

## Экстерриториальный принцип деятельности горских словесных судов Терской области в 1871–1918 гг.

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**Аннотация.** В статье рассматривается экстерриториальный принцип организации деятельности горских словесных судов Терской области в 1871–1918 гг. Рассмотрена территориальная подведомственность Нальчикского, Грозненского, Веденского, Хасав-Юртовского, Шатоевского и Назрановского горских словесных судов. Обращается внимание, что на фоне частых административно-территориальных преобразований в области (изменение границ округов и отделов, смена их наименований и т.п.) их территориальная подведомственность практически не менялась. Делается вывод, что экстерриториальный принцип их деятельности проявлялся в разных вариациях: когда к подведомственности одного суда относились представители разных народов, проживавших на территории одного округа; когда к подведомственности одного суда относились представители одного народа, проживавшего на территории разных округов (отделов); когда на территории одного округа создавалось более одного суда.

**Ключевые слова:** Терская область, судебная система, горский словесный суд, экстерриториальный принцип, территориальная подведомственность

### ЛИТЕРАТУРА

1. Abazov A.Kh. *Gorskie slovesnye sudy Terskoy i Kubanskoj oblastey v 1871-1918 gg.* [Mountain verbal courts of Terek and Kuban regions in 1871–1918]. *Istoriya gosudarstva i prava*. 2015. No 23. Pp. 58–63. (In Russian)
2. Abazov A.Kh. Documentation of the activities of the Nalchik Mountain Court of Words: paperwork and external communication. *Elektronnyy zhurnal «Kavkazologiya»* [Electronic journal “Caucasology”]. 2022. No. 4. Pp. 239–255. (In Russian)
3. Abazov A.Kh. *Nal'chikskiy okrug v sudebnoy sisteme Terskoy oblasti (poslednyaya tret' XIX – nachalo XX v.)* [Nalchik district in the judicial system of the Terek region (the last third of the XIX – the beginning of the XX century)]. Nal'chik: Izdatel'skiy otdel KBIGI, 2014. 108 p. (In Russian)
4. *Adygi. Adygeytsy. Kabardintsy. Cherkesy. Shapsugi* [Adygi: Adygea. Kabardians. Circassians. Shapsugs]. Ow. reds. A.Kh. Abazov, A.V. Kushkhabiev et al. Moscow: Nauka, 2022. 870 p. (Seriya “Narody i kul'tury”). (In Russian)
5. Arsanukaeva M.S. *Gosudarstvenno-pravovaya politika Rossiyskoy imperii v Chechne i Ingushetii (XIX – nachalo XX vv.)* [State-legal policy of the Russian Empire in Chechnya and Ingushetia (XIX – early XX centuries)]: avtoref. diss.... d-ra yurid. nauk. Moscow, 2010. 51 p. (In Russian)
6. Babich I.L. *Evolyutsiya pravovoy kul'tury adygov* [Evolution of the legal culture of the Adyghs]. Moscow: Rossiyskaya gosudarstvennaya biblioteka, 1999. 239 p. (In Russian)

7. *Veka sovместnoy istorii: narody Kabardino-Balkarii v rossiyskom tsivilizatsionnom protsesse (1557–1917 gg.)* [Centuries of joint history: the peoples of Kabardino-Balkaria in the Russian civilizational process (1557–1917)]. Nal'chik: Izdatel'skiy otdel IGI KBNTs RAN, 2017. 544 p. (In Russian)

8. Kobakhidze E.I. Gorsky verbal court and the problem of re-organization of legal proceedings for the highlanders of the Central Caucasus. *Sotsiokul'turnye i politicheskie problemy vysokogornyykh rayonov Kavkaza: proshloe, nastoyashchee, budushchee: materialy Vserossiyskoy nauchnoy konferentsii. Karachaevsk, 28–30 oktyabrya 2010 goda.* Karachaevsk: Karachaevo-Cherkesskiy gosudarstvennyy universitet im. U.D. Alieva, 2010. Pp. 212–219. (In Russian)

9. Prasolov D.N. *S"ezdy doverennykh v praktikakh mestnogo samoupravleniya kabardintsev i balkartsev vo vtoroy polovine XIX – nachale XX v.* [Congresses of Kabardians and Balkarians trusted in the practices of local sa-municipal management in the second half of the XIX – early XX century]. Nal'chik: Izdatel'skiy otdel IGI KBNTs RAN, 2019. 208 p. (In Russian)

10. Saydumov D.Kh. Rural aul and Mountain verbal courts of the Terek region: the procedure for the production and decision of cases in rural courts. *Evropeyskiy zhurnal sotsial'nykh nauk.* [European Journal of Social Sciences]. 2010. No. 3. Pp. 132–137. (In Russian)

11. Urushadze A.T. "Imaginary Justice": mountain verbal courts and the problem of judicial and administrative reform of the Caucasus Region in the materials of the revision of N.M. Reinke. *Noveyshaya istoriya Rossii* [Contemporary history of Russia]. 2019. Vol. 9. No. 4. Pp. 914–927. (In Russian)

