

LOUISE SHELLEY

Soviet Criminology: Its Birth and Demise, 1917–1936

Shortly after the 1917 Revolution, the Soviet Union developed sophisticated and diversified criminological research.¹ Well-trained lawyers, doctors, and social scientists obtained access to criminal statistics, research facilities, and funding and were unhampered by ideological limitations. The varieties of descriptive, statistical, and experimental research on crime conducted in criminological institutes by government agencies and independent researchers throughout the Soviet Union did much to advance criminologists' understanding of the personality of the offender and the relationship between crime and social change.

Unfortunately, this remarkable period of Soviet criminology has received little attention from either Soviet or Western scholars. To compensate for long-term neglect of immediate concerns over crime, Soviet scholars have written far less on early criminology than on contemporary crime problems. Most of the criminological history was written in the 1960s by survivors of the 1920s, such as Gertsenzon, Utevsii, and Shirvindt.² With the death of the older generation, research almost ceased, and younger scholars have been reluctant to focus on problems that have no immediate relevance.³ The one dissertation written on the criminological research of the 1920s and 1930s, under the direction of Gertsenzon, has not been followed by further historical analyses.⁴

Western scholars have demonstrated only peripheral interest in the diverse criminological research of the immediate postrevolutionary period and have instead directed their attention to the criminological research findings and the demise of Soviet criminology in the late 1920s. Both John Hazard and Peter Juviler have examined the criminological research of the 1920s, but their attention has been devoted to research results rather than to criminological scholarship. John Hazard has cited writings on the effect of the Revolution on crime,⁵ whereas Peter Juviler has focused on insights into the operation of the criminal

1. A detailed account of the research and researchers is given in Louise Shelley, "Soviet Criminology After the Revolution," *Journal of Law and Criminology*, 70, no. 3 (1979): 391–96.

2. Gertsenzon, Utevsii, and Shirvindt were associated with the *Gosudarstvennyi Institut po izucheniiu prestupnosti i prestupnika* in the 1920s.

3. The only younger scholars who have written on the history of Soviet criminology are Iu. P. Kasatkin, "Ocherk istorii izucheniia prestupnosti v SSSR" in *Problemy iskoreniia prestupnosti* (Moscow, 1965), pp. 187–225; L. V. Il'ina, "Iz istorii razvitiia sovetskoi kriminologii," *Voprosy bor'by s prestupnost'iu*, 7 (1968): 29–41; and I. S. Noi, *Metodologicheskie problemy sovetskoi kriminologii* (Saratov, 1975), pp. 5–42.

4. L. V. Il'ina, "Razvitie kriminologicheskikh issledovaniia v SSSR (20–30^e gody)" (*kandidat diss.* [Moscow, Institut po izucheniiu prichin i razrabotke mer preduprezhdeniia prestupnosti, 1970]).

5. John N. Hazard, *Settling Disputes in Soviet Society* (New York: Columbia University Press, 1960), and Hazard, "Trends in the Soviet Treatment of Crime," *American Sociological Review*, 5, no. 4 (1940): 566–76.

justice system provided by crime research.⁶ Peter Solomon has concentrated on the final years of early Soviet criminology (1928–36) primarily in terms of organizational changes in legal and criminological research apparatus and not on the actual content of the research.⁷ None of these three scholars has discussed the type and diversity of criminological research of the postrevolutionary period or the theoretical and ideological orientation of the numerous criminologists throughout the USSR. This article presents a survey of these aspects.

Neglect of important and revealing criminological research of the postrevolutionary period is regrettable. A review of the development and subsequent demise of Soviet criminology in the period 1917–36 will demonstrate the effect of Stalinist policies on the diverse and sophisticated research of the immediate postrevolutionary period. I shall also survey the various research institutes, the scholars and the publications associated with these geographically remote institutes, and the major themes of research pursued there.

Soviet criminological research in the Soviet Union perpetuated a tradition dating from the closing decades of the nineteenth century. While certain researchers of the Soviet period had not established their reputations before the Revolution, other scholars, such as Tarnovskii, Zhizhilenko, and Gernet, were merely resuming careers and reputations already established during the tsarist period.⁸

Within a year of the tumultuous Revolution of 1917 and while bitter internal civil war was still raging, the first criminological research center was founded in Petrograd,⁹ and the first scholarly legal publication—*Proletarskaia revoliutsiia i pravo*, sponsored by the People's Commissariat of Justice—appeared. The emergence of criminology in such a turbulent period can be explained both by a concern of Soviet administrators and criminal law scholars over the sudden rise in crime in a period when criminality was supposed to be withering away, as well as by an interest of the Soviet government, under Lenin's leadership, in documenting all aspects of life in the USSR.

