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## ORGANIZATION AND ACTIVITIES OF THE PEOPLE'S COMMISSARIAT OF JUSTICE OF THE TURKESTAN ASSR

**Abstract:** This article describes the establishment, structure, functions and activities of the Turkestan ASSR People's Commissariat of Justice on the basis of extensive archive data. They also analyzed the problems and contradictions in the activities of the commission and the policy of the Soviet power in the judicial system.

The national and social composition of the most active personnel in Turkestan system, their information is terminated.

**Key words:** Turkestan ASSR, Ferghana, Council of People's Commissars, People's Commissariat of Justice, Congress, Regulations, Charter, governing system, judicial bodies, Soviet authorities, departments, cadres.

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### Introduction

Following the establishment of the Bolshevik Soviet power in Turkestan, the highest governing bodies were created to serve their interests. One of such governing bodies was the Council of People's Commissars, established on the basis of the Regulations adopted at the V Congress of the Soviets in 1918. The Council of People's Commissariat (CPC) of the Republic of Turkestan (the Republic of Turkestan) was composed of 16 commissars and included eight Bolsheviks and 8 Nassaris on a parity basis [1, P. 84].

### Literature review

The first information on the organization and activity of the People's Commissariat of Justice in Turkestan is presented in the scientific work of H.Sulaymanova [2]. It can be seen later that a number of aspects of the subject have been uncovered by a number of researchers. In particular, M. Kasymova, A. Akhmadeev, M.Makhbubov and other scholars in their dissertation research have focused on the structure, powers and functions of the Turkestan ASSR.

In the history of modern homeland of Uzbekistan, scientific researches of M. Haydarov [4], A. Ermetov [5], D. Komolov [6], A. Abdullaev [7] provide important factual information on a number of aspects of the subject.

### Research methodology

In the Turkestan ASSR, the methods used in the establishment of the People's Commissariat of Justice, its structure, objectives and activities, have been recognized in modern history as historical, objective, systematic, comparative analysis, problem-based and interdisciplinary approaches.

### Analysis and results

The People's Commissariat of Justice of the Republic of Turkestan was established by the decision of the Council of People's Commissars on November 23, 1917. Kh. Ibragimov was elected as the first people's commissioner of justice [9, P. 159].

In 1918, the Central Executive Committee of Turkestan adopted a "provisional Regulation on the Commission of Justice of the Republic of Turkestan", consisting of 3 sections, 21 points. According to the

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charter, the Justice Commissioner of the Republic was elected and dismissed at the Republican Congress of Muslim Workers' Deputies. The Commissioner of Justice is entrusted with a single procedure of executive power, with the following powers:

- hiring and dismissing all staff (except department heads) at the Commissariat;
- develops measures to ensure the implementation of decrees adopted by the higher governing bodies and oversees the implementation of their tasks;
- supervision over the activities of subordinate bodies and employees, in case of non-fulfillment of their duties or failure to act in accordance with the established legal framework, when they commit a crime;
- allowed forcible resolution of difficulties and misunderstandings in enforcement of the decrees and regulations adopted by the judicial authorities;
- has taken important decisions in the case of emergencies without the participation of higher authorities [11].

In 1918–1919, the Commission of Justice consisted of the following divisions:

1. Department of supervision of the Russian courts.
2. Department of the local courts.
3. Department of Prison Control.
4. Advisory Board.
5. Stationery [12].

For comparison, at the time the RSFSR established the People's Commissariat of Justice, it had 6 sections: judiciary and personnel, legislative initiative and codification, law publishing, secretariat, administrative, prison, [13, P. 126].

Each unit consists of the head of the department, his assistant, the secretary, the office staff, and the staff. The heads of departments were appointed and dismissed by the Turkestan Public Service Commission on the recommendation of the Commissioner of Justice. The Advisory Board of the Commission consisted of five members from the Turkestan Attorney's Office, Russian Courts and local courts. Special emphasis is placed on the commitment of the Bolshevik ideology to all members of the Justice Commission, including lower level officers (courier, guard, gatekeeper).

