



## **JUDICIAL SYSTEM OF UZBEKISTAN IN THE YEARS OF THE SECOND WORLD WAR**

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<b>Received:</b> July 26 <sup>th</sup> 2021 <b>Accepted:</b> August 28 <sup>th</sup> 2021 <b>Published:</b> September 30 <sup>th</sup> 2021	This article describes the history of the judicial system of the Uzbek SSR in 1939-1945 on the basis of a comparative analysis of a large number of historical sources and legal documents. According to the Stalinist Constitution and the law on the judicial system adopted in 1938, changes in the judicial system of the Uzbek SSR, the national composition of judges, staff turnover and the factors that led to this were discussed. The article also describes the mobilization of judges from Uzbekistan to the front after the invasion of the Soviet Union by fascist Germany, increasing the competence of military tribunals, types of criminal and civil cases considered by courts of general jurisdiction, activities carried out in the field of training lawyers.

**Keywords:** Constitution, law, People's Commissariat of Justice, Supreme Court of the Uzbek SSR, regional court, people's Court, people's assessors, verdict, decision, protest, cassation, staff turnover, martial law, military tribunal, mobilization to the front, staff reduction, crime minors, Tashkent Law Institute, training courses for lawyers.

### **1.INTRODUCTION.**

In the first years of independence, a number of laws were adopted aimed at implementing the principle of independence and subordination of judges only to the law, provided for in the Constitution. However, an in-depth analysis of the development path of our country, the sharp changes in the world market today and the growing competition in the context of globalization required the development of a completely new approach and principles for more stable and dynamic development of our country. It was difficult to achieve this without taking judicial and legal reform to a new level, as the issues of further development, development, stability, as well as improving the modernization of public administration were on the agenda. Ensuring genuine independence of the judiciary has made it vital to start an entirely new phase aimed at increasing public confidence in justice. This was stated by the President of the Republic of Uzbekistan Shavkat Mirziyoyev in his speech at the ceremony dedicated to the 27th anniversary of the Constitution of the Republic of Uzbekistan: "Ensuring the true independence of the judiciary is our top priority. In particular, the court must not be allowed to become an agency within the reach of any official. Therefore, it is necessary to strengthen the responsibility for interfering in court proceedings or putting pressure on the court "[1, p.118-119]. The study and research of the history

of the judiciary, which is an integral part of the history of statehood in accordance with the current judicial reform, is one of the urgent tasks facing the science of history.

### **2.METHODS.**

The article provides a scientific analysis of the legal status of the judiciary in Uzbekistan during the Second World War and its activities in a complex historical period on the basis of generally accepted methods - objectivity, historical analysis, comparative and logical analysis, the principles of chronological sequence.

Changes in the judicial system of Uzbekistan during the Second World War are partially covered in the research of legal scholars X. Sulaymonova, A. Rasulov, F. Bakirov, A. Azamkhodjaev, K. Erkakhodjaev. In general, the analysis of Soviet-era research on the formation of Soviet courts in Uzbekistan shows that although they have a rich factual source, they are written in a one-sided approach due to the pressure of the ruling ideology and do not reflect the real state of the judiciary. During the years of independence, the formation and development of the Soviet judicial system in Uzbekistan has not been studied by historians as a separate object of study.



### **3. RESULTS OF THE RESEARCH.**

On August 16, 1938, the second session of the Supreme Soviet of the USSR adopted the Law "On the Judicial System of the USSR, Allied and Autonomous Republics." This law consisted of 8 chapters, 80 articles and was developed on the basis of the USSR Constitution of 1936 [2, p.564-571].

According to this law, the courts on the territory of the USSR were divided into 2 groups: the courts of the All-Union and the courts of the allied republics. The first group included the Supreme Court of the USSR, military tribunals, rail and water transport courts. These courts were not subject to the jurisdiction of the allied republics and were accountable directly to the central authorities of the USSR. The second group included the People's Court, the Regional Court, the Supreme Court of the Autonomous Republic, and the Supreme Court of the Allied Republic, which are subordinate to the jurisdiction of the Allied Republics.

