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PROBLEMS OF PROVIDING THE JUDICIAL BODIES OF KASKADARYA AND SURKHANDARYA REGIONS WITH STAFFING DURING THE YEARS OF WORLD WAR II

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Abstract:

This article analyzes the staffing and operational challenges of judicial bodies in the Kashkadarya and Surkhandarya regions during World War II. The study examines court procedures in frontline and rear areas, case processing timelines, legal and organizational issues, as well as the performance of people's judges and the shortage of qualified personnel. The results indicate that during the war, the lack of staff, increased workloads, and organizational deficiencies significantly affected judicial processes.

Keywords: judicial bodies, staffing, World War II, Kashkadarya, Surkhandarya, people's judges, case processing, legal issues, workload, organizational challenges.

Introduction

During World War II, the role of military tribunals in the front and rear areas was strengthened. They were engaged in punishing cases of discipline at the front, desertion[1], causing injury, and looting[2]. Starting in 1941, the judicial system was reorganized along military lines. Most courts were mobilized to the battlefields. Civil and criminal courts worked in closer cooperation with law enforcement agencies. The tendency to increase punishment in judicial proceedings intensified.



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On April 16, 1941, at a meeting of the executive committee of the Surkhandarya regional council, the issue of approving members of the regional court was considered, and Gani Ganievich Iskandarov and Toyir Akbarov were approved as members of the Surkhandarya regional court[3].

Also, in 1940-1943, the chairman of the Surkhandarya regional court was U. Shodibekov, and in 1939-1941, Popova Maria Nikolaevna and in 1940-1943, Chaqqonov Rajab served as deputy chairman. Also, in 1943, Saibnazarov, Buriev, Ashurova worked as judges, and in 1949-1953, Palvanov Yakov Ilntanovich worked as judges. Akbarov Toyir Rakhimovich, Mikhalyovs worked as judges of the regional court in 1940-1941 and 1946-1951, Iskanderova Galina Galeevna in 1941, Radygin Vasily Spiridonovich in 1946, and Nafikovs in 1948-1949[4].

Main part

In 1941, when the collegium of the People's Commissariat of Justice of the Uzbek SSR inspected the activities of the courts and NKVD bodies in the Surkhandarya region, many shortcomings and organizational shortcomings were revealed. In carrying out orders No. 106 and 112 of the People's Commissariat of Justice of the USSR, the head of the Surkhandarya regional Justice Department, Ernazarov, did not draw sufficient political conclusions and did not effectively organize the work in the regional justice bodies. As a result, the work situation in some people's courts did not improve, but rather worsened even in wartime. For example, in the 2nd district people's court of Termez city, 7 cases remained unprocessed on July 1, but by September 1, the number of unprocessed cases had reached 58. In the Saryosiyo district, a backlog of one and a half months had accumulated, and in the Boysun district, two months [5].

Surkhandarya regional courts routinely violated the deadlines for processing cases. 33 percent of speculation cases[6] were processed within 5 days, and 56.6 percent



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of embezzlement cases within 10 days. At the same time, courts were liberal in their approach to crimes such as robbery, theft of socialist property, and hooliganism, often imposing light sentences. For example, regional courts sentenced 60 percent of those convicted of such crimes to up to two years in prison, while some courts continued to impose non-custodial sentences even in theft cases. 12 percent of embezzlement cases were sentenced to correctional labor at work, and 16.1 percent of thefts of social property were sentenced to correctional labor. Also, in the 1st Precinct People's Court of Denov District, People's Judge Karaev initially sentenced Aminov to one year in prison under Article 116 of the Criminal Code, but later commuted it to correctional labor. These circumstances indicate the need for serious political and organizational measures by the judicial authorities.[7] The regional department of justice and the regional court did not sufficiently study the causes of these shortcomings in the judicial bodies, and did not take appropriate measures. The activities of the judiciary and executive bodies were extremely unsatisfactory, and a number of orders of the USSR People's Commissariat of Justice were not implemented. People's judges did not systematically control the activities of bailiffs. Also, people's judges did not report on their activities to the public and voters, and only 11 reports were submitted in four months. The regional court did not take sufficient initiative in guiding people's courts, generalizing their work, and providing assistance[8].