It should be noted that the Turkestan Justice Commission, like other Soviet authorities, has built its activities on a number of shortcomings and problems. One of the main problems with the Turkestan justice bodies in 1917–1918 was financial shortages. It was common during this period that the salaries of justice officials were not paid on time. Even ordinary courthouses in justice institutions have not been given much money. The same can be seen in a letter from the chief justice of the Perovsk district, Nikolai Uspensky, to the Turkestan justice commissioner.

It can be seen that in the programs of a number of political organizations organized by local intellectuals in the country, the activities of judicial authorities in the system of public administration are highlighted. In particular, the Memorandum, adopted on July 12-14, 1917 at the first convention of the Turkic Center Center in Ferghana, highlighted the activities of the judiciary. The eighth chapter, entitled "Issues of Justice", contains six articles. Article 1 of the Code of Conduct states that judicial and judicial authorities should be free from any interference and obey the Shariah and the law. Article 3 of the document states that it is necessary not to intervene in the activities of the judiciary for various reasons, but to act independently [15, P.7-8].

In accordance with the "Statutes on Justice Departments" adopted by the Central Executive Committee of Turkestan ASSR in 1919, organizational, administrative, legal and legal functions were assigned to the local justice departments. However, the regional justice departments have not been able to complete these tasks at all. The Commissioner of Justice, in his 1919 report, noted that the central and local branches of the justice system were dissatisfied with the activities of state bodies and citizens, and that the justice agencies did not play a role in the system of public administration [16]. As a result, there was a need to reform the judicial system of the Turkestan ASSR. In particular, according to the decision of the Commissioner of Justice Kh. Ibragimov, the activity of the Justice Department in Tashkent was abolished and its functions and responsibilities were transferred to the legal consultant under the city executive committee. The structure of the central office of the system was also changed. On the basis of the "Statute on the People's Commissariat of Justice of the Republic of Turkestan" adopted on July 20, 1920 by the Central Executive Committee of Turkestan, the following departments were established in the commission:

1. Department of judicial construction and judicial control;
2. Division of Law Publishing;
3. Department of planning and accounting;
4. Punishment Division [17].

The position of legal counselor (instructor) was introduced in each department.

Each department in the People's Commissariat of Justice was assigned specific tasks, of which sections I, II and IV played the main role.

In accordance with the Regulation 315 "On the Provision of Justice in the Provinces", adopted by the Central Executive Committee of Turkestan on July 20, 1920, the work of the departments of justice in the field began. The head of the regional department of justice was elected by the regional executive committee, whose nomination was approved by the People's Commissar of Justice [18]. Initially, the main

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task of the regional justice departments was to oversee the work of judicial bodies in the respective area. According to the same Charter, Justice Divisions were also established in the districts [19].

According to archival sources, the level of education and social status of the system's employees is poor. For example, the average age of People's Courts in Tashkent District is over 30, with two of them having a higher education degree [21]. An analysis of the sources shows that even responsible employees in the system were employed even with no education at all.

In addition to the low level of staffing in the justice commission, shortage of staff is common. In 1920, there were 72 states in the central administration of the People's Commissariat of Justice, with 42 employees. In 1921, there were 86 employees, with 170 units. In the regional offices of the Commission, 11 employees were employed [22]. This in turn caused a number of shortcomings and difficulties in the operation of the system.

According to archival documents, in 1922 the People's Commissariat of Justice had 52 employees, 16 of them with higher education, 13 with secondary education and 18 with primary education. In addition,

there were five staff members who had no background in the commission [23].

Although the Soviet authorities had adopted numerous plans and programs for staffing the judiciary, they were not implemented during the Turkestan ASSR government. This can also be seen in the information on periodicals [24].

Another challenge for the Commissioner of Justice was the involvement of justice officials in various activities by higher authorities. At the first convention of heads of justice of the Turkestan ASSR, held in Tashkent on September 3, 1919, liberation of judges and investigators from military mobilization was a major issue. [25, P. 47]

## Conclusion

To conclude, the Justice Ministry of the Republic of Turkestan, like all the other governing bodies of the Soviet Union, acted in a classical manner. Due to the inherent bias in the system, a number of shortcomings and failures in the work of the commissariat have occurred. This can be seen in the central and local offices of the commission, as well as in the work of its staff.

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