Articles 21-29 of the law adopted on August 16, 1938 defined the procedure and powers of electing people's courts [2, p.566-567]. In particular, according to Article 22, judges of the People's Court are elected by citizens living in the district on the basis of universal, equal, direct suffrage by secret ballot for a term of 3 years. Every citizen who was eligible to vote and had reached the age of 23 could be elected as a judge and public adviser.

Article 24 of the law set out the procedure for nominating candidates for people's judges and advisers. Public organizations, in particular the Communist Party, trade unions, cooperatives, youth organizations, cultural societies, enterprises and institutions, had the right to nominate candidates for the position of judge and adviser to the people's court at general meetings of workers, peasants in collective and state farms, and military units.

The People's Judge heard criminal and civil cases within his jurisdiction. The People's Court operated collegially. For this purpose, 2 people's deputies were regularly present at the court hearings. Elected people's deputies are involved in court proceedings on the list 10 days a year. While the People's Advisers performed their duties in court, their salaries were retained in their main workplaces.

The dismissal of judges and people's advisers was allowed only when they were summoned by the electorate or when a court conviction against them came into force. During the absence of the People's Judge (illness, vacation, etc.), the duties of a judge were temporarily assigned to one of the People's Advisers by the District Council of People's Deputies. If a people's judge was to be removed from office before the end of his term, new elections were to be held no later than two months from the date of his resignation.

The law required judges of the People's Court to report regularly to the electorate.

Articles 30-37 of the law stated the procedure and powers of the regional court [2, p.567]. The regional court is composed of a chairman, deputy chairmen, members of the court and people's deputies, elected by the regional council of people's deputies for a term of five years. The regional court had criminal and civil courts.

In addition to considering criminal and civil cases as courts of first instance, regional courts considered appeals and protests against judgments and decisions of people's courts in cassation.

The district court heard criminal and civil cases in the first instance, consisting of a presiding judge and two people's counsel. When the appeals and protests against the verdicts and decisions of the People's Courts were considered in cassation, it consisted of three judges.

The Supreme Court of the Karakalpak ASSR did not differ significantly from the regional court in terms of status and powers. The Supreme Court of the Karakalpak ASSR was elected by the Supreme Soviet of the Karakalpak ASSR for a term of five years, consisting of a chairman, deputy chairmen, members of the court and people's advisers. The Supreme Court of the Karakalpak ASSR considered criminal and civil cases as courts of first instance, as well as appeals and protests against decisions and decisions of people's courts in the territory of the autonomous republic as a court of cassation. The Supreme Court of the Karakalpak ASSR had criminal and civil courts.

Articles 45-52 of the law stated the procedure and powers of the Supreme Court of the Allied Republic [2, p.568-569]. The Supreme Court of the Uzbek SSR is the highest judicial body in Uzbekistan. The Supreme Court of the Uzbek SSR was elected by the Supreme Soviet of the Republic for a term of five years, consisting of a chairman, deputy chairmen, members of the court and people's advisers. The Supreme Court of the Uzbek SSR had criminal and civil courts.

The Supreme Court of the Uzbek SSR supervised all courts in the territory of the republic, except for special courts under the jurisdiction of the Union.

The Supreme Court of the Uzbek SSR considered criminal and civil cases of state importance as the court of first instance, as well as appealed against the verdicts and decisions of the Supreme Court of the Karakalpak ASSR, regional courts, people's courts in cassation. In the first instance, the Supreme Court of the Uzbek SSR heard appeals from the chairman and two people's deputies, and cassation appeals from three judges.

Articles 53-62 of the law were devoted to special courts [2, p.569]. Uzbekistan has special courts,



such as a military tribunal, a railway transport court and a water transport court. In particular, there was a railway transport court in Tashkent, and water transport courts in Termez and New Urgench.

According to Article 54 of the Law, the chairman, deputy chairmen and members of special courts were elected by the Supreme Soviet of the USSR for a term of five years. Military tribunals, railways and water transport courts have heard criminal cases committed by industry workers.

