



## **CRIMINALISTICS IN THE PERIOD BETWEEN WORLD WARS**

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| <b>ABSTRACT</b>   | <b>KEYWORDS</b>   |
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| <p>In this article we are talking about the fact that in the period between the two world wars for domestic criminology, the volume of accumulation of empirical material was increased, the task of disseminating forensic knowledge among specialists of professional bodies, practically creating manuals and manuals, was solved. And also the issue of the independent nature of forensic science was positively resolved, which, however, met with objections from some scientists.</p> | <p>world wars, domestic criminalistics, crime investigation methodology, interrogation, interrogation investigation, criminal investigation, detective, criminal technique, sign, identification.</p> |

### **Introduction**

The development of forensic science in Western countries mainly consisted in the development of tools and methods for studying open evidence. Only in Germany, attention was paid to theoretical issues and problems of forensic tactics and methodology.

E. Lokar's fundamental study «Guide to Forensic Science», the last (seventh) volume that arrived on the eve of the Second World War (an abbreviated one-volume translation into Russian was published in 1940), was widely known. Locard, by discovery, for the first time studying dust and other micro-objects, developed a method of identification by pores (poroscopy), for many years he was the head of the Lyon police laboratory, founded by the forensic doctor Lacassagne.

In Germany, Hans Schneikert, head of the Berlin Department of Investigation, developed questions of describing the appearance of criminals and methods of working with traces. His books «Teaching about Signs for Identification» and «Introduction to Criminal Technique» were published in Russian in 1925 and 1926. Together with V. Stieber, he publishes the «Practical Guide for Investigation Positions» (Russian edition, 1925). In 1924, Schneikert, infected by the Berlin Bureau for the Identification and Teaching of Forensic Science in the Berlin Study above, publishes the book «The Mystery of the Criminal and Ways to Reveal It», published in Russian translation the following year. In the same years, the works of another German criminologist, Robert Heindl, are widely known: «Criminal technique»). Erich Annushat in the book «Artificial Inflammation of Crime and Gas Logic» (translated 1927) the problems of using examples of inferences, rules for constructing and testing assumptions by investigators.

This period of development of domestic criminology is characterized by a pronounced practical bias, based on the urgent tasks of combating crime, setting the work of the investigative apparatus, the employees have neither desire, nor desire, nor experience. In the forensic literature at the beginning of the period, translated works predominate in order to somehow observe and arm young investigators and experts. But even in these years, in the first domestic works, marked by more exceptions to Western forensic science, there are a number of original lawyers. They are found in the work of G. Yu. Manns (1921) and P. S. Semenovskiy (1923). I. N. Yakimov in the first study on the investigation of crimes (1924) N. P. Makarenko considers the theoretical foundations of fingerprinting, some general issues of inspection tactics (1926). Even in such cases, in essence, a reference manual, such as the work of P.P. Mikheev and N.N. features of the subject of criminalistics, goals, objectives and system of this science, its main parts.

Undoubtedly, the most important and at the same time the most important for the formation and development of domestic criminology was the task of determining its subject and content.

Four subjects of definition exist under the clear exception of the views of Western and pre-revolutionary Russian criminologists. So, G. Yu. Manne, enriched in 1921 by the subjects of forensic science, believe that they are, «firstly, the commission of crimes, professional characteristics and domestic crimes (their jargon, their definition of superstition, etc.) and , secondly, the methods of investigating crimes, including the identification of criminals «[1] In the first series of criteria for criminology, proposed in 1925 by I.N. specific, considered and adopted decisions on the investigation of crimes and accusations of the moral personality of the offender, and the goal pursued is to help justice in relation to material justice in a criminal case»[2].

G. Yu. Manne, I. N. Yakimov, and later V. M. Natanson evaluated criminology as an applied, auxiliary discipline. According to the latter, the subject of criminology is the methods of collecting and fixing evidence of guilt, and its purpose is to study the methods of solving crimes [3]. N.D. Voronovskiy called the methods of registering criminals, the technique of conducting inspections and methods of examining material evidence as the subject of forensic science [4].