Although Leninist ideology proclaimed that the political structure of society would wither away under communism, paradoxically, organizers of the criminal justice system did not delay in establishing Soviet administrative organs concerned with combating and monitoring ordinary and political criminality. Only a few months after the Revolution, the VChK (All-Russian Extraordinary Commission in the Fight Against Counterrevolutionary Activity and Sabotage), the forerunner of the infamous Cheka, and the police or workers' militia were established.¹⁰ Directly after the Revolution, the first crime statistics were collected in limited regions of the Russian Republic by the People's Commissariat of Justice. The formation of the Division of Moral Statistics, which was concerned with the collection and distribution of all social statistics, rapidly followed, and,

6. Peter H. Juviler, *Revolutionary Law and Order* (New York: The Free Press, 1976).

7. Peter H. Solomon, Jr., "Soviet Criminology: Its Demise and Rebirth, 1928–63," *Soviet Union*, 1, no. 2 (1974): 122–40; Solomon, *Soviet Criminologists and Criminal Policy* (New York: Columbia University Press, 1978).

8. S. S. Ostroumov, *Prestupnost' i ee prichiny v dorevoliutsionnoi Rossii* (Moscow, 1960); Ostroumov, "Levaia gruppa russkikh kriminalistov," *Pravovedenie*, 6, no. 4 (1962): 145–50.

9. Il'ina, "Razvitie kriminologicheskikh issledovaniï," p. 243.

10. Juviler, *Revolutionary Law and Order*, pp. 22–23.

as a result, the centralized criminological statistics necessary for serious criminological research became available. Representative materials for scholarly criminological analysis existed by 1920, at which time systematic statistics were available for 85 percent of Soviet government districts.¹¹

After 1918 and before the introduction of the first criminal code in 1922, criminological research was conducted by scholars at research centers in Leningrad and Saratov and by researchers affiliated with the People's Commissariat of Justice, the Central Statistical Bureau (*Tsentral'noe statisticheskoe upravlenie*), the police, and other government organs concerned with the administration of justice. The limited published research was both statistical and theoretical, and its quality improved rapidly.

Many studies published before or during 1922 analyzed the causes of crime, class and sexual participation in crime, geographical distribution of criminality, and the dynamics of different offenses within the Soviet Union. Some of the most notable works included a lengthy series on motivations of murder,¹² *Prestupnost' i ee faktory* by Zhizhilenko, which analyzed multifactor causation in criminality, and Gernet's *Moral'naia statistika*, which compared postrevolutionary criminality with that of the prerevolutionary period. The subject of greatest theoretical interest to early Soviet criminologists was punishment,¹³ and penologists of the period disagreed on the purpose of punishment and the appropriate treatment of the offender. Their views ranged from those of Savrosov, head of the penal division of the People's Commissariat of Justice of the RSFSR, who supported treatment of prisoners instead of punishment,¹⁴ to those of Bystriaskii, who, in *Prestuplenie v proshlom i v budushchem*, advocated the application of harsh measures to all offenders defined as opponents of the new regime.¹⁵ The many views on the subject of punishment are characteristic of the diversity of early Soviet criminological research.

An uncertain definition of crime, the future of crime in the new society, and the absence of an organized criminal justice system in the period before codification of the first formal criminal legislation in 1922 limited criminological scholarship. The statistical and theoretical criminological research that emerged shortly after the Revolution provided a fitting prelude to the diverse scholarship that would subsequently develop.

Adoption of the 1922 criminal code laid the groundwork for serious criminological research by recognizing the existence and limits of criminal behavior in Soviet society. The code expanded the concept of crime beyond the 1919 definition of crime as murder, attempted murder, bodily injury, rape, robbery, arson, counterfeiting, bribery, and speculation¹⁶ to include hooliganism, violation of

11. Il'ina, "Razvitie kriminologicheskikh issledovaniï," p. 42.

12. A. A. Savrosov, "Motiv v ubiistve," in *Proletarskaia revoliutsiia i pravo*, no. 8–10 (1918), pp. 36–45, and in *ibid.*, no. 11 (1919), pp. 36–46.

13. P. Vsesviatskii, "Kriminologicheskie etiudy sovremennosti," *Ezhenedel'nik sovetskoi iustitsii*, 1922, no. 9, pp. 6–7.