According to Articles 63-77 of the Law on Judicial Structure, the Supreme Court of the USSR was the highest judicial body in the Soviet Union [2, p.569-570]. The Supreme Court of the USSR was elected by the Supreme Soviet of the USSR for a term of five years, consisting of a chairman, deputy chairmen, members of the court, and people's advisers. The Supreme Court of the USSR had jurisdiction over all judicial bodies of the USSR and the allied republics, in particular the special courts. The Supreme Court of the USSR consisted of the following delegations:

- a) a panel of judges on criminal cases;
- b) the judicial board for civil cases;
- c) military board;
- g) railway transport board;
- d) water transport board

In addition to hearing the cases of the above-mentioned courts in the first instance, the above-mentioned commissions considered appeals and protests against the verdicts and decisions of the Supreme Court of the Allied Republics and special courts in cassation.

There was a Plenum in the Supreme Court of the USSR, which was attended by all members of the Supreme Court of the USSR. Plenary sessions are convened at least once every two months.

On the basis of the above-mentioned law in the Uzbek SSR there were courts of general jurisdiction and special courts consisting of the People's Court, the regional court, the Supreme Court of the Karakalpak ASSR, the Supreme Court of the Uzbek SSR.

The lowest level of the judicial system of the Uzbek SSR was the people's courts. In the second half of 1939, there were 226 people's courts in the Uzbek SSR, only one of which was closed due to lack of specialists. Of the people's judges, 17 had higher education, 44 had secondary education and 164 had primary education. Of the people's judges, 17 had higher legal education and 146 had completed various courses to train lawyers. Sixty-three people's judges did not specialize in law.

The national composition of the people's judges was as follows: 165 were indigenous, 33 were Russian, and 27 were of various nationalities. The people's judges also included women. Of the 225 people's judges, 179 were men and 46 were women.

One of the biggest problems in the judicial system of the Uzbek SSR was staff dissatisfaction. In rare cases, judges served until the end of their term. In most cases, he was dismissed on charges of abuse of office, lack of practical experience in the judiciary, as well as failure to gain the confidence of the ruling party.

According to archival documents, in 1937-1939, 541 judges were dismissed from the judicial system of the Uzbek SSR. In 1939 alone, 57 people's judges, 15 judges of regional courts, and 14 judges of the Supreme Court of the Uzbek SSR were dismissed for various reasons [4]. In particular, 17 dismissed people's judges abused their positions, 13 were unable to perform their duties, 13 refused to work in this field, 5 were transferred to other jobs, 4 were convicted of close relatives, 2 were delayed in their duties, 2 one was dismissed for a change in his life, one for violating labor laws, and one for being called up for service in the armed forces.

From 1937 to 1939, the districts of the People's Court with the highest staff turnover in the country were: People's Judge of the 17th district of Tashkent 7 times, People's Judge of the 96th district of Karmana district of Bukhara region 6 times, People's Judge of the 12th district of Tashkent 5 times, People's Judge of the 4th district of Khiva district of Khorezm region was changed 5 times, People's Judge of the 63rd district of Andijan city of Fergana region was changed 4 times, People's Judge of the 75th district of Samarkand city of Samarkand region was changed 3 times. According to archival documents, the number of people's judges who served their full term in the Uzbek SSR from 1937 to 1939 was only 6, or 2.6% of the total number of people's judges [5].

In one of the official publications, the People's Commissar of Justice D. Turdiev gave the following information about the criminal elements among the people's judges: Former People's Judge of Qurama district Ibragimov regularly acquitted those involved in speculation. Karimov, who worked as a people's judge in Jalal-Abad district, Muhiddinov in Jarkurgan district, Yuldashev in Payarik district, Khidirov in Forish district cooperated with criminal elements, prolonged the trial, engaged in alcoholism and discredited the judiciary [6. p.2].

According to the People's Commissar for Justice D. Turdiev, there were cases when judges who violated the law in one district and abused their positions were re-appointed as judges in another district. For example, Mirzaev, a people's judge in the Voroshilov district of Fergana province, was expelled from the party for having links with criminals and drinking with family members of convicts. Mirzaev was later appointed a judge in Khojaabad district of Fergana region. Here, too, he was dismissed and prosecuted for continuing his criminal activities [6. p.2].