The influence of the views of Western criminologists was partially overcome in the first collective Russian textbook on criminology for law schools, published in 1935. The science of how to apply the data of the natural sciences to the investigation of crimes, the best methods for conducting individual investigative actions and the most appropriate mutual arrangement of these actions, the system and planning of the investigation process, and the specific methods of investigating certain types of crimes. For the stage of formation of domestic criminology is characterized by a view of it as a technical or natural science. It seems that the reason for such an assessment of the nature of forensic science was the desire to dissociate itself from the classical legal criminal procedural science. Emphasizing that forensic science is an applied technical discipline, the supporters of this concept thereby wanted to prove the need to delimit forensic and procedural knowledge. From such positions, this concept played, in our opinion, a progressive role.

A similar point of view in the 20s. Adhered to and G. Yu. Manne [6]. Later, M. S. Strogovich argued that forensic science is a non-legal discipline that studies the scientific and technical methods of collecting and examining evidence, an auxiliary technical tool [7].

Along with the formation of the concept of the subject, opinions were expressed about the system of forensic science. IN Yakimov believed that it consists of two parts – criminal technique and tactics. True, in the composition of the latter, he distinguished «the general part, in content reminiscent of the

forensic tactics of a later time, and the special part (the scientific method of investigation), which basically coincides with modern ideas about the forensic methodology» [8].

In 1929, V. I. Gromov published a manual for police and criminal investigation agencies, which he called «Methodology for Investigating Crimes». In the introduction to it, he wrote: «... criminal judicial practice and past experience make it possible to draw generalizing practical conclusions about the methods of work available to every person with some training, the use of which can facilitate the work of investigating crimes, for every average worker, without regard to his personal individual qualities and abilities ... Such conclusions, containing practical instructions or rules tested by experience, relating to the most rational use of all methods of work permissible by law in the process of investigating crimes, set out in a certain system, naturally, can to a large extent facilitate the work of investigating crimes ... The success of the investigation of criminal cases almost always depends on the ability to methodically correctly build and carry out work, the ultimate goal of which is to solve crimes « [9].

V. I. Gromov introduced the term «method of investigating crimes», along with which the term «private technique» later began to be used. True, in the same work he often confused methodology with methodology, using these concepts as equivalent, but the essence of the matter did not change from this: he wrote precisely about methodological recommendations.

Introducing a new term into science, V. I. Gromov did not propose to change the system of forensic science. However, its publication caused precisely these consequences, and already in the textbook of 1935, the method of investigation began to be called an independent section of forensic science, the system of which, thus, became a tripartite one.

This system was also consolidated in the second part of the textbook on criminalistics for law schools (1936), which is specially devoted to the methodology of investigation [10].

The chronological boundaries of each of the stages in the development of forensic theory, as in any periodization, are very arbitrary. Therefore, already at the stage of accumulation of empirical material, we can talk about the appearance of works that belonged to the next stage in the development of the theory – the development of private forensic theories or doctrines. This is a series of works by S. M. Potapov, V. I. Gromov.

Assessing the significance of the stage of accumulation of empirical material and the role of the first domestic forensic scientists in the development of forensic science, it seems to us that it is necessary to proceed from the following provisions.

The emergence and development of forensic theory became possible only due to the fact that science had at its disposal a huge amount of empirical material – both positive and negative about attempts to use forensic tools and methods. It was in this way that the empirical premises of the forensic theory arose both in the form of individual data and in the form of certain empirical patterns. A special role in the development of domestic forensic science was played by the work of this period by two outstanding forensic scientists - I. N. Yakimov and V. I. Gromov, whose work we consider it necessary to dwell on. Ivan Nikolayevich Yakimov was born in 1884 in Novgorod, into the family of a retired officer. In 1906, he entered the law faculty of St. Petersburg University, from which he graduated in 1911. He was enrolled as a candidate for judicial positions in the district court, and then became an assistant barrister in Warsaw. In 1914, as a reserve officer, I. N. Yakimov was drafted into the army, but in 1916 he was demobilized due to illness, he returned to the bar as a barrister at the Moscow Court of Justice. From 1917 to 1919 Ivan Nikolaevich works in the bodies of the People's Commissariat of