12. *Antologiya pamyatnikov prava narodov Kavkaza. Tom. 5. Pamyatniki prava adygov (cherkesov)* [Anthology of monuments of the law of the peoples of the Caucasus. Vol. 5. Monuments of the law of the Adygs (Circassians)]. Rostov-on-Don: Izdatel'stvo SKAGS, 2013. 812 p. (In Russian)

13. *Mezhdu tsentralizmom i regionalizmom: administrativnye preobrazovaniya na Tsentral'nom Kavkaze v 70-kh gg. XIX – nachale XX v.: sbornik dokumentov* [Between centralism and regionalism: administrative transformations in the Central Caucasus in the 70s of the XIX – early XX century: collection of documents] / Sost., vstup. st., komment. E.I. Kobakhidze. Vladikavkaz: IPTs SOIGSI VNTs RAN i RSO-A, 2014. 225 p. (In Russian)

14. *Khrestomatiya po istorii gosudarstva i prava Kabardino-Balkarskoi Respubliki (poslednyaya tret' XVIII – nachalo XXI v.)* [A textbook on the history of state and law of the Kabardino-Balkarian Republic (the last third of the XVIII – the beginning of the XXI century)]: textbook. Nal'chik: KBGU, 2015. 268 p. (In Russian)

15. *Otchet po glavnomu upravleniyu namestnika Kavkazskogo za pervoe desyatiletie upravleniya Kavkazskim i Zakavkazskim kraem E.I.V. velikim knyazem Mikhailom Nikolaevichem. 6 dekabrya 1862 – 6 dekabrya 1872 g.* [Report on the general administration of the Governor of the Caucasus for the first decade of the administration of the Caucasian and Transcaucasian territory by E.I.V. Grand Duke Mikhail Nikolaevich. December 6, 1862 – December 6, 1872]. Tiflis: Tipografiya glavnogo upravleniya namestnika kavkazskogo, 1873. 62 p. (In Russian)

16. *Rossiiskii gosudarstvennyi istoricheskii arkhiv* [The Russian State Historical Archive]. F. 1405. Op. 71. Ed. khr. 4217. (In Russian)

17. Reinke N.M. *Gorskie i narodnye sudy Kavkazskogo kraja* [Mountain and People's Courts of the Caucasus Region]. Sankt-Peterburg: Senatskaya tipografiya, 1912. 71 p. (In Russian)

18. *Sbornik svedenii o Terskoi oblasti* [Collection of information about the Tersk region]: Vyp. 1 / Red. N. Blagoveshchenskiy. Vladikavkaz: Tersk. obl. stat. kom., 1878. 382 p. (In Russian)

19. *Terskiy kalendar' na 1915 god* [Terek calendar for 1915]. Vyp. 24/Red. S.P. Gortinsky. Vladikavkaz: Izd-vo Terskogo obl. stat. kom., 1915. 221 p. (In Russian)

20. *Materialy po obozreniyu gorskikh i narodnykh sudov Kavkazskogo kraja. Sobrany pod nablyudeniem i.o. ober-prokurora obshchego sobraniya kassatsionnykh departamentov Pravitel'stvuyushchego Senata N.M. Reinke, chlenom Moskovskoi sudebnoi palaty N.M. Agishevym i tovarishchem prokurora Tambovskogo okruzhnogo suda V.D. Bushenom* [Materials on the review of the mountain and people's courts of the Caucasus region. Collected under the supervision of Acting Chief Prosecutor of the General Meeting of Cassation Departments of the Governing Senate N.M. Reinke, member of the Moscow Judicial Chamber N.M. Agishev and comrade prosecutor of the Tambov District Court V.D. Bushen]. SPb.: Senatskaya tipografiya, 1912. 278 p. (In Russian)

21. Albogachieva M.S.-G. *Funktsionirovanie v Ingushetii trekhzvennogo suda: adatnogo, shariatskogo i rossiiskogo (XIX v.)*. [Functioning of a three-tier court in Ingushetia: adat, sharia and Russian (XIX century)]. *Lavrovskii sbornik. Etnologiya, istoriya, arkhologiya, kul'turologiya: Materialy XXXIII Sredneaziatsko-Kavkazskikh chtenii 2008-2009 gg.: k stoletiyu so dnya rozhdeniya L.I. Lavrova* [The Lavrov collection. Ethnology, history, archeology, cultural studies: materials of the XXXIII Central Asian-Caucasian Readings of 2008–2009: on the centenary of the birth of L.I. Lavrov], Sankt-Peterburg, 15–17 maya 2008 goda. Sankt-Peterburg: Muzei antropologii i etnografii im. Petra Velikogo (Kunstkamera) RAN, 2009. Pp. 114–118. (In Russian)

22. *Terskii kalendar' na 1896 god* [The Terek calendar for 1896]. Vyp. 5 / Red. G.A. Vertepova. Vladikavkaz: Izd-vo Terskogo obl. stat. kom., 1895. 410 p. (In Russian)

23. *Vsepoddanneishii otchet nachal'nika Terskoi oblasti i nakaznogo atamana Terskogo kazach'ego voiska o sostoyanii oblasti i voiska za 1914 god* [The most comprehensive report of the chief of the Tersk region and the ataman of the Tersk Cossack army on the state of the region and the army in 1914]. Vladikavkaz: Tip. obl. pravleniya Tersk. obl., 1915. 103 p. (In Russian)

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