

Penitentiary Recidivism as a Systemic Criminological Problem: Theoretical and Legal Foundations, Psychological Determinants, and Prevention Mechanisms in the Republic of Uzbekistan

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Abstract: Penitentiary recidivism represents one of the most complex challenges facing contemporary criminal justice systems because it reflects not only the individual propensity to reoffend but also the effectiveness of correctional institutions, post-release supervision, and social reintegration mechanisms. This article examines penitentiary recidivism in the Republic of Uzbekistan as a systemic criminological problem and analyzes its theoretical, legal, psychological, and socio-adaptive dimensions. The study employs a qualitative interdisciplinary approach based on criminological analysis, legal and policy-document analysis, and a review of relevant academic literature concerning recidivism, penitentiary personality deformation, probation, and post-penitentiary resocialization. Particular attention is paid to the interaction between institutional conditions during imprisonment, psychological transformations of convicted persons, and socioeconomic barriers encountered after release. The article also examines the role of probation services and the Mahalla Seven (Mahalla Yettiligi) in supporting social adaptation, employment, family reintegration, and crime prevention. The analysis indicates that effective prevention of penitentiary recidivism requires a continuous model of intervention beginning during imprisonment and extending throughout the post-release period. Such a model should combine psychological rehabilitation, vocational training, individualized probation supervision, employment assistance, family support, and coordinated action by local community institutions. The article concludes that the further development of an integrated digital and interinstitutional prevention system, combined with evidence-based psychological interventions and stronger community-based support, could significantly improve the effectiveness of recidivism prevention within the framework of Uzbekistan's ongoing criminal justice reforms and the Uzbekistan-2030 Strategy.

Keywords: penitentiary recidivism; recidivism prevention; resocialization; penitentiary personality deformation; probation; post-penitentiary adaptation; Mahalla Seven; crime prevention; Uzbekistan.



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INTRODUCTION

The ongoing transformation of the judicial and legal system in the Republic of Uzbekistan has placed increasing emphasis on the protection of human dignity, the rehabilitation of convicted persons, and the modernization of the system of criminal punishment. Within this reform process, the effectiveness of the penitentiary system can no longer be assessed exclusively by the number of persons placed in correctional institutions. An equally important criterion is the extent to which individuals are prepared for lawful and socially constructive behavior following their release.

This approach is consistent with the broader direction of Uzbekistan's criminal justice reforms, which emphasize the correction and rehabilitation of convicted persons, respect for their rights and dignity, vocational preparation, and cooperation with civil society in facilitating social adaptation after release. Official presidential materials have repeatedly emphasized the importance of improving the correctional process and strengthening interaction between state institutions and civil society in the social adaptation of persons released from correctional institutions.

Against this background, penitentiary recidivism—understood in this article as the commission of a new criminal offense by a person who has previously served a custodial sentence—constitutes an important indicator of the effectiveness of correctional and post-release interventions. Recidivism cannot be explained exclusively by individual criminal propensity. Rather, it is influenced by the interaction of personal, psychological, institutional, family, economic, and community-level factors.

The problem becomes particularly significant because imprisonment may produce profound changes in an individual's behavioral patterns and social relationships. Prolonged institutionalization can weaken independent decision-making skills, disrupt family and employment relationships, reinforce distrust of social institutions, and facilitate exposure to criminal norms. After release, these internal changes may interact with external barriers such as unemployment, housing insecurity, social stigma, weak family support, and difficulties in accessing legitimate sources of income.

Therefore, the prevention of penitentiary recidivism requires an integrated criminological perspective. Such a perspective must consider both the internal transformation of the individual during imprisonment and the external conditions that shape the person's ability to reintegrate into society after release.

The issue is particularly relevant to Uzbekistan because the country has been developing new institutional mechanisms for social protection, probation, community-based crime prevention, and the strengthening of the mahalla system. The Mahalla Seven, consisting of key community-level officials responsible for social, economic, youth, women's, tax, and crime-prevention matters, has become an important mechanism for addressing local social problems.