Food. In 1919 he was drafted into the Red Army as a military specialist. For five years he has been teaching at higher educational institutions: at the Higher School of Communications, at the Higher School of Chemistry, at the Academy of the Air Fleet. Zhukovsky. Regarding the subsequent period of I. N. Yakimov's life, one of his biographers, M. V. Shvetsov, writes: "After the end of the civil war and the transition of the Soviet state to peaceful construction, when the country faced the task of strengthening the rule of law, one of the important conditions for the implementation of this The task was to train qualified personnel of Soviet lawyers. In accordance with this, the further activity of Ivan Nikolayevich Yakimov for 13 years took place in two directions: the first of them was practical work in the organs of the NKVD; work in the field of criminalistics"[11]. In 1924-1937. Ivan Nikolayevich works in the Moscow Criminal Investigation Department and in the Central Directorate of Criminal Investigation of the NKVD. Ivan Nikolaevich combines practical work in the criminal investigation department with teaching activities: he teaches forensic science at the Higher Police School of the NKVD and at Moscow State University - at the Faculty of Social Sciences and at the Faculty of Law, and after the closure of the latter - at the Law Academy. In 1935-1941. he is an assistant professor, and then a professor at the Moscow Law Institute. During the Great Patriotic War, Ivan Nikolayevich worked as a senior military investigator of the Military Prosecutor's Office of the Moscow garrison. Since 1942, Professor I. N. Yakimov began to lecture at the Faculty of Law of Moscow State University. In 1947 he defended his dissertation for the degree of Doctor of Law, Sciences, and on December 26 he was approved as head of the department of criminology at the Faculty of Law of Moscow State University. He served in this position until his death in January 1954. The creative path of I. N. Yakimov is marked by the creation of a number of capital works on a wide range of problems of forensic science. "Practical guide to the investigation of crimes"[12] was a presentation of a series of lectures to employees of the Central Investigation Department. The book consisted of three parts: criminal technique, criminal tactics and a section called "The application of scientific methods of criminal technique and tactics to the investigation of crimes." Criminal technology was divided into three departments. The first section, "Technical methods of registering criminals," outlined the basics of signalitic photography, verbal portraiture, fingerprinting, and written registration. The second, "Technical Methods for Producing Certain Investigative Actions," dealt with inspections and searches. The third - "Technical methods for detecting and fixing traces of a crime" provided data on the detection, fixation, seizure and study of human traces and other traces (animals, wheels, hacking tools, weapons, fakes and forgeries, combustible substances and incendiary devices during arson), and recommendations were given on the storage of items with traces of a crime. Criminal tactics were divided into four sections: the offender, the means of combating criminals, the prosecution of the criminal, and the use of dogs in the search for criminals. Here, the types of criminals and their classification by type of crimes, behavior in the wild and during detention, methods of secret intercourse of criminals were studied, characteristics were given of the qualities necessary for a criminal investigation agent and his activities, methods of monitoring criminals and their detention were described. In essence, the author called the operational-search activity of the bodies of inquiry a criminal tactic. The third part was divided into two sections: the general method of investigation based on circumstantial evidence (evidence) and the application of the general method to the investigation of individual crimes. The second section contained guidelines for the investigation of crimes against the person, property crimes and crimes against society (counterfeiting, forgery). The book was accompanied by a diagram definition of a crime. Immediately after the publication of the Guide, whose

