



History of the Organization of the Railway Tribunal of Turkestan

Komolov Dilshod Pulatovich

Kashkadarya regional national center of training
pedagogues on new methodologies
for educational and scientific affairs
deputy director, doctor of history(DSc), professor
E-mail: dilshod.komolov.79@bk.ru
+998977203066

ABSTRACT

This article describes the activities of the Turkestan District Railway Tribunal, which was established by the Soviet authorities under extreme conditions, on the basis of a wide range of archival documents. Also, the article provides information about the reasons for the rise in crime, unemployment and antigovernment activities among railway workers.

ARTICLE INFO

Received: 14th June 2023
Revised: 11th July 2023
Accepted: 20th August 2023

KEY WORDS:

People's Commissariat of Justice, Soviet power, decree, police, railway, wagon, station, robbery, weapons, labor desertion

1.Relevance. In the current democratic society, the implementation of justice only by the court is stipulated in the constitution and laws. The court decision entered into force is binding for everyone, including the higher state bodies. The constitutions of all democracies in the world contain provisions on the prohibition of emergency courts. The reason is that the establishment of such courts causes restriction of human rights and freedoms. In particular, the constitution of the Republic of Uzbekistan states that it is not allowed to establish emergency courts.

If we look at the history, in some countries, the governments formed in connection with the war, revolution, coup d'état established special courts with extraordinary powers in order to strengthen their power and brutally punish the acts of resistance. Emergency courts have always had a punitive nature. Also, in such trials, procedural standards such as the presumption of innocence, the right of defense of the accused are denied. Usually, emergency courts heard cases in private and could not appeal the verdict. Studying and researching the history of the judicial system, which is an integral part of the history of statehood, is one of the urgent tasks facing the history science.

2.Research methodology. The article uses methods of historical research such as comparison, statistical analysis, retrospective, analysis and synthesis, systematic-functional, classification, problem-chronological approach.

3.Results of the research. The Russian Empire had military and economic goals in the construction of railways in Turkestan mainly for the implementation of the colonial policy. After the establishment of Soviet power, it continued this policy and paid special attention to the security of the railways in order to keep Turkestan under its control. The reason was that the Bolsheviks in Turkestan did not have the support of the local people and it was difficult for them to survive without the help of the Soviet government in Russia in a situation where the armed struggle against this regime was raging. In a word, the future fate of the Soviet government depended on the regular operation of this vehicle. Therefore, on November 28, 1918, according to the decree adopted by the government of the RSFSR, martial law was declared on all railways in the country[1]. Railway workers and employees were considered to be conscripted while remaining in their duties.

Later, a railway police was established to ensure the safe movement of trains. The police officers were assigned the task of combating acts that endanger the railways. However, as stated in the top secret archive documents, instead of correcting the situation, the police officers themselves committed the crime[2]. On July 9, 1919, based on the decision of the government of the RSFSR, a special commission was established with judicial powers to try railway crimes. This commission, considering crimes related to railway transport, could impose a fine of up to 50,000 rubles and a prison sentence of up to 5 months.

However, despite several agencies dealing with security issues, the situation in this transport sector remained complicated. For example, on February 2, 1920, in a letter sent to the Defense Council, the Chairman of the RSFSR, V. I. Lenin stated that the situation in railway transport was at a tragic level [3]. As a result, on March 18, 1920, the MIQ of the RSFSR adopted a decree “On the establishment of the Railway Tribunal”[4]. Thus, a completely new emergency judicial office was established to try crimes related to rail transport.

The Main Railway Tribunal was established in Moscow, and district railway tribunals subordinated to it in the regions. According to the decree, mobile sessions of this tribunal could be organized as needed. Based on the above document, the Turkestan District Railway Tribunal was established in Tashkent. In addition to the Central Asian railways, the jurisdiction of this tribunal included the investigation of crimes committed on the Tashkent-Orenburg railway.

The territory under the jurisdiction of the Turkestan District Railway Tribunal was divided into 8 investigative districts and 200 investigative precincts[5]. Thus, railroad investigators worked in all regions of Turkestan where railroad tracks passed. They investigated the crimes related to this transport and submitted the case to the railway tribunal. In addition, the cases investigated by the transport department of the Turkestan Emergency Commission were also considered by this court.

The cases dealt with by the Turkestan District Railway Tribunal can be divided into the following groups: robbery, labor desertion and crimes against the authorities.