The Uzbekistan-2030 Strategy also provides a broader policy framework for improving social protection, human development, institutional effectiveness, and the delivery of public services. Within this policy environment, the development of an effective system for preventing recidivism should be viewed not merely as a law-enforcement task but as a multidisciplinary social policy objective.

The purpose of this article is therefore to examine penitentiary recidivism as a systemic criminological phenomenon, identify its major institutional, psychological, and socio-adaptive determinants, evaluate the existing mechanisms of prevention in Uzbekistan, and formulate strategic recommendations for strengthening post-penitentiary resocialization.

RESEARCH METHOD

This study employs a qualitative interdisciplinary methodology combining criminological, legal, psychological, and socio-institutional approaches.

First, a doctrinal legal analysis is used to examine the legal and institutional framework governing the execution of criminal sanctions, probation, crime prevention, and social adaptation in the Republic of Uzbekistan. Particular attention is paid to the development of the probation system and relevant presidential and legislative acts.

Second, a criminological analysis is applied to identify the major determinants of penitentiary recidivism. These determinants are classified into three interconnected groups: penitentiary and institutional factors, individual and psychological factors, and post-penitentiary socio-adaptive factors.

Third, a documentary and literature analysis is used to examine academic publications, methodological materials, legislation, official policy documents, and publicly available government information concerning rehabilitation and social reintegration.

Fourth, a systemic approach is applied to examine post-penitentiary prevention as an interconnected institutional system involving correctional institutions, probation services, internal affairs bodies, local executive authorities, mahalla institutions, social protection services, employers, and civil society organizations.

The study is analytical and conceptual in nature. It does not claim to present original longitudinal survey data or statistical estimates of recidivism unless such empirical data are explicitly collected and documented. Accordingly, the conclusions are formulated on the basis of legal, criminological, psychological, and institutional analysis rather than unsupported quantitative claims.

RESULTS AND DISCUSSION

The problem of repeated criminal behavior has traditionally occupied an important position within criminology, criminal law, and correctional studies. In the Uzbek criminological tradition, significant attention has been devoted to the causes of recidivism, the legal consequences of previous convictions, criminal prevention, and the correction of persons convicted of criminal offenses.

The works of Ismailov and Rustambaev provide an important theoretical foundation for understanding recidivism, criminological prevention, and the legal framework of the execution of criminal sanctions. Ochilov's research addresses criminological aspects of preventing repeated offending and the administrative and legal mechanisms associated with persons who have criminal records.

Another important dimension of the problem concerns the psychological consequences of imprisonment. Research in penitentiary psychology emphasizes that prolonged institutionalization may alter an individual's patterns of perception, interpersonal behavior, emotional regulation, and decision-making. Within the Uzbek academic context, Shaumarov's works have addressed penitentiary personality deformation and psychological support for persons under probation supervision.

From a theoretical perspective, penitentiary personality deformation may be understood as a set of relatively stable psychological and behavioral changes that emerge or become reinforced under the specific conditions of institutional confinement. These changes may include dependency on institutional routines, reduced autonomy, emotional rigidity, distrust, aggressive responses to perceived threats, and difficulties in adapting to open social environments.

However, psychological deformation should not be treated as an inevitable consequence of imprisonment. Its development depends on the duration and conditions of confinement, individual characteristics, previous social experience, family

relationships, the institutional environment, access to education and vocational training, and the quality of correctional interventions.

The literature therefore supports a multidimensional understanding of recidivism. It is not simply an outcome of individual criminal motivation; rather, it may emerge when individual vulnerabilities interact with unfavorable institutional and post-release conditions.

Contemporary international approaches similarly emphasize that effective recidivism prevention should combine risk assessment, cognitive-behavioral interventions, education and employment programs, substance-use interventions where relevant, family support, and structured community supervision. Consequently, the Uzbek system can benefit from a transition from fragmented interventions toward a continuous model of rehabilitation and reintegration.