The people's courts were housed in unsuitable and abandoned buildings. Even the level of building of the people's courts in the capital was not good. For example, the people's courts of the 11th and 19th districts of the Kirov district of Tashkent were located in old mosques. People's courts of Khatirchi district of Samarkand region and Chust district of Fergana region were located in warehouses. The building where the court is located in Sverdlovsk district of Bukhara region, Koshkoprik district of Khorezm region was confiscated for the operation of the district cell of the Communist Party [6. –B.3]. Instead of caring about the courts, the district party and Soviet organizations deprived the people's courts of the ability to function normally.

When the activities of the People's Judge of the 1st district of Kipchak district of the Karakalpak ASSR Inoyatov in 1939-1940 were studied by specialists of the People's Commissariat of Justice, it became clear that he was indifferent to his duties and the court proceedings were chaotic. In 1939, 50% of the decisions made by Inoyatov, 54.3% of the verdicts, and in 1940, 47% of the decisions and 63.3% of the verdicts were reviewed and annulled by the higher court. Daniev, the head of the personnel department of the People's Commissariat of Justice of the Uzbek SSR, immediately appealed to the relevant authorities to recall Inoyatov from the post of People's Judge.

The situation was also unsatisfactory in the regional courts, which were considered a higher level than the people's courts. By 1939, the Uzbek SSR consisted of 5 regional and 1 district courts. There were regional courts in Tashkent, Samarkand, Fergana, Khorezm, Bukhara, and a district court in Surkhandarya.

In 1939, there were 68 judges in the regional and district courts. Of these, 17 had higher education, 12 had secondary education, and 39 had primary education. Seventeen of the judges had higher legal education and 28 had completed a law course. The remaining 23 judges did not have specialized knowledge in the field of law. Regarding the national composition of regional and district judges, it can be said that 44 of them were indigenous, 12 were Russian, and 12 were of different nationalities. Of the regional judges, 51 were men and 17 were women.

By 1940, the composition of regional and district courts in the Uzbek SSR was set at 65 states. In practice, 58 judges worked, and the remaining 7 positions were declared vacant due to lack of specialists. In terms of regions, the situation was as follows: 15 judges in the Tashkent regional court, 13 in Fergana, 11 in Bukhara, 9 in Samarkand, 6 in Khorezm and 4 in the Surkhandarya district court [9].

On August 3, 1939, the Supreme Soviet of the Karakalpak ASSR decided to elect the Supreme Court of the Autonomous Republic. In accordance with this decision, the composition of the Supreme Court of the

Karakalpak ASSR, consisting of the chairman, his deputies, 9 members and people's advisers, was elected.

In 1939, the composition of the Supreme Court of the Uzbek SSR was determined to consist of 25 units. Due to the lack of specialists, 3 out of 25 state units were declared vacancies.

Twelve members of the Supreme Court of the Uzbek SSR had higher education, three had secondary education and seven had primary education. Twelve of the Supreme Court judges had higher legal education, and two had completed training courses for lawyers. The remaining 8 had no special knowledge in the field of law. Of the Supreme Court judges, 10 were indigenous, 8 were Russian, and 4 were of different nationalities. Of the judges, 18 were men and 4 were women.

This was the general picture of the judicial system of the Uzbek SSR before Fascist Germany invaded the Soviet Union in 1941. On June 22, 1941, Germany invaded the Soviet Union without declaring war. In the early years of the war, the Uzbek government had the primary task of rebuilding industry to meet the demands of the front, and of the immediate relocation and commissioning of factories and enterprises relocated from the western regions of the Soviet Union.

It should be noted that the state of war necessitated the development of new legislation on the judiciary. Thus, on June 22, 1941, the Supreme Soviet of the USSR adopted the Regulations "On the martial law" and "On military tribunals in the territories where martial law was declared and military operations took place" [2, p.581-582]. In accordance with these normative documents, the number of military tribunals has been increased in the areas where hostilities are taking place, martial law and the state of siege have been declared. The jurisdiction of these courts has also been significantly expanded. Although no military operations were carried out on the territory of the Uzbek SSR, military justice bodies were established here as well. In particular, in 1942, the Tashkent Railway Transport Court was transformed into a military tribunal.

