

PERSONNEL POLICY IN THE SYSTEM OF SOVIET PEOPLE'S COURTS IN TURKESTAN: A HISTORICAL ANALYSIS

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Abstract: This article analyzes the formation of personnel policy in the system of Soviet people's courts in Turkestan, as well as its organizational and legal foundations and processes of institutional development. The study examines the issues related to staffing judicial bodies after 1917, including the selection and training of personnel, the shortage of qualified specialists, the strong influence of political factors, and the specific characteristics of local conditions.

Keywords: Turkestan, Soviet people's courts, personnel policy, judicial system, local characteristics.

The October Revolution of 1917 in Russia and the establishment of Soviet power brought about profound political changes not only in the central regions but also in peripheral territories, including Turkestan. This process acquired a particularly complex and contradictory character in regions such as Turkestan, which had a multiethnic composition and a distinctive socio-political system. Although the slogans promoted by the Bolsheviks—such as “people's power,” “social equality,” and “justice”—appeared in theory to aim at rebuilding society on democratic foundations, in practice an entirely different situation emerged.

In reality, the new political regime relied on a centralized system of governance in which all major decisions were made in Moscow. As a result, the internal needs and specific characteristics of local regions, especially Turkestan, were largely ignored. At the same time, Soviet authority, based on its class ideology, intensified social conflicts by dividing society into “class enemies” and “working people.” Consequently, the use of force, pressure, and repressive measures became widespread in order to eliminate political opposition, suppress national movements, and consolidate power.

During the establishment of Soviet rule in Turkestan, the political will, national interests, and traditional values of the local population were almost entirely disregarded. Local intellectuals and representatives of national movements were removed from positions of authority or subjected to persecution. This created an atmosphere of distrust within society and fostered a negative attitude toward the new regime.

From this perspective, Soviet rule in Turkestan differed from classical forms of colonialism by establishing a new system of colonial governance that was ideologically and administratively centralized. Although this system outwardly operated under the slogan of “people’s power,” in essence it served to subordinate local territories to the interests of the center. This became one of the key factors that exerted a long-term influence on the political, social, and legal processes in Turkestan.

Alongside the establishment of Soviet authority, the creation of a system of people’s courts was also placed on the political agenda. Although these courts were promoted as “democratic” institutions intended to administer justice on behalf of the people, in practice their formation was accompanied by numerous difficulties.

The normative legal acts adopted by the Soviet government were often issued hastily, without comprehensive study, and were based on specific circumstances aimed at resolving immediate problems. Moreover, these documents possessed an extremely rigid and class-oriented character. For this reason, representatives of the legal sphere reacted to government decrees with strong dissatisfaction. For example, a justice of the peace in Turkestan Uyezd refused to hear criminal cases under the directives of Soviet authorities and openly declared his disobedience to the Bolsheviks. Judges in the cities of Verniy and Perovski also stated that they would not base their judgments and decisions on Soviet decrees [1]. In general, the abolition of the old judicial system and the establishment of new Soviet courts took place amid fierce resistance from legal professionals.

The establishment of Soviet courts required qualified specialists. However, among the small number of railway workers and Red Army soldiers who supported the Bolsheviks, there were virtually no personnel capable of performing judicial duties. As in other sectors, the Soviet government, which had initiated reforms in the judicial sphere, found itself in a deadlock.

This situation was caused, first of all, by the absence of developed theoretical and legal foundations for Soviet judicial legislation. As noted in one publication of that period, the laws of the Tsarist government had already been abolished, yet no new laws or legal order had been properly created. Secondly, there was no effective mechanism for implementing normative acts that had largely been adopted under conditions of political conflict. Thirdly, because government decrees were adopted in extraordinary haste, there were no specialists



sufficiently familiar with them. As a result, completely случайный and even illiterate individuals were elected to judicial positions.

For example, Khokhlov, the people's judge of the 1st district of Perovskiy Uyezd in Syrdarya Province, was illiterate and could only sign his name. Court judgments and decisions were actually made by his advisers [2]. Another people's judge, Rozenberg, was a veterinary doctor who had no understanding of judicial proceedings whatsoever [2]. Similar situations could be observed in all provinces of the Turkestan ASSR.

Therefore, the Soviet authorities were forced to rely on the services of former imperial judges. For example, in 1919, the majority of judges elected in the Yettisuv and Fergana regions were former imperial judges and qazis [3]. Of the 25 people's judges elected in Syrdarya Province on July 5, 1919, only 3 were Soviet personnel [3]. Although several years had passed since the establishment of Soviet power, a significant portion of judicial staff still consisted of former employees of the imperial justice system.