Major Determinants of Penitentiary Recidivism

Penitentiary recidivism is generated by a complex interaction of factors rather than by a single cause. For analytical purposes, these factors can be divided into three interconnected groups.

1. Institutional and Penitentiary Factors

The first group consists of factors associated with the conditions of imprisonment and the organization of correctional institutions.

One important factor is exposure to criminal subcultures. When individuals with different levels of criminal experience are placed in close and prolonged contact, particularly where effective differentiation and individualized correctional programming are insufficient, opportunities may arise for the transmission of criminal knowledge, attitudes, behavioral patterns, and informal norms.

A second factor is institutional stress and stigmatization. Prolonged restrictions on autonomy, privacy, communication, and individual choice may contribute to psychological stress and emotional rigidity. If such conditions are not accompanied by effective rehabilitation programs, individuals may develop distrust toward institutions and society.

A third factor concerns the quality of correctional interventions. Educational, vocational, psychological, and behavioral programs that are formal rather than individualized may have limited effects on reducing the risk of reoffending.

Therefore, the penitentiary institution should not merely function as a place of punishment and physical isolation. It should also serve as an environment in which individuals acquire the psychological, educational, vocational, and social competencies required for lawful life after release.

2. Psychological and Personality Factors

The second group consists of psychological transformations that may develop during imprisonment.

One important manifestation is the loss of autonomous decision-making skills. In a highly regulated institutional environment, many aspects of everyday life are determined by external rules and schedules. After release, the individual must once again independently manage money, employment, family responsibilities, interpersonal conflicts, and personal decisions.

Another factor is the development of dependency and passive behavioral patterns. Long-term institutional routines may reduce the individual's capacity for independent planning and problem-solving.

A further factor is the weakening of social responsibility and future-oriented thinking. Individuals who have experienced repeated criminal behavior may develop

short-term decision-making patterns in which immediate benefits outweigh long-term consequences.

Psychological interventions should therefore address not only overt criminal behavior but also cognitive distortions, emotional regulation, interpersonal skills, motivation for lawful behavior, and the ability to plan for the future.

3. Post-Penitentiary Socio-Adaptation Factors

The third group becomes particularly important immediately after release.

Unemployment and economic insecurity may create strong incentives for returning to illegal sources of income. A criminal record may also function as a practical barrier to employment because employers may be reluctant to hire persons with previous convictions.

Housing insecurity represents another major vulnerability. The absence of stable accommodation may make it difficult for a released person to establish a stable routine, maintain employment, or restore family relationships.

Social stigma and rejection can further increase the risk of reoffending. If relatives, neighbors, and employers permanently define an individual by his or her criminal past, legitimate opportunities for reintegration become narrower.

Consequently, successful reintegration requires the simultaneous provision of supervision, social assistance, employment opportunities, family support, and psychological services.

The Current System for Preventing Penitentiary Recidivism in Uzbekistan

The prevention of penitentiary recidivism should be organized as a continuous process extending from the period of imprisonment to the period following release.

1. The Pre-Release Stage

The first stage should begin before the individual's release from a correctional institution. During this period, the individual's social and psychological needs should be assessed, including housing, employment, family relations, education, vocational skills, psychological risks, and potential difficulties associated with community reintegration.

Vocational training should be linked to actual labor-market demand. The objective should not simply be to issue a training certificate but to create a realistic pathway from vocational preparation to employment after release.

A structured pre-release plan should therefore include: 1) psychological and criminological risk assessment; 2) identification of housing and family needs; 3) vocational and educational assessment; 4) preparation of employment opportunities; 5) restoration or acquisition of necessary civil documents; 6) preparation of a probation and social-support plan; and 7) coordination with relevant local institutions before release.

2. The Probation Stage

The second stage concerns probation supervision. Uzbekistan adopted the Law of the Republic of Uzbekistan "On Probation" No. O'RQ-938 on 7 August 2024, establishing a dedicated legal framework for probation activities. The law regulates, among other matters, the placement of persons under probation supervision and the organization of probation-related information systems.