Among the cases dealt with by the Railway Tribunal, robbery crimes accounted for the majority. Taking advantage of the instability of the political system, some railway workers ruthlessly looted freight trains. According to one of the reports, in rare cases, the cargo reached its destination by accident. At the Tashkent station alone, in October 1921, wagons loaded with wheat 47 times, salt 9 times, and coal 32 times were robbed 88 times. For example, 429 pounds of 1,100 pounds of salt were stolen in wagons loaded with salt. During the coal robbery, 22 times half of the load was taken, and 5 times the full load [6].

Such actions have increased every year. For example, 1,098,000 pounds of goods and other material wealth were looted in the railways of the RSFSR in 1920, 2,435,000 pounds in 1921, and 4,340,000 pounds in the first ten months of 1922[7]. The main part of them corresponded to the Moscow-Kazan, Kavkazorti and Turkestan railways. In 1922, the value of the looted goods in railway transport amounted to 37 million rubles including gold[8].

One of the employees of the emergency commission explained this situation as follows: “Those who commit thefts and robberies on the railways are not random persons, but the employees of the sector themselves. Organized criminal groups operate on the railways and are headed by railway transport managers” [9]. This opinion is confirmed by the judgments issued by the courts. For example, P. Franchenko, a worker of the Orenburg station, was sentenced to 3 years in prison by the Turkestan District Railway Tribunal on September 10, 1920, for stealing a “Berdanka” brand weapon and 15 cartridges from a wagon[10]. On December 21, 1921, the worker A. Ledenov was deprived of freedom for stealing weapons from a wagon at the Buzuluk station [11]. “For four years, the printers in Turkestan have been fighting against us without

having any factories producing gunpowder, ammunition, or weapons. Is it a miracle? No, not a miracle. This is the number of crimes. Even if it is difficult, we must admit that the oppressors are taking the weapons from us"[12], said one of the Soviet commanders.

Due to the rise of bribery and various abuses among the railway employees, tripartite commissions were formed to quickly combat such activities. The tripartite commissions investigated the accused and submitted the case to the railway tribunal for consideration. In 1922, 25 tripartite commissions worked in Turkestan. In particular, tripartite commissions existed at Aris, Avliyoota, and Turkistan stations of the Tashkent-Orenburg railway.

In addition, traveling sessions of the Turkestan District Railway Tribunal were organized for the immediate consideration of crimes on the spot and the imposition of punishment. On April 15, 1922, a traveling court session considered the case of a group of leaders and workers who had been continuously committing crimes on the Tashkent-Orenburg railway, and sentenced two of those found guilty to the death penalty, and the rest to various terms of imprisonment[13].

The second type of offense dealt with by the Railway Tribunal was related to labor desertion. Non-payment of wages and harsh working conditions caused discontent among workers[14]. As a result, railway workers began to abandon their duties. For example, from March 27 to April 1, 1920, 70 railwaymen abandoned their duties on the 8th railway section of Samarkand region[15]. On May 8, 1920, the administration of the Tashkent Main Railway Workshop submitted the list and home addresses of 18 persons who refused to perform their duties to the emergency commission and requested to initiate criminal proceedings against them[16].

On May 25, 1920, the administration of the Sirdarya regional railway workshops submitted to the government information about 139 workers who refused to work.

On December 14, 1920, a commission to fight against labor desertion of railway workers was established in Tashkent[17]. Those who left their duty without the consent of the administration, arbitrarily, or did not go to work for more than three days without a good reason, were registered as labor deserters. Such offenses were tried in the Railway Tribunal.

In the press, the following information is given: "What is the number of deserters? The answer to this question is quite complicated. The Turkestan district anti-desertion commission does not have accurate information either. Currently, the number of labor deserters on the Tashkent-Orenburg and Central Asian railways is not less than 2600" [18].

In fund 233 of the Central State Archive of the Republic, the documents containing the list of persons who committed the act of labor desertion have been preserved[19]. Based on these documents, it can be said that the situation of labor desertion was widespread.

The third type of cases dealt with by the Railway Tribunal were crimes against Soviet power. First of all, among the railway workers, who supported the Bolsheviks in the implementation of the October coup, the mood of dissatisfaction with the ruling system grew. Convinced of the genius of the ideas promulgated by the Bolsheviks, the industrial workers opposed the government's decrees. This is evidenced by the fact that workers were held accountable for disobeying the government, disobeying orders, and carrying out propaganda and propaganda against the Soviet government. For example, Tashkent-Orenburg railway worker P. Kabanov at first carried out propaganda against the Soviet authorities among the workers, then defected to the side of the White Guards. On June 28, 1920, the secret operational department of the emergency commission P. Captures Kabanov. After completing the investigation, the emergency commission submits the case to the railway tribunal and asks the court to issue the highest penalty - death sentence against the accused[20]. Punished P. Kabanov was a communist.