14. A. A. Savrosov, "Prestuplenie i nakazanie v tekushchii perekhodnyi period," *Proletarskaia revoliutsiia i pravo*, no. 5–6 (1918), pp. 22–26.

15. Il'ina, "Razvitie kriminologicheskikh issledovaniï," p. 10.

16. Hazard, *Settling Disputes in Soviet Society*, p. 141.

government monopolies, and political and religious offenses.¹⁷ Systematic criminological research was initiated by centers in many different Soviet cities and by research organs of the police, courts, and other judicial administrative agencies. Lively intellectual debates among researchers occurred in such legal journals as *Pravo i zhizn'*, *Administrativnyi vestnik*, *Rabochii sud*, and at national conferences.

Soviet criminology paralleled the intellectual heights achieved in the disciplines of art, architecture, and literature during the mid-1920s. Soviet criminology in this short period equaled and even surpassed the intellectual level of its Western counterparts. The intellectual freedom of the mid-1920s and the party's and government's resolution to strengthen socialist legality combined to produce diverse, competent, and exciting Soviet criminology.

Before the introduction of the Stalinist criminal code in 1926, criminological research was primarily concerned with the kind and quality of crime committed, the personality of the offender, the causes of different offenses, and effective preventive measures. Numerous research projects and books were devoted to different categories of criminality, in particular to hooliganism, embezzlement, and murder. The personality of the criminal was the predominant research subject of the 1920s, and consequently, scholars tried to discern criminal motivations and characteristics that differentiated offenders by particular forms of criminality.

Despite the emphasis on personality, the most significant contribution to criminology, according to the distinguished criminologist Gertsenzon, was the statistical research of the period.¹⁸ Sophisticated analyses correlated observed patterns of criminality with changing sex roles, population movements, destruction caused by the Revolution and the civil war, the economic policies of NEP, and collectivization. Comparisons of urban and rural criminality produced the most definitive results. Scholars found that urban crime generally was directed against property and rural crime against the person. In the early 1920s, the population exodus from the cities, which resulted from food shortages, contributed to a highly criminal and generally unstable rural population. These statistical studies were a major contribution to the criminological research of the mid-1920s, but they comprised only a small proportion of the extensive and serious scholarship that characterized the period.

Prolific and sophisticated criminological research was conducted throughout the Soviet Union during the mid-1920s. Crime studies were produced by the *Gosudarstvennyi Institut po izucheniiu prestupnosti i prestupnika* and its affiliates in Moscow, Leningrad, Saratov, and Rostov-on-Don,¹⁹ and by locally directed criminological institutes in different republics as well as by scholars affiliated with government organs concerned with the administration of justice. Crime during this period was analyzed from biological, anthropological, sociological, psychological, psychiatric, or Marxist perspectives, depending on the orientation of individual scholars and their institutions. Scholars were not limited by either ideological or methodological constraints.

17. Harold J. Berman, ed., *Soviet Criminal Law and Procedure: The RSFSR Codes*, 2nd ed. (Cambridge, Mass.: Harvard University Press, 1972), p. 46.

18. Noi, *Metodologicheskie problemy*, p. 46.

19. N. Spasokukotskii, "Organizatsiia i pervye shagi deiatel'nosti gosudarstvennogo instituta po izucheniiu prestupnosti i prestupnika," *Problemy prestupnosti*, no. 1 (1926), p. 271.

In terms of broad themes, number of qualified personnel, and interinstitutional character, the center of Soviet criminology was the *Gosudarstvennyi Institut*, founded in 1925 in affiliation with the NKVD (*Narodnyi komissariat vnutrennikh del*).²⁰ The headquarters in Moscow had four sections: socio-economic, penitentiary, biopsychological, and criminalistics.²¹ Its six major theoretical and practical goals included clarification of the causes of crime and crime commission for both particular crimes and criminality in general, study of methods of fighting crime and implementation of other forms of social defense, analysis of questions of criminal and penal policy, development of a system of studying criminals within the penitentiary setting, study of various explanations of the phenomenon of crime, and analysis of the influence of corrective labor on the behavior of convicts.²² (Only the socioeconomic section of the institute was interested in furthering a Marxist analysis of the study of crime causation.)

From the time of its formation, the *Gosudarstvennyi Institut* was officially governed by Marxist ideology, and the headquarters of the institute adhered to the materialist methodology more than its affiliates scattered throughout the Russian Republic. Nevertheless, its staff, drawn from many intellectual disciplines,²³ ensured that the national criminological institution employed diversified methodologies.

