

## HISTORY OF THE JUDICIAL SYSTEM OF KASHKADARYA REGION (20s of the 20th Century)

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### Abstract:

The article also discusses the features of the judicial system of the Soviet era and their impact on public life.

**Keywords:** Soviet period, Soviet judicial system, Kashkadarya region, judicial bodies, socio-political life, local population, historical analysis, judicial reforms.

### Introduction

The establishment of judicial bodies in the Kashkadarya region and their activities had a significant impact on the lives of the local population. Additionally, the introduction of the new judicial system led to conflicts with local traditional legal processes, which in some cases resulted in dissatisfaction among the local people. During this period, issues such as ensuring fair and effective enforcement of court rulings, combating crime, and maintaining social justice in rural and urban areas became particularly important.

Throughout the 1920s and 1930s, changes in the judicial-legal system had a strong influence not only on the legal sphere but also on social and economic transformations. The reforms implemented during these years and the innovations in the judicial-legal system are seen as practical outcomes of Soviet government policy. This study analyzes the historical sources of changes in the judicial-legal system in the Kashkadarya region, their practical implementation, and their impact on the lives of the local population.

On October 8, 1920, the Bukharan People's Soviet Republic (BNSR) was established, and Karshi province initially became part of it. On October 1, 1924, Kashkadarya district was included. During this period, like other provincial organizations and institutions, the province was required to have a court chairman and judges.

On October 8, 1924, with order No. 90 from the Ministry of Justice of the BNSR, district courts were established in all provinces, and the following structure was set up in Kashkadarya: the province's court chairman (the name is not mentioned, possibly due to no appointment at the time), deputy Abdul Gafurov, board members Sladkevich and Khoja Said Murodov, prosecutor Izmailov, his assistants Mulla Yusuf Khusainov and Klevakin, investigators Nepeklov, Sagitov Abdurakhmon, Mulla Ahmad Rajabov, and secretaries Zhil Murod Adina Murod and Muhammad Murod Nur.

In Kashkadarya, the first provincial court chairman in 1924 was Bogdan Nosirov. He was born in 1902 in Orenburg province, with a middle level of education, and was married, coming from a peasant background. Nosirov had been a member of the Communist Party since 1920, and in the early 1920s, he worked in the Cheka and GPU. He was fluent in Uzbek, Russian, Tajik, Kyrgyz, and Arabic. According to the latest information in his personal file, Nosirov was summoned to the



Central Committee of the Communist Party of Uzbekistan by order No. 43 on May 7, 1925, and appointed Gafurov as the acting court chairman in his absence [3: p. 95].

Those appointed as judges were not given specific certificates, but rather information confirming their status as judges was written on a half-sheet of paper. When they traveled to districts for trials, they were equipped with "Nagant" and other types of firearms, and the weapon's serial number was recorded on the paper serving as the certificate. Even court secretaries, when traveling to Tashkent, Bukhara, and Samarkand to obtain office supplies, were also provided with firearms. Some examples are listed below.

On April 26, 1926, a travel authorization was issued to Konstantin Zhivaev, the senior secretary of the provincial court, for traveling to the cities of Bukhara and Tashkent to procure office supplies and inventory. He was provided with a "Nagant" revolver, serial number 30786, as documented in the certificate.

After the establishment of the Kashkadarya region within the Uzbek SSR in 1925, the first chairman of the regional court was Abdurakhim To'raev. According to the minutes of meeting No. 35 of the Kashkadarya Oblast Executive Committee (Obkom) on September 7, 1925, the activity of the regional court was deemed unsatisfactory, with special attention drawn to the importance of the courts in major political events such as Sovietization of the region and the fight against banditry. Furthermore, it was suggested that the People's Commissariat of Justice increase the number of members of the regional court from three to five, appoint a Europeanized judge due to the growing number of cases in Russian, promptly establish a bar association, and send experienced investigators.

According to the minutes of the Obkom's meeting No. 7 on December 12, 1925, To'raev was dismissed from his position as chairman of the regional court, and Norbek Rustambekov (a party member since 1918), a member of the regional court, was recommended to take his place. Additionally, it was suggested that assistant prosecutor Mansurov be dismissed for incompetence. Later, there were reports sent to the Central Committee regarding suspicions of corruption against To'raev.