Regulations on military tribunals in areas where martial law has been declared and military action took place on June 22, 1941, instructions on interrogation in the Navy on September 24, 1942 [10] and instructions for the Red Army investigation bodies on November 12, 1942 [11] the procedure for instituting criminal proceedings and conducting inquiries in units and militarized establishments was clearly defined. In particular, a new procedure for reviewing criminal cases by military tribunals has been established. That is, a trial was scheduled to take place within 24 hours of the indictment, and 72 hours after the death sentence was



announced. [12] The investigation time for some categories of criminal cases has been shortened. Cassation appeals against the verdict were prohibited and could only be changed or revoked in the review procedure. More attention was paid to the investigation of cases than to those sentenced to death. The right to suspend the death sentences of the tribunals was given to the commanders of the district, front, army and navy by simultaneous notification to the Chairman of the Military Board of the Supreme Court of the USSR.

During the war years, the main features of military tribunal proceedings were: the consideration of cases without the participation of the parties, mainly in closed court hearings; strict terms of court proceedings; giving additional powers to the command of military units in criminal proceedings; inadmissibility of a cassation appeal against the verdict; to subordinate the activities of all military judicial bodies to the performance of the primary task of ensuring victory over the enemy. During the war years, the execution of death sentences was used by military tribunals as an exception as a measure, mainly for very dangerous crimes. The number of such sentences was higher than in the pre-war years. However, during the war, military tribunals made extensive use of drastic delays in the execution of sentences, which allowed the USSR Armed Forces to achieve their punitive goals through the judicious use of human contingents. That is, the execution of the punishment imposed on persons who did not pose a great danger or who committed crimes through negligence was postponed until the end of hostilities. This allowed the perpetrators to wash away their guilt. Some of the convicts were later acquitted by military tribunals for their heroism in the wars and their convictions were lifted. Many of them have been awarded government awards for their achievements.

The activities of military tribunals during the war allow us to draw the following conclusions: first, the tribunals were composed of 3 permanent members until 1943, there were no advisers in court, and second, the statute of military tribunals gave these courts the right to hear cases within 24 hours. Third, that the judgments of the military tribunal could not be appealed, but could only be revoked or amended in a supervisory manner; fourth, most of the cases were heard by the courts in closed sessions because they were related to the protection of state secrets; fifth, members of military tribunals were not elected, but rather appointed by joint orders of the USSR People's Commissariat of Justice and the People's Commissariat of Defense; sixth, during World War II, military tribunals had broad jurisdiction to hear not only war crimes but also counter-revolutionary actions, public disorder, and even civil cases. In short, during the war, Arab tribunals formed the core of the Soviet judiciary.

During the war, along with the military tribunal, courts of general jurisdiction also functioned in the Uzbek SSR. From June to July 1941, the USSR People's Commissariat of Justice adopted a number of normative documents. These documents set out the initial tasks for adapting the system of courts of general jurisdiction to the conditions of war. In particular, the USSR People's Commissariat of Justice issued a decree on July 15, 1941 on the reduction of staff due to martial law, abolishing vacations for judges, reducing the number of people's courts in rural areas to 20% and in cities to 25%. According to the above decree, on August 1, 1941, the People's Commissar of Justice of the Uzbek SSR V. Umarov developed and submitted to the Council of People's Commissars of the Uzbek SSR for approval a project on the reduction of staff in the judicial system of Uzbekistan. According to this document, reductions were made in almost all branches of the judicial system of the Uzbek SSR.

In 1942, 6 people's courts were reduced in Tashkent, 5 in Bukhara region, 4 in each of Samarkand, Fergana and Andijan regions, 2 in each of Surkhandarya, Namangan and Khorezm regions, and 1 in Tashkent region. It reaches 28.

There have also been staff reductions in regional courts. If in 1941 there were 230 staff members in 8 regional courts of the Uzbek SSR, in 1942 there were 187 staff members.

The composition of the Supreme Court of the Karakalpak ASSR in 1941 consisted of 23 state units, and in 1942 it was designated as 17 state units. In particular, 3 personnel and 3 technical staff were reduced.

In 1941, the Supreme Court of the Uzbek SSR consisted of 58 state units, including technical staff. In 1942, too, these state units remained unchanged.