circulation (3000 copies) could not satisfy the needs of practical workers, and the quality, apparently, of the author himself, I. N. Yakimov began preparing a revised and enlarged edition. It came out under the title: "Criminalistics. A Guide to Criminal Techniques and Tactics", and was also approved and recommended by the ESD of the NKVD Central Political Administration [13]. Back in the mid 20 s. I. N. Yakimov conceived the creation of a scientific work covering the entire system of forensic science, as he imagined it, that is, both criminal technique and criminal tactics. For unknown reasons, he could not realize his plan in full and limited himself to publishing only the second volume of this work, which was published in 1929 under the title: "Criminalistics. Criminal Tactics"[14]. I. N. Yakimov divided the content of criminal tactics into general and special parts. He divided the general part into three sections: the modern criminal, the crimes he commits and the fight against them; an employee of the criminal investigation department and his activities in the fight against criminals and crimes; investigative tactics. New (in comparison with the previous edition) were a table of the distribution of criminals by type of crime (ch. 1 sec. 1), the entire second division, including ch. 2 "The activities of detective officers in the prevention and suppression of crimes", section "Psychology of interrogation" in the chapter on interrogation from the third department. It can be stated that I. N. Yakimov was the first of the domestic criminologists to turn to the problem of preventing and suppressing crime and tried to solve it in the operational-search and forensic aspects. The same can be said about the foundations of the psychology of interrogation. Shortly before the publication of the book under consideration, he published a special practical guide on interrogation, the material of which he used in the indicated chapter [15]. The special part of the book consisted of two sections: I. "Scientific investigation" (the scientific method of investigating crimes) and II. "Investigation of individual crimes". The first section was supplemented by a historical essay, in which the author examined the methods of investigation proposed by A. Weinhardt, A. Niceforo and E. Annushat. The second section was supplemented with guidelines for the investigation of sexual crimes, horse theft, pickpocketing, extortion and blackmail. In subsequent years, I. N. Yakimov developed the problems of investigative examination in particular detail. In 1935, his work "Inspection" [16] was published, he wrote the chapters on inspection in forensic textbooks of 1935, 1938 and 1950. His doctoral dissertation, defended in 1947, was also devoted to the problem of investigative examination. He was one of the first to develop identification tactics [17]. I. F. Krylov rightly notes that "even a cursory biographical sketch of I. N. Yakimov speaks of the comprehensiveness of his scientific interests" [18]. The name of Vladimir Iustinovich Gromov, a scientist who made a significant contribution to the formation and development of Soviet criminalistics, has been undeservedly forgotten for many years. Meanwhile, the role of his scientific work in the formation of Soviet forensic science is such that it allows putting V. I. Gromov on a par with such scientists of that time as I. N. Yakimov and S. M. Potapov. V. I. Gromov was born in 1869 in the city of Semenov, Nizhny Novgorod province. In 1894, he graduated from the law faculty of Moscow University, after which for five years he was listed as a candidate for judicial positions with the duties of secretary of the Nizhny Novgorod District Court. From 1900 to 1917 V. I. Gromov - judicial investigator. After the revolution, V. I. Gromov worked as an inspector-auditor of the Military Economic Council of the People's Commissariat for Military Affairs and the People's Commissariat for Food (1917-1918), chief legal adviser and manager of the legal department of the State Control and the Workers' and Peasants' Committee (1918-1924). In the next few years - an investigator for the most important cases of the Prosecutor's Office of the RSFSR, a senior inspector and consultant of the Main Economic Directorate of the Supreme Economic Council.