The development of probation represents an important shift from purely supervisory approaches toward a combination of control and social assistance.

Effective probation should therefore include: 1) individualized risk assessment; 2) regular contact with the supervised person; 2) psychological counseling; 3) employment assistance; 4) assistance with documentation and social services; 5) family reintegration; 6) monitoring of compliance with legal requirements; and 7) referral to specialized services where necessary.

The central principle should be proportionality: supervision must be sufficiently strong to manage risk but sufficiently supportive to facilitate lawful reintegration.

3. The Community-Based Stage: The Role of the Mahalla Seven

The *Mahalla Seven* (*Mahalla Yettiligi*) provides an important local institutional framework for community-based intervention.

The system brings together the mahalla chairperson, hokim's assistant, women's activist, youth leader, prevention inspector, social worker, and tax officer.

For the prevention of recidivism, the system has the potential to coordinate several dimensions of reintegration simultaneously.

The prevention inspector can contribute to crime-prevention monitoring and coordination with internal affairs bodies. The hokim's assistant can facilitate employment, entrepreneurship, and access to economic opportunities. The social worker can assist with social documentation, access to social protection, and the resolution of urgent welfare needs. The mahalla chairperson can coordinate community-level cooperation and mobilize local resources. The women's activist and youth leader, where relevant to the individual case, can facilitate family, youth, and social-support interventions. The tax officer can contribute to formalization and legal economic activity where the released person establishes self-employment or a small enterprise.

The value of the *Mahalla Seven* therefore lies not in adding another layer of administrative supervision but in creating a mechanism through which social, economic, and preventive interventions can be coordinated at the local level.

Psychological Correction and Rehabilitation Methods

The reduction of penitentiary-related psychological difficulties requires evidence-based interventions adapted to the individual needs of the person concerned.

1. Cognitive-Behavioral Interventions

Cognitive-behavioral approaches can be used to identify and modify dysfunctional patterns of thinking associated with criminal behavior.

Examples include beliefs such as:

"The law does not apply to people like me."

"Everyone is against me."

"Illegal activity is the only way to survive."

"There is no point in planning for the future."

The purpose of intervention is not to impose positive thinking but to help the individual recognize distorted assumptions, evaluate consequences, and develop more adaptive decision-making strategies.

2. Motivational Interviewing

Motivational interviewing can be used to address ambivalence toward behavioral change. Rather than relying exclusively on external pressure, the method encourages individuals to articulate their own reasons for adopting lawful and socially constructive behavior.

Potential sources of motivation may include family responsibilities, employment, personal dignity, relationships with children, and the desire to establish a stable life.

3. Social Reintegration Training

Social reintegration programs should include practical exercises that simulate situations commonly encountered after release.

These may include: 1) job interviews; 2) conflict resolution within the family; 3) communication with government officials; 4) financial planning; 5) dealing with rejection; managing anger and frustration; and 6) developing lawful coping strategies.

Such training should ideally begin before release and continue during the probation period.

Systemic Problems and Implementation Barriers

Despite the development of a more integrated prevention framework, several structural challenges may limit its effectiveness.

1. Employment Barriers

One of the most significant problems is the difficulty of securing stable employment after release. Formal employment policies may exist, but their practical implementation depends heavily on employer attitudes, local labor-market conditions, and the availability of appropriate vocational skills.

A more effective approach would combine employment quotas or incentives with employer education, vocational certification, job-matching mechanisms, and post-placement support.

2. Limited Psychological Capacity

The effectiveness of individualized psychological rehabilitation depends on the availability of trained professionals. Where the number of psychologists and probation officers is insufficient, psychological assessment may become procedural rather than genuinely therapeutic.

Therefore, staff development, standardized assessment tools, supervision, and evidence-based intervention protocols are essential.

3. Interinstitutional Coordination

Recidivism prevention involves multiple institutions. If information is not transferred promptly between correctional institutions, probation services, social protection organizations, employment services, and mahalla institutions, the individual may experience a period without effective supervision or assistance immediately after release.