On December 1, 1920, a group of railway workers were accused of working against the government and were deprived of freedom by the verdict of the Turkestan District Railway Tribunal[21].

After the strengthening of the Soviet power, in connection with the transition to a unified judicial system, emergency courts began to be phased out. In particular, on November 25, 1923, the USSR MIQ adopted a decree on the abolition of railway tribunals. On December 13, 1923, the People's Commissar of Justice Dadaboev, Judge Gaylis of the Turkestan Department of the Supreme Court, Chairman of the Turkestan District Railway Tribunal Upelnik and judges of the regional court participated in the meeting held

at the People's Commissariat of Justice of the Turkestan ASSR to ensure the execution of the above decree. Based on the adopted decision, the Turkestan District Railway Tribunal was abolished[22]. At the same time, the circumstances that will arise after the termination of the railway tribunal were also discussed. In particular, after the abolition of the railway tribunal, the trial of crimes related to this type of transport was entrusted to the regional courts. For this purpose, it was decided that one of the judges of the former railway tribunal will be elected as a judge of the regional court. The post of Senior Transport Investigator was introduced to investigate rail transport offenses under the Provincial Court. Thus, although the former railway tribunal and investigators were abolished, positions dealing with this task were introduced in the newly established system of courts of general jurisdiction.

4. Conclusion. In short, the Soviet authorities in Turkestan relied on the population of European origin, including railway workers, to consolidate their rule. However, most of them were ex-prisoners and criminals who had no ideological profession and lived in anxiety. They were people who obeyed all orders of the government without question, and were hardened in crime.

In order to establish its control over all spheres of society, the Soviet government established extraordinary judicial bodies, revolutionary, military, railway and water transport tribunals, brutally repressed the participants of the armed movement against the Soviet regime and any dissidents in the country. Due to the intensification of the political struggle, the power of the emergency courts expanded, and the punishment measures they used became more brutal. The procedure at the tribunals was a violation of human rights and was far from fair. In this way, the tribunals served to ensure the domination of the Soviet power in these areas mainly by implementing political, military and economic terror as a penal body.

References.

1. National Archives of Uzbekistan, fund R-608, list 2, case 321, sheet 68.
2. National Archives of Uzbekistan, fund R-233, list 1, case 818, sheets 21-22.
3. National Archives of Uzbekistan, fund R-235, list 3, case 75, sheet 345.
4. History of the legislation of the USSR and the RSFSR on the criminal process and the organization of the court and the prosecutor's office in 1917-1954. Collection of documents. – M.: – P.134-136.
5. National Archives of Uzbekistan, fund R-345, list 4, case 16, sheet 101
6. National Archives of Uzbekistan, fund R-233, list 1, case 193, sheet 25.
7. Statistical Yearbook. - M .: Printing house MKH, 1922. - P. 155.
8. National Archives of Uzbekistan, fund R-345, list 4, case 16, sheet 214.
9. National Archives of Uzbekistan, fund R-345, list 1, case 127, sheet 667.
10. National Archives of Uzbekistan, fund R-345, list 1, case 7, sheet 1.
11. National Archives of Uzbekistan, fund R-345, list 1, case 86, sheet 2.
12. Death as an accomplice of the Basmachi // Red Star. - Tashkent, 1922, August 23.
13. National Archives of Uzbekistan, fund R-345, list 1, case 127, sheet 745.
14. National Archives of Uzbekistan, fund R-235, list 1, case 14, sheet 15.
15. National Archives of Uzbekistan, fund R-233, list 2, case 193, sheet 60.
16. National Archives of Uzbekistan, fund R-608, list 1, case 180, sheet 31.
17. National Archives of Uzbekistan, fund R-233, list 1, case 196, sheet 37.
18. Deserters of transport // Izvestiya. -Tashkent, 1922, November 2.
19. National Archives of Uzbekistan, fund R-233, list 2, case 193, sheets 158-170.
20. National Archives of Uzbekistan, fund R-345, list 1, case 14, sheet 3.
21. National Archives of Uzbekistan, fund R-345, list 1, case 1, sheet 16.
22. National Archives of Uzbekistan, fund R-345, list 4, case 56, sheet 169.