Due to the slow pace of work of the bailiffs of the Surkhandarya region, the number of pending cases did not decrease from quarter to quarter. In particular, in the second quarter of 1941, a report was submitted with a backlog of 415 cases in 7 departments, and another 500 cases were received during the quarter. In the third quarter, 657 cases were received, the backlog was 542, and reports were submitted in 7 departments. In the fourth quarter, reports were submitted in 11 departments, the backlog was 542, and the balance was equal to 1.5 months of work. Also, the



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People's Court of the 1st Precinct of the Boysun District did not submit a report in Form No. 4 for the fourth quarter of 1941. As of January 1, 1942, the amount of money issued by the people's courts for the benefit of plaintiffs but not yet collected amounted to 94,934 rubles 52 kopecks, and shortcomings were also noted in the conduct and timing of the enforcement process[9].

Results and discussions

The report of the Surkhandarya regional prosecutor to the republican prosecutor noted serious shortcomings in the work of bailiffs in the recovery of embezzled funds as of the first quarter of 1942. It was noted that the bailiffs did not fully understand the political significance of Order No. 107 of the NKU of the USSR and were slow to execute court decisions in a timely manner. The monetary rewards provided for in Order No. 10 to encourage bailiffs were also not provided in practice[10].

In early January 1942, a report on the movement and registration of personnel in the Surkhandarya region was submitted to the personnel council, and according to the plan, a seminar was organized in the city of Termez for reserve judges and practicing employees of the judicial and prosecutorial bodies, but the classes were not fully held and were limited to a total of 14 hours. In the districts, activities were held to improve the skills of reserve judges in judicial activities, case evaluation and independent conduct of court sessions. Also, interviews were held with reserve bailiffs on the procedure for executing court decisions.

When analyzing the work of the people's courts of Surkhandarya region in 1942, a number of violations were identified in the most important categories of cases. In particular, it was noted that the terms of consideration of cases, delays in the execution of sentences, the issuance of unjustified acquittals or wrongful convictions, as well as the failure to comply with the instructions and orders issued



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on offenses. Especially serious shortcomings were noted in cases related to agricultural periods.

From January 1 to December 1, 1942, 161 criminal cases were received by the Surkhandarya regional court, of which 149 were considered. The number of cases received and considered decreased from quarter to quarter: in the second quarter, 61 cases were received, 38 cases were considered, in the third quarter, 37 cases were received, 49 cases were considered, and in the fourth quarter, 19 cases were received, 15 cases were considered. During this period, 162 cases were considered at preparatory sessions, 2 of which were terminated, 27 were sent for additional investigation, and 132 were accepted for processing. Despite the relatively small number of cases received, they were considered with violation of the established deadlines: 33 cases (20%) were resolved within 3 days, 60 cases (37%) within 5 days, and 69 cases (43%) were resolved within more than 5 days. The fact that the cases of a total of 331 individuals were reviewed, and 108 of them were sent for additional investigation, indicates the weakness of the investigative processes and the lack of sufficient verification of the cases before the preparatory meetings.

In accordance with the decree of the Presidium of the Supreme Soviet of the USSR of January 20, 1943, the Kashkadarya region was formed within the Uzbek SSR[11]. On this basis, it was determined that the Kashkadarya regional administration of the People's Commissariat of Justice of the Uzbek SSR, the regional council of workers' deputies and the Kashkadarya regional court would be established, and that they would serve the judicial bodies of all cities and districts of Karshi and Kashkadarya regions (including Beshkent, Guzar, Mehnatabad, Kamashi, Karshi, Koson, Kitob, Chirokchi, Shahrisabz and Yakkabog). It was also determined that Sohob Narimanovich would be appointed as the head of the Kashkadarya regional administration, and that the head of the Personnel Department of the People's Commissariat of Justice of the Uzbek SSR, Zufarov, in



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cooperation with the regional administration, would fully form the apparatus of the Justice Department and the regional court of the Kashkadarya region by March 13, 1943.