During the war years, some of the judges serving in the judiciary were mobilized to the front. As of 1942, this figure was 20-30% in some provinces. For example, 8 out of 24 people's judges in Fergana and 6 out of 36 people's judges in Bukhara region were mobilized for the war. A similar situation is observed in regional courts. In particular, 5 judges of Bukhara regional court, 2 judges from Fergana, 2 judges from Andijan and 2 judges from Tashkent region were sent to the front [14].

The People's Commissariat of Justice of the Uzbek SSR was faced with the difficult task of filling the vacancies of judges sent to the front. Candidates for the position of a judge shall be selected from the reserve and from among the people's advisers. But this measure does not always give effective results. For example, the head of the Bukhara regional justice department, Mirazimov, had asked the commissariat to temporarily suspend the deployment of judges to the front, as there was no contingent of reserve judges in the region. In



Fergana, training seminars have been organized to train judges from among people's deputies. However, most of the newly appointed judges did not have sufficient knowledge and experience. Therefore, the number of erroneous judgments and decisions has increased. For example, when the Department of Justice examined the activities of Yuldashev, a people's judge in the Frunze district of Fergana province, it was found that 100% of decisions in civil cases and most criminal judgments were erroneous.

The war set new tasks for Uzbekistan's agriculture. The norms of the working day have been increased at the collective farms, state farms and machine-tractor stations. Resolutions of the Presidium of the Supreme Soviet of the USSR of April 13, 1942 "On the establishment of norms of compulsory working days for collective farmers" and "On the order of mobilization of able-bodied urban population for agricultural work in collective farms, state farms and MTS" became the legal basis. persons who did not comply with the established minimum norms of the day were prosecuted by the courts.

In 1943, a group of criminals convicted of looting food, stealing and illegally slaughtering livestock on collective farms in Andijan, Namangan and Bukhara regions was brought to justice.

On June 1, 1944, the People's Commissariat of Justice of the Uzbek SSR issued instructions on the protection of hydraulic structures installed along irrigation networks for high yields of cotton and other agricultural crops, the judicial review of disputes between water users. Accordingly, the courts were instructed to review the cases of persons who violated the rules of safety of water facilities and used water arbitrarily within five days [16].

On September 10, 1944, at the initiative of the People's Commissariat of Justice of the Uzbek SSR, a congress of judges of the republic was convened. It discussed the USSR State Defense Committee's January 28, 1943 "On Strengthening the Fight against Food and Industrial Theft," the criminal cases against livestock in the Bukhara region and the Karakalpak ASSR, and the role of the judiciary in the 1944 cotton harvest. [17].

About 1 million people will be evacuated to Uzbekistan from the western regions of the Soviet Union where hostilities are taking place. In particular, more than 200,000 of them were children. People's Commissar of Justice of Uzbekistan K.Kamilov told the People's Commissar of Justice of the USSR N.M.Rychkov the following information about criminal cases committed by minors in Uzbekistan in the first half of 1944: 535 cases were received. Of these, 534 were considered. Juvenile delinquency was relatively high in Tashkent, Fergana, and Samarkand regions, and most of them were orphans. For example, out of 535 criminal

cases, 268 (50%) were in Tashkent region and 52.6% of the perpetrators were orphans "[18].

According to the report of the People's Commissar for Justice, there have been cases of juvenile delinquency being tried in absentia without the participation of a lawyer, or even without the participation of the defendants. Judges will be instructed to address the above shortcomings and to strengthen enforcement measures against judges who violate procedural norms.

Another major problem in litigation was the involvement of public advisers. In most cases, the participation of people's deputies in court hearings was considered by judges as a formality, and their position in the court was almost unknown. The archival documents retain many facts that the procedural norms relating to the people's advisers were grossly violated in court. For example, Boguslavskaya, a People's Judge of the 2nd Precinct in Tashkent, recruited random individuals instead of a People's Adviser and heard a large number of cases with their participation. The decisions on 60 civil cases heard by Boguslovskaya were not signed by public advisers and there were no protocols on the trial of 32 criminal cases.

