracy in the Russian Federation.

**The object of the dissertation research** is social relations that emerged in the USSR in the second half of the 1950s-first half of the 1980s in the process of formation and functioning of the state power system.

**The subject of the dissertation research** is theoretical and legal provisions on democracy, their expression in legislation, the system of relevant institutions and the practice of their functioning in the USSR in the second half of the 1950s-the first half of the 1980s.

**The purpose of the dissertation research** is to reconstruct the political and legal system of the Soviet people's power in the second half of the 1950s – first half of the 1980s in order to identify its legal nature, internal logic of construction and the real limits of the implementation of the power of the people in the USSR.

This goal is achieved by solving the following **tasks**:

- identify the main scientific approaches to democracy in law and formulate its concept on this theoretical basis;
- to characterize the change in theoretical and legal approaches to democracy within the framework of the doctrine of the all-people state in Soviet legal science;
- to reveal the mechanisms of legislative regulation of the Soviet people's power in the second half of the 50s – first half of the 70s of the twentieth century;
- to determine the specifics of the systematic construction of the legal institutions of democracy enshrined in the Constitution of the USSR of 1977, and their normative content in the legislation adopted on its basis;
- to identify the advantages and disadvantages of the activities of the organs of Soviet representative democracy in the second half of the 50s – the first half of the 80s;
- identify the theoretical foundations and features of the institutional structure and practical implementation of Soviet direct democracy in the second half of the 50s-first half of the 80s.

**The scientific novelty of the dissertation** consists in a systematic reconstruction and evaluation of the system of Soviet democracy based on the unity of its theoretical and regulatory foundations, law enforcement practice, which is the scientific novelty of the work and determines its theoretical and practical significance. Within the framework of solving individual research tasks, novelty is expressed in the following:

- it is established that in Russia, up to the end of the XIX century, the dialectical understanding of the people as a subject of spiritual life and an object of

state influence was reflected in the political and legal consciousness of Russians, in legislation and in the activities of the institutions of popular power that existed in different centuries. It is shown that since the end of the 19th century, the natural-law approach to the people as individuals consciously united by contract has become dominant in public law and remains so in the Russian Federation. The study highlights the disadvantages of this approach. Based on the Russian historical material, real and imaginary democracy is distinguished, and the principles that ensure the consolidating role of democracy are defined. The differences between people's power, self-government and democracy are revealed, and the definition of people's power is given;

- a change in the theoretical and legal structure of people's power in Soviet legal science within the framework of the doctrine of the all-people state was revealed, which consisted in the transition from the model of the dictatorship of the proletariat to the concept of the all-people state, in the theoretical identification of people's power and state power, and in the design of the system of forms of people's power as elements of a single state organization;

- the conceptual dualism of the mechanism of legislative regulation of the Soviet people's power in the second half of the 1950s – the first half of the 1970s is revealed. The parallel development of guaranteed socio-economic rights and declaratively limited political freedoms in the legislation of this period is considered as a coordinated legal strategy, where the detailing of socio-economic rights and the restriction of political freedoms were complementary elements of a system aimed at integrating the population into management in the social sphere;

- a systematic and structural study of the legal institutions of democracy enshrined in the 1977 Constitution of the USSR and their normative formalization in the legislation adopted in its development was conducted, which made it possible to establish the logic of building the constitutional structure of democracy, to determine its institutional core and procedural and guarantee elements, and to identify the nature of the normative correlation between laws;

- it is shown that the system of organs of the Soviet representative people's power in the second half of the 1950s-the first half of the 1980s combined: a) effective organizational and legal instruments of participation and feedback (first of

all, the institution of citizens' appeals, the work of permanent commissions and freelance structures attached to executive committees), which provided solutions to a significant part of local social and everyday issues; and b) stable restrictions on the representative function of councils of people's Deputies (the dominance of executive committees and the party-administrative vertical, the hierarchy of democratic centralism, formalization of reporting, orders and revocation), as a result of which the control mechanisms "from below" remained mainly declarative and disciplinary in nature;

- the features of direct people's power are formulated and systematized, and on this basis, the differentiation of forms of direct expression of the will of citizens (referendum, assembly, assembly) and institutionalized forms of public participation, organizationally included in the system of Soviet bodies (people's control, public self-activity bodies) is justified.

**Provisions of the dissertation research submitted for defense:**

1. Generalization of various scientific definitions of democracy not only shows a rich palette of its external expressions, but also helps to determine its stable characteristics. Democracy is a system of government. It is distinguished by the recognition of the people as a source of power. The power of the people in the system of people's power has sovereignty. Due to the multiplicity of interpretations of the sovereignty of the people's power, we note that in this study it is not identified with state sovereignty. People's power is guaranteed by a system of mandatory legal mechanisms and legally established procedures that ensure equal access to participation in the formation and exercise of public power; transparency of procedures for expressing the will, and legal responsibility for distorting the results of elections, referendums, and other forms of popular expression.

On this theoretical basis, the following definition of people's power is developed: it is a system of power relations based on the principle of people's sovereignty and implemented through a set of legally established and guaranteed institutions for direct and representative participation of citizens and their organizations in the exercise of state power and public self-government, ensuring

equal access to subjects of people's power, transparency of procedures, binding decisions and control over their implementation. execution (p. 8, 67).