Although judicial repression was mostly correctly applied by regional courts in the most important categories of cases, in some cases, excessively liberal punishments were applied to criminals, unjustified sentences were issued, and incorrect acquittals were also encountered in judicial activity. For example, on August 25, 1943, the 2nd People's Court of the Shahrissabz district sentenced a bailiff to 6 months in prison for illegally using two bread cards within 3.5 months[12].

In the second half of 1943, in connection with the creation of the Uzun district in the Surkhandarya region, the 2nd district of the Sariosiyo district and the 7th district of the Penzhik district were changed, and part of their territories were transferred to the new district. During this period, inspections were conducted in 9 districts of people's courts and bailiffs, 3 of which were located in the regional center and 6 in the districts. The regional court staff also conducted inspections in 4 precincts in the regional center, and in cooperation with the USSR People's Commissariat of Justice, 4 departments of the people's courts were inspected. However, the results of these inspections, which were conducted in the 3rd quarter, were not summarized or discussed[13].

In the first half of 1944, the debt reached 189.3 thousand rubles. It was revealed that Mirzaakhmedov, using his official position, took 3,000 rubles from the Guzar District People's Court for personal purposes and gave it to his father, and also illegally gave 3,000 rubles to Mayursky. Therefore, Mirzaakhmedov was instructed to take disciplinary action for his shortcomings in financial management and the fact of receiving illegal funds, to urgently establish order in the financial system and to eliminate all debts by December 25, 1944. Also, People's Judge Mayursky



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was limited to receiving a reprimand for illegally transferring 3,000 rubles to the account of the Bar Association and trying to explain the incident incorrectly[14]. From January 1 to November 1, 1945, 65 cases of grain theft were considered by the courts of Surkhandarya region, and 33 individuals were brought to criminal responsibility. 36 of the cases (55%) were resolved within 5 days, while the remaining 45 percent were resolved later than the established deadline. People's Judge Shamsutdinova of the 2nd house of the Zharkurgan district resolved only one of 17 cases on time, while People's Judge Berdiev of the 1st precinct of the Chirchik district did not resolve more than 50 percent of his cases within the established deadline. Some cases have been seriously delayed, for example, the case against Safarova under Article 226 of the Criminal Code of the Uzbek SSR for stealing 30 kg of grain in the 1st Precinct People's Court of Bekabad District has not been considered for 6 months, and some cases have also remained unresolved in the people's courts of Shorchi District and Zharkurgan District for several months[15].

Conclusion

In conclusion, during World War II, the judicial system in the southern regions of Kashkadarya and Surkhandarya operated under the influence of general military operations behind the front, economic difficulties, and personnel shortages. The mobilization of personnel to the front, the burden of sufficiently qualified personnel in their posts, the increase in workload, and the violation of trial deadlines caused many organizational and legal problems.



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1. Desertion is a deliberate and unauthorized departure from military service.
2. Plunder is the illegal plundering of people's property during war, natural disaster, unrest or other emergency situations, that is, theft, invasion and violent seizure.
3. CRNA, Fund 122, List 1, Case 317, Sheet 12.
4. Interpreted by the author based on information from the Surkhandarya Regional Court Museum.
5. Uz NA, Fund R-904, List 10, Case 25, Sheet 18.
6. During the Soviet Union, “speculation” was considered a criminal act. This included practices such as keeping goods in special shortages, artificially increasing their prices, or selling them at a price higher than the price set by the state. The Criminal Code provided for serious penalties for such acts (for example, imprisonment).
7. Uz NA, R-904-fund, list 10, case 25, page 20.
8. Uz NA, R-904-fund, list 10, case 117, page 89.
9. Uz NA, R-904-fund, list 10, case 188, page 20.
10. Uz NA, R-904-fund, list 10, case 188, page 14.
11. Uz NA, R-904-fund, list 10, case 240, page 1.
12. Uz NA, R-904-fund, list 10, case 325, sheet 84.
13. Uz NA, R-904-fund, list 10, case 372, sheet 1.
14. Uz NA, R-904-fund, list 10, case 325, sheet 8.
15. Uz NA, R-904-fund, list 10, case 372, sheet 12.