In 1925, the main justice-related institutions in Kashkadarya included the regional court, four people's courts, four investigative districts, and a notarial office. The minutes of meetings from that period consistently rated the activities of the courts and investigative bodies as unsatisfactory. The reasons cited were the novelty of Soviet laws, the lack of experienced personnel, ineffective leadership by the Republic's People's Commissariat of Justice, and poor communication between the regional court and local people's courts.

In 1925, the investigators in Be-Budi city handled 110 criminal cases, but only 33 (30%) were resolved. In the Guzgor district, 60 out of 85 cases (70%) were completed, while in Shakhrisabz, only 14 out of 73 cases (19%) were resolved. The regional court reviewed 53 criminal cases, leading to 108 convictions and 13 acquittals. The majority of the criminal cases involved banditry and offenses against the administrative order. Up until this time, all cases had been handled by the Qazi (Islamic judicial) courts.

At the meeting of the Kashkadarya Regional Executive Committee's Secretariat on April 18, 1925, recommendations were made for the upcoming mobile session of the Supreme Court Tribunal of the Republic. It was suggested that Isoxon Zokirov, Boymuhametov, and Islom Hamidov serve as prosecutors, while Yusufiy, Divishev, and Qori Abdullayev be appointed as defense attorneys.



In June 1926, Rustambekov was replaced by Sultonov as chairman of the regional court. According to documents, on December 15, 1926, Ortik Ibromkhimkhojayev assumed the role of regional court chairman. Ibromkhimkhojayev was born in 1899 in Kattakurgan and had been a member of the Communist Party since 1924. Despite having a limited education and starting his career in the judiciary in 1925, he had four children.

On October 3, 1928, Petr Moiseevich Zusser was appointed deputy chairman of the district court. Born in 1887 in Vitebsk, Zusser completed primary school in 1903. He served in the Russian Imperial Army from 1914 to 1917 and was a member of the military tribunal in the Red Army from 1920 to 1924. A party member since 1919, Zusser had worked in the judiciary since 1920, holding positions as deputy in Khorezm, Samarkand, and Kattakurgan district courts from 1926 to 1928. He had two children.

Another member of the regional court, Rahmatullaev Negmatullo, was born in 1901 in Be-Budi city. His father was a craftsman. In 1920, Rahmatullaev graduated from a teacher training school and worked as a teacher for six months. He began working in the Komsomol, served as a prison guard for seven months, and later became the deputy head of the police in Guzor. After studying at the Soviet Party School in 1927, he became a member of the regional court in 1928.

Women were also appointed as judges during this time. For example, Komilova Khafiza, born in 1907, completed a literacy course in Be-Budi city in 1927. She worked as a teacher in a pedagogical college and later became the head of women's clubs in Beshkent and Guzor in 1929. On April 1, 1936, she was appointed as the judge of the 81st district people's court in Be-Budi city.

At that time, there were 10 cameras under the jurisdiction of the people's courts, with 8 located in districts and 2 in Be-Budi city.

The 1920s and 1930s saw significant challenges and problems in the process of establishing the Soviet judicial system in Kashkadarya region. The novelty of Soviet laws and the lack of experienced personnel made it difficult to ensure the efficiency of the judiciary. Due to shortcomings in the proper management and effective organization of court affairs by central leadership, the region's judicial bodies faced operational difficulties.

In conclusion, the process of forming the Soviet judicial system in Kashkadarya was marked by many shortcomings. Although the challenges faced in establishing the judiciary during this period provided lessons for the future development of the judicial system, the lack of properly implemented reforms at the time negatively impacted its efficiency.

### References:

1. Archive of Kashkadarya region (AKR). Fund R-57, list 1, case 193.
2. AKR, Fund S-172, List 1, Case 68, Sheet 2-10.
3. Qonun-adolat ko'zgusi Qashqadaryo viloyati prokuraturasi: kecha va bugun, Toshkent: "Tamaddun". 2022. -B.105.