From 1926 to 1935 V. I. Gromov devotes himself entirely to research work in the field of forensic science and criminal procedure at the Institute of Soviet Law, the Institute for the Study of the Criminal and Crime, and the Institute of Criminal Policy. In 1935, he returned to practical work as a consultant to the Central Methodological Bureau of the RSFSR Prosecutor's Office, then as a consultant to the Investigation Department of the USSR Prosecutor's Office. From 1938 to 1950 V. I. Gromov - in teaching: first at the Moscow Law Institute, where in 1940 he was awarded the title of associate professor, and then at Moscow State University (department of criminal procedure, classical philology, ancient languages). V. I. Gromov died on March 11, 1952. V. I. Gromov began his scientific activity even before the revolution [19], but his talent as a scientist really manifested itself in the 1920s and 1930s. The first major work that brought him wide fame in the circles of the legal community was the book "Inquiry and preliminary investigation (theory and technique of investigating crimes)", published in 1925 under edited and with a preface by N. V. Krylenko and withstood six editions [20]. The book was divided into two parts. The first dealt with the investigative bodies and the limits of their activities, the general conditions and main tasks of the activities of the bodies of inquiry and preliminary investigation, and the methods of work of the investigating bodies. In the second part, the author analyzed individual acts of investigation and their technique, the organization of investigative actions, described the scientific technique of criminal investigations and its features in relation to certain types of crimes. V. I. Gromov is credited with developing the doctrine of the forensic version and planning the investigation. In 1929, V. I. Gromov's work "Methods for investigating crimes" was published [21]. We have already noted the importance of this work for forensic methodology. But her role was not only that. Constructing his "method of investigation", the author sought to outline the typical methods of investigating certain types of crimes, available to each employee "without regard to his personal individual qualities and abilities", i.e., to turn the art of investigation into the science of investigation. Of course, from the height of the modern level, much in this book looks naive. But it should not be forgotten that it was written when the literature was dominated by dogmatic schemes of the process of investigation. V. I. Gromov in this work outlined the most important stages of the investigation process and formulated the general provisions of the tactics of various investigative actions (inspection, search, examination, etc.). The circle of scientific interests of V. I. Gromov is extremely wide, his creative activity is amazing. Suffice it to say that in addition to these works, in 1929, together with N. Lagovier, he published the book "Criminal Judicial Evidence" [22], in 1931 two of his works were published - "Inspection of the crime scene" [23] and "Techniques for investigating individual types of crimes" [24], in 1932 - "New forms and methods of investigation of official and economic crimes" [25], and in 1934 in collaboration with II. I. Tarasov-Rodionov - "Investigation of theft and abuse in the trading apparatus"[26]. Finally, in 1937, his work of a completely unusual nature was published. This is "Investigative Practice in Examples" [27], about which its editor wrote: "Scipping material from the daily practice of investigative work, the author seeks, using the example of the most common investigative cases, to give not only an analysis of the investigative actions in each case presented by him, but also to make appropriate conclusions and generalizations of a methodological nature that are generally applicable to the investigation of certain categories of criminal cases ... The information reported by the author from the field of forensic science already sounds different: these are no longer paragraphs from a textbook, but technical expediency irrefutably proven on a specific example "(with . 4). Already at the age of 80, in 1949, he took part in the preparation of the Investigator's Handbook. In 1935/36 and 1938/39. the first domestic forensic

textbooks for law schools were published, in the preparation of which all the leading criminologists of that time took part: S. M. Potapov, I. N. Yakimov, V. I. Gromov, S. A. Golunsky, A. I. Vinberg, B. M. Shaver, E. U. Zitser and others. In 1940, the first textbook for law schools by B. M. Shaver and A. I. Vinberg was published. Of great importance for the formation of the theory of forensic science were the articles by B. M. Shaver "On the basic principles of private methods" and "The subject and method of Soviet forensic science", as well as the article by S. M. Potapov "Principles of forensic identification", which laid the foundation for the formation of this most important forensic theory. The question of the nature of criminalistics was not specially considered during these years; a three-term system of science was adopted: technique, tactics and methodology, and after the publication of B. M. Shaver's article on the subject of science - a two-term system, consisting of general and special parts. The period between the two world wars for domestic criminology was mainly the time of accumulation of empirical material, the task of disseminating forensic knowledge among law enforcement officers, creating practical guidelines and manuals was solved. At the same time, the scientific foundations of forensic examination were laid (the works of A. I. Vinberg, B. M. Komarinets, B. I. Shevchenko, S. M. Potapov, etc.), foreign experience in the use of scientific tools and methods was studied to a certain extent. detection of crimes, the tactics of investigative actions were formed. The issue of the independent nature of forensic science was positively resolved, which, however, met with objections from some scientists.

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