The resolution adopted by the Council of People's Commissars of the Turkestan ASSR on June 17, 1919, stipulated the establishment of unified people's courts for both the Russian and Muslim populations. However, due to the lack of specialists, these courts were unable to function fully. Statistical data indicate that only 43 out of 74 designated people's courts in Yettisuv Province were operational; in Samarkand Province, 24 out of 55; in Syrdarya Province, 56 out of 62; in Fergana Province, 30 out of 55; and in the Transcaspian Province, only 5 out of 21 people's courts were functioning [4, pp. 5–6].

The personnel crisis became even more severe under conditions of financial hardship. Delays in salary payments to judges, or the complete absence of payment, caused many of them to leave judicial institutions.

During a period when the cessation of production and the plundering of private property caused the cost of goods to rise several times and inflation to intensify sharply, it was extremely difficult for judges to survive on meager salaries. In this regard, the chairman of the Yettisuv Provincial Council reported the following about people's judges: "Judges are abandoning their duties, while some are simultaneously carrying out their official responsibilities and continuing their former farming and handicraft activities" [5].

Not only were employees left without salaries, but there were not even sufficient funds to conduct court proceedings. After repeated appeals from judges, on September 9, 1919, the People's Commissar of Justice, R. Kapkayev, was forced



to submit the following complaint letter to the Central Executive Committee of Turkestan:

“The difficult conditions of our work have compelled me, as a senior official, to address the highest regional authority regarding the problems within our activities. I can state with full confidence that the commissariat does not possess sufficient capacity to implement the duties entrusted to it” [6].

In his complaint, the People’s Commissar of Justice emphasized that, in addition to low salaries, the absence of material incentives made it impossible to retain qualified personnel in the judicial sphere. He requested the government to send legal specialists to the Amu Darya Department, the Transcaspian Region, and Yettisuv Province, as well as to exempt judicial employees in the Samarkand and Fergana regions from military mobilization.

Not only were the capabilities of judicial institutions limited, but even the People’s Commissariat of Justice itself faced serious constraints. According to official data, only seven legal specialists were employed in the People’s Commissariat of Justice in 1919. At the same time, they worked in several positions simultaneously and carried a heavy workload. For example, one of the commissariat members, D. Novitskiy, served concurrently as chairman of the military tribunal and chairman of the Council of People’s Judges of Syrdarya Province [6].

On October 5–8, 1920, a meeting of the provincial councils of people’s judges and chairmen of revolutionary tribunals of the Turkestan ASSR was held in Tashkent. The main issue on the agenda was improving the material conditions of judicial employees. Participants of the meeting demanded that the government provide fair salaries for judicial personnel [7].

Despite repeated appeals by the People’s Commissar of Justice and the provincial councils of people’s judges to the government, the condition of judges remained as difficult as before. For example, during a government meeting held in September 1920 in connection with the adoption of the new Constitution of the Turkestan ASSR, the People’s Commissar of Justice delivered a report on the condition of the judicial and legal sphere. The report described the miserable situation of judges as follows:

“Judges are living in destitute conditions. They engage in household work in order to earn additional income. In order to eliminate such shortcomings, they must be paid in accordance with their labor” [8].



According to the report, although experienced specialists existed, they were unwilling to apply for positions within the commissariat.

According to another source, the low level of salaries or the complete absence of payment, as well as the lack of adequate funding for judicial needs, caused many personnel working in this sphere to leave judicial institutions. Those who remained often turned their profession into a source of personal income [9, p. 56]. This situation contributed to the emergence and spread of bribery and corruption within the Soviet judicial system from its very first years.

In conclusion, the system of people's courts established in Turkestan after the establishment of Soviet power functioned primarily as an institution serving political interests. In the process of organizing judicial bodies and staffing them, political reliability and party loyalty were prioritized over professionalism. This had a serious negative impact on the impartiality and legality of judicial decisions. Furthermore, the shortage of qualified legal specialists, the frequent changes in the legal framework, and the absence of clear and stable legislation led to instability in judicial practice. The strong centralization of governance also limited the ability of local judicial bodies to make independent decisions, effectively turning them into executors of directives issued by higher political authorities. As a result, the courts were formed not as independent institutions protecting the rights and freedoms of citizens, but rather as instruments for implementing state policy and ideology.

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