Individual affiliates of the *Gosudarstvennyi Institut* were not committed to a definite ideological orientation, and the research centers in Moscow, Leningrad, Rostov, and Saratov pursued the study of crime in the manner each considered most suitable. Their reliance on the biological and psychological method in studies of penology and individual offenders is indicated by such major works as V. Brailovskii's *Opyt bio-sotsial'nogo issledovaniia ubiits* (Rostov, 1929) and *Khuliganstvo i khuligany* (Moscow, 1929), edited by V. Tomachev. Research at the Moscow bureau for criminological research was conducted among inmates and criminal groups to further understanding of the causes and conditions facilitating the commission of crime. The Moscow bureau was housed in a former penal institution, and facilities were available for the study of fifty prisoners. Specialists were drawn from over thirty fields, including criminology, psychiatry, psychology, and penology.²⁴ Their research dominated the contents of the institute's journal, *Problemy prestupnosti*.²⁵

The Leningrad branch of the *Gosudarstvennyi Institut* was primarily interested in research on those convicted of hooliganism. There is little written record of the details, but the titles of its research projects published in *Problemy prestupnosti* reveal that its scholars adhered primarily to a social science approach to crime studies.²⁶

20. *Sovetskaia kriminologiia* (Moscow, 1966), p. 25.

21. Spasokukotskii, "Organizatsiia," p. 269.

22. E. G. Shirvindt, "O problemakh prestupnosti," *Problemy prestupnosti*, no. 1 (1926), pp. 6-7.

23. Spasokukotskii, "Organizatsiia," pp. 269-72.

24. N. Spasokukotskii, "Deiatel'nost' gosudarstvennogo instituta po izucheniiu prestupnosti i prestupnika," *Problemy prestupnosti*, no. 2 (1927), p. 241.

25. The work of such Moscow scholars as Gernet, Rodin, Shirvindt, and Tarnovskii figured prominently in the journal.

26. N. Spasokukotskii, "Deiatel'nost' gosudarstvennogo instituta po izucheniiu prestupnosti i prestupnika," *Problemy prestupnosti*, no. 3 (1928), pp. 307-8.

The more geographically remote affiliates of the *Gosudarstvennyi Institut* in Rostov and Saratov were almost unaffected by the official philosophy of their parent institution. The Saratov Regional Center of Criminal Anthropology and Judicial-Psychiatric Expertise (the full name of the Saratov affiliate of the *Gosudarstvennyi Institut*)²⁷ and the Center for the Study of the Personality of the Offender located in Rostov shared a common philosophical position.²⁸ Both centers used biological methodology to study physical aspects of the criminal. Acceptance of inherent physical determinants by the criminological centers in Saratov and Rostov directly refuted the fundamental Marxist tenet that crime would be eliminated with the achievement of socialism.

The Saratov center studied the causes and development of crime, measures of social defense, criminal policy, prisoners, and the influence of correctional measures on inmates. Its goals—the study of the etiology, pathology and pathogenesis of crime, and the personality of the offender²⁹—indicated the center's expectation that the criminal could be cured through application of psychiatric expertise.³⁰ The center was organized into sociological, psychological, neuropsychiatric, and physical sections, each employing different methodologies to study both the offender and his processing through the criminal justice system.³¹

The Rostov affiliate was a division of the *kraevoe upravlenie zdnavookhranenie* (regional public health organization) as well as a branch of the *Gosudarstvennyi Institut*. Its publication, *Voprosy izucheniia prestupnosti na severnom Kavkaze*, reflected the use of biomedical, anthropological, and experimental psychology by a staff of doctors and psychiatrists working in close association with lawyers in conducting research.³² The training of the research workers at the Rostov affiliate resembled that of scholars at the Moscow and Saratov bureaus. However, the biological approach, which was frequently criticized later, was used more extensively at Rostov than at any other branch of the *Gosudarstvennyi Institut*. Scholars of the Rostov affiliate conceived of their research as a distinct contribution to total Soviet criminology.

Research conducted by the different affiliates of the *Gosudarstvennyi Institut* addressed questions similar to those studied at the headquarters, but the research methods varied. Certain scholars at the Moscow headquarters used Marxist methods, while scholars associated with the branches of the *Gosudarstvennyi Institut* confined their studies to then unacceptable research approaches. Using various social science and biomedical methodologies, scholars at the different centers inquired into personalities of different types of offenders, crime patterns of the period, and penological problems. Much of the strength of the earlier criminological studies can be attributed to the independence allowed scholars of different academic orientation employed by the various branches of the *Gosudarstvennyi Institut po izucheniuiu prestupnosti*.