A similar situation is observed in the activities of the People's Judge of Syrdarya district of Tashkent region Sodikov. In 1945, People's Judge Sodikov reviewed 117 of 220 civil cases in violation of procedural norms relating to people's deputies. The minutes of the court session were not written by the secretary, and the people's advisers were not summoned to the court hearings.

During the first three quarters of 1945, Judge Bogdanov of the Andijan Regional Court and People's Judge Koneev routinely involved in court hearings of persons not elected as People's Advisers and heard many criminal and civil cases. Often, students undergoing internships in regional courts are recruited instead of public counselors.

People's Judge of Frunze district of Fergana region Juraboev uses a more illegal method. Orally resolves lawsuits related to the state of indebtedness of collective farms to the compulsory delivery of agricultural products to the state and the situation of late arrival of MTS workers. That is, the judge goes to the scene, speaks to the defendants without opening the trial, and makes an oral verdict. The court then goes to the office where it is located and orders the secretary to write the minutes, formalize the verdict, and summon and sign the people's counsel. [19]

Inspectors of the People's Commissariat of Justice of the Uzbek SSR shall take measures of influence against judges who have grossly violated the established procedures and abused their official position as a result of the study of the activities of people's judges. In particular, in 1944, 15 people's judges were



dismissed for gross violations and 18 for irresponsible conduct. In the first half of 1945, nine people's judges were dismissed for similar offenses[20].

Most of the judges in the judicial system of the Uzbek SSR did not have a legal profession. Very few of them had higher education. During this period, legal specialists in Uzbekistan were trained at the Tashkent Law Institute, the Tashkent branch of the All-Union Law Institute, law schools and various courses. For example, in 1939, 101 students graduated from the Tashkent Law Institute, 149 from the Tashkent branch of the All-Union Law Institute, 98 from the full-time department of the Tashkent School of Law, and 273 from the part-time department [21]. However, very few of them operated in the judiciary. For example, in 1939, one of the graduates of the Tashkent Law Institute began his career in the Supreme Court of the Uzbek SSR, eight in the regional courts, and 15 as a people's judge. Although there has been a quantitative increase in the number of legal staff, there have been problems with their qualifications and knowledge of their profession.

During the war, the need for qualified personnel in the judiciary of the republic increased. Therefore, the issues of training and retraining of lawyers were in the focus of the Central Committee of the Communist Party of Uzbekistan and the government of the republic. Many judges were elected from among the people's advisers. In the last years of the war, lawyers who had been discharged due to disability returned to their jobs.

The Tashkent Law Institute, which was suspended in 1941 due to the war, resumed its activities in 1942. In August 1943, the People's Commissariat of Justice of the Uzbek SSR opened a four-month training course for lawyers in Tashkent and a six-month training course in Samarkand. The Supreme Court of the Uzbek SSR established a one-month internship for regional judges and 10-15 days for people's judges in regional courts. By January 1, 1944, 40 people's judges had undergone internships.

However, by the end of 1945, the judicial system of the Uzbek SSR was short of judges with higher education. In other words, there were 11 lawyers with higher education in the Supreme Court, 27 in the regional courts, and 56 in the people's courts[22].

#### **4.CONCLUSION.**

In short, during the Second World War, the judicial system of Uzbekistan went through a complex and controversial historical period. During this period, the lack of legal information on the person to be elected as a judge in the Constitution and laws led to the election of judges of various professions. Most of the judges were not experts in the field of law. Very few of them had higher legal education. Also, the frequent dismissals of judges as a result of pressure from the dictatorial Soviet government created an atmosphere of

staff dissatisfaction and did not allow the industry to have sufficient knowledge, skills and experience.

Even from such a situation, it has allowed some individuals who think of their own interests, who have tried to cooperate with criminals, to become judges. The mobilization of judges to the front during the war years exacerbated problems in the judiciary. Nevertheless, during the war years, the judges of the republic waged a fierce struggle against the crimes of looting of state and public property, especially consumer goods, agricultural products. Individuals who stole from production, fled from enterprises and institutions, and violated labor discipline were severely punished by the courts. In general, despite some shortcomings, some of the judges who served in the Uzbek judiciary fought valiantly against the enemy in the war, while others fought against the offenders in the country and made a worthy contribution to the victory over fascism.

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