The introduction of interoperable digital information systems could reduce this coordination gap.

4. Risk of Excessive Administrative Control

An effective probation system must maintain a balance between public safety and social reintegration. Excessive administrative control without meaningful assistance may increase social marginalization rather than reduce it.

Consequently, probation should be understood as a combination of risk management and reintegration support, rather than merely surveillance.

Strategic Directions for Modernizing Recidivism Prevention

Based on the analysis above, several strategic directions can be proposed.

1. Development of a “Probation–Integration” Digital Ecosystem

Uzbekistan could develop an integrated digital platform connecting correctional institutions, probation services, employment institutions, social protection organizations, and relevant mahalla structures.

The system could include: 1) an individualized digital rehabilitation plan; 2) risk and needs assessment; 3) employment and vocational profiles; 4) housing and social-support information; 5) scheduled probation appointments; 6) referrals to psychological services; 7) progress monitoring; and 8) interinstitutional case-management functions.

Such a platform should incorporate strict data-protection safeguards and clear rules governing access to sensitive personal information.

2. Development of Social Enterprises and Supported Employment

The state could encourage businesses that employ people with previous convictions through targeted incentives, vocational partnerships, and supported-employment programs.

Rather than creating segregated workplaces, priority should be given to inclusive employment models in which former prisoners work alongside other employees while receiving appropriate mentoring and professional support.

3. Individualized Case Management

Each person leaving a correctional institution should have an individualized reintegration plan based on identified risks and needs.

The plan should specify: 1) employment objectives; 2) housing arrangements; 3) family-support measures; 4) psychological interventions; 5) probation requirements; 6) education or vocational training; 7) responsible institutions; and 8) measurable indicators of successful reintegration.

4. Evidence-Based Evaluation

The effectiveness of recidivism-prevention programs should be evaluated using measurable indicators rather than administrative activity alone.

Possible indicators include: 1) employment retention; 2) housing stability; 3) compliance with probation requirements; 4) participation in psychological programs; 5) restoration of family relationships; 6) completion of vocational training; and 7) subsequent offending.

This would allow policymakers to distinguish between programs that merely generate administrative outputs and those that actually improve reintegration outcomes.

CONCLUSION

Penitentiary recidivism should be understood as a systemic criminological problem rather than merely an individual failure to comply with the law. Repeated offending may result from the interaction of psychological vulnerabilities, institutional experiences, disrupted social relationships, unemployment, housing insecurity, stigma, and weaknesses in post-release support.

The analysis demonstrates that effective prevention requires continuity between the correctional institution, probation services, local government, mahalla institutions, social protection organizations, employers, families, and civil society.

Uzbekistan's continuing criminal justice reforms create opportunities for strengthening such an integrated approach. The development of probation legislation, the expansion of community-level mechanisms such as the Mahalla Seven, and the broader objectives of the Uzbekistan-2030 Strategy provide an institutional foundation for further modernization.

However, institutional reform alone is insufficient. The effectiveness of recidivism prevention depends on whether released persons are provided with realistic opportunities to establish lawful and socially meaningful lives. Employment, housing, family support, psychological rehabilitation, and access to social services should therefore be regarded as integral components of public safety policy.

The most promising model is a continuous rehabilitation system beginning before release and continuing throughout the period of community reintegration. Such a system should combine individualized risk assessment, evidence-based psychological interventions, vocational preparation, probation supervision, employment assistance, and community-based support.

The Mahalla Seven can play an important coordinating role in this process because it provides a local institutional framework capable of connecting crime prevention with

social and economic support. Nevertheless, its effectiveness will depend on clear responsibilities, professional capacity, interinstitutional coordination, digital integration, and evidence-based evaluation.

Ultimately, the prevention of penitentiary recidivism should not be measured solely by the number of individuals under supervision. Its ultimate indicator is whether formerly incarcerated persons are able to return to society, maintain lawful employment and stable social relationships, and participate constructively in community life. From this perspective, effective resocialization is simultaneously a matter of human dignity, social stability, and long-term public security.

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