2. The formation of the doctrine of the all-people state in the Soviet legal science of the 1960s and 1980s was accompanied by a significant transformation of the theoretical and legal understanding of the people's power. First, the design of the subject of democracy has been changed. Instead of the class model of the dictatorship of the proletariat, the concept of the "Soviet people" as a socio-political whole was introduced into scientific circulation, which formally gave the people's power a national character.

Secondly, the people's power began to be understood as an institutionally organized system of exercising public power, in which councils were recognized as the main form of expression of the people's will, and the participation of public organizations, labor collectives and other forms of organized social activity was considered as auxiliary mechanisms for involving the population in governance, functioning within and under the control of the

Third, the justification of people's power has shifted from revolutionary class legitimation to its explanation through the norms of socialist legality and the concept of self-government of the people, which reflects the shift of emphasis from the ideological justification of power to its formal legal construction.

The internal contradiction of this construction is revealed. The expansion of legal forms of public participation was combined with the preservation of ideological orientation and party predestination of political decisions, which limited the autonomy of the institutions of popular power and hindered their development as mechanisms for coordinating public interests (paragraphs 8, 67).

3. The mechanism of legislative regulation of the Soviet people's power in the second half of the 1950s and the first half of the 1970s was based on the differentiation of citizens' rights according to the method and degree of their legal support. Socio-economic rights were enshrined in industry codes and special laws, concretized through the establishment of the competence of state authorities and management, determining the procedure for providing relevant benefits (employment, social security, housing guarantees) and procedures for their

implementation. Thus, a regulatory framework for the exercise of these rights was formed.

Political and personal rights were mainly enshrined in general constitutional norms; the procedure for their implementation was detailed by bylaws and administrative practice, which objectively limited the independence of citizens in initiating, forming and expressing political will. This construction of legislation reflected the internal dualism of the Soviet model of people's power: the legal detailing of the social sphere was combined with the preservation of a centralized order for the exercise of public power (paragraph 45).

4. The Constitution of the USSR of 1977 established the people's power as a system-forming principle of the organization of the national state and for the first time gave it the form of an integral normative structure, including interrelated representative and direct institutions of public participation in public power. A special feature of this model was the hierarchical unity of the system of councils as the political basis of the state and the forms of direct expression of citizens' will provided for by law, which were institutionally developed in subsequent legislation (on the status of deputies, labor collectives, rural gatherings, etc.). However, it was revealed that the systematic nature of the normative structure was combined with the internal restriction of the autonomy of these institutions due to the constitutionally established governing structure, the role of the CPSU, which predetermined their dependent nature and the formalization of a number of democratic procedures in practice (p. 45).

5. In the activity of the organs of the Soviet representative people's power in the second half of the 1950s and the first half of the 1980s, a combination of institutional ramification and regulatory detail with a limited independent role of the soviets in the formation of state policy was revealed. The legislative formalization of the unified system of councils of people's Deputies — from the Supreme Soviet of the USSR to local councils — ensured the mass involvement of citizens in public activities, the consolidation of institutions of appeals, instructions of voters and

reporting of deputies, as well as the creation of organizational conditions for solving socio-economic problems at the appropriate levels of government.

At the same time, the principle of the leading role of the CPSU and the hierarchical structure of the system of state authorities determined the subordinate nature of the councils' activities on the main issues of political development. In the presence of formally established powers in the field of representation of the interests of the population, the soviets were limited in determining the strategic directions of state policy and carried it out mainly within the framework of set party-state guidelines. Thus, the internal contradiction of the Soviet model of representative democracy was revealed, which was expressed in a combination of broad regulatory regulation and a developed organizational structure with the institutional dependence of representative bodies on a single center of political leadership (p. 45).

6. In the second half of the 1950s and the first half of the 1980s, Soviet legal science developed a theoretical construction of direct people's power, which defined it as the exercise of power through the direct expression of the will of citizens without representative mediation and with a legally binding nature of decisions made within the established competence.

It is established that this construction was fixed in the legislative norms regulating gatherings and meetings of citizens, national discussions, as well as other forms of direct participation. However, the mechanism of their implementation was built into the hierarchical system of public administration. The right to make decisions at the local level was combined with the dependence of their execution on administrative and material support on the part of higher-level bodies.

Thus, the Soviet direct people's power was a normalized institution of public participation in public power, which had a formally defined competence, but functioned under the conditions of institutional subordination to a centralized management system, which caused a discrepancy between the scope of the assigned powers and the actual limits of their implementation (paragraphs 45,67).

**The results of the dissertation research** were tested during regular discussions of the dissertation research at the Department of Theory and History of Law and State of the South Russian Institute of Management, a branch of the RANEPА under the President of the Russian Federation. The thesis was presented

as reports at six international and All-Russian scientific and practical conferences in Moscow, Rostov-on-Don, Voronezh, Taganrog, and Ulan Ude.

The materials of the dissertation research are used in the educational process at the RANEPA YURIU in the course of teaching such disciplines as "History of the State and Law of Russia", "Actual problems of theoretical and historical legal research".

The topic of the dissertation research corresponds to the passport of the scientific specialty 5.1.1. Theoretical and historical legal sciences.