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**Social and Economic Consequences of the Possessory Remedies in
Imperial Russia**

A strict distinction between the possessory remedies and the petitory action (droitural action) had been provided under the legislation of the Russian Empire from the second half of the XIX century.

But huge discussions took place on bringing of the protection of possession into correlation with the protection of ownership due to the obscurity and incompleteness of the statutory provisions.

The doctrine and the jurisprudence of courts inspired by the French, German and other foreign experiences as applied to the interpretation of the domestic statutory provisions produced contradictory solutions on the subject of the possessory remedies' permissibility for the restitution of the possession of moveables. A standard practice was lacking also in regard of the protection of a mere detention of property, of the admissibility of documents as written evidences against the possessory actions, of the understanding of the concept of possession in its practical application, and in some other aspects. Finally it was really disputable if the petitory plea could be effectively opposed as a point of defense against the possessory action and if the latter should be precluded by the limitation of actions.

Besides, the jurisdiction over the subject matter of the possessory disputes belonged to the justices of the peace. On the other hand the petitory (droitural) action was in the exclusive jurisdiction of the district courts. That sometimes led to the contradictory decisions despite that the basis of the both claims and the evidences provided to support them were identical.

At the end of the day, all that accompanied with the serious defects in the legal construction of the acquisitive prescription under the Russian law often resulted in application of the possessory remedies for the effective spoliation of someone else's property. The situation provoked a huge increase of number of the crimes of violence and the augmentation of damages to the national economy.

That is why the majority of judges in Imperial Russia resisted to the incorporation of the possessory remedies in the Draft of the Civil Code of the Russian Empire, which finally failed due to the Revolution of 1917.