27. G. Ivanov, "Iz praktiki Saratovskogo Gubernskogo Kabineta kriminal'noi antropologii i sudebno-psikhiatricheskoi ekspertizy," *Sovetskoe pravo*, 1925, no. 1, pp. 84–95.

28. V. Brailovskii, "Biologicheskaiia ili sotsiologicheskaiia metodologiia ucheniia prestupnosti," *Voprosy izucheniia prestupnosti na severnom Kavkaze*, no. 1 (1926), pp. 1–10.

29. Ivanov, "Iz praktiki Saratovskogo Gubernskogo Kabineta," p. 85.

30. Il'ina, "Razvitie kriminologicheskikh issledovani," p. 99.

31. Ivanov, "Iz praktiki Saratovskogo Gubernskogo Kabineta," p. 85.

32. Noi, *Metodologicheskie problemy*, p. 7.

Criminological institutions associated with different government agencies existed in the republics of the Soviet Union. The institutions were autonomous and under the direction of city or republic authorities. Locally controlled government institutes under the auspices of the Ukrainian and Belorussian educational agencies, the Moscow public health department, the Leningrad city court, and the People's Commissariat of Justice in the Ukraine had been established. The various research centers in the three Slavic republics and in Azerbaidzhan and Georgia used social science, legal, medical, and biological methodologies and again made no commitment to the development of a Marxist methodology.

The *Kabinet po izucheniiu prestupnika i prestupnosti* in Moscow and the Leningrad criminological center, affiliated with the Leningrad city court,³³ were two centers of criminological research in the Russian Republic that operated independently of the *Gosudarstvennyi Institut*. Their research focused on theoretical and statistical studies of individual offenders conducted from multiple perspectives. Scholars at the Moscow center were more prolific than their colleagues in Leningrad and were responsible for a fine journal, *Prestupnik i prestupnost'*, and for such books as *Prestupnyi mir Moskvy*, *Izuchenie lichnosti prestupnika v SSSR i za granitse*, and *Prestupleniia v oblasti polovyykh otnoshenii*.

Scholars at the *Kabinet po izucheniiu prestupnika* employed different methodologies to examine many facets of criminal behavior. Sociological analysis concentrated on social and economic factors in criminal behavior. Other approaches focused more directly on the personality of the criminal. Psychiatrists analyzed the relationship between psychopathology and the offender, and psychologists studied the mechanisms of character formation and their influence on the criminal personality. The bioclinical approach concentrated on the influence of internal secretions and the nervous system, while anthropologists studied function and morphology, human constitution, level of hygiene, age, sexuality, and fertility. The Marxist point of view was not considered until late in the decade, when Gertsenzon, in an article published in the center's journal, stated that Marxism provided the only appropriate view of the etiology of crime.³⁴

The Leningrad criminological center was more specialized. Its primary responsibility was the training of judicial employees for work in regional courts. The institute's work, under the direction of psychiatrists (though scholars from other disciplines participated),³⁵ employed knowledge from the biological disciplines but also made use of law and sociology. The Leningrad center specialized in statistical research on the personality traits of inmates and the study of crime in rural areas.³⁶ The center had no journal of its own, but its members published their findings in *Rabochii sud* and in such books as *Ubiitsy*, *Polovyye prestupleniia*, and *Khuliganstvo i prestuplenie*. Despite its limited publications and its specialized goal, many of its researchers made distinctive contributions to early Soviet criminology.

33. O. D., "Otkrytie kriminologicheskogo kabineta pri Leningradskom gubsude," *Rabochii sud*, 1925, no. 17-18, p. 785.

34. A. A. Gertsenzon, "Nekotorye voprosy postroeniia sovetskoi kriminologii," *Prestupnik i prestupnost'*, no. 2 (1927), p. 136.

35. M. N. Gernet, "Izuchenie prestupnosti i prestupnika," in *Vsesoiuznoe soveshchanie penitentsiarnykh deiatelei* (Moscow, 1928), p. 112.

36. *Ibid.*, p. 109.

The Belorussian criminological center in Minsk produced research on crime in the Belorussian milieu, criminal psychology, criminalistics, penitentiary science, and moral statistics. The criminal sociology, criminal psychology, and psychiatric sections of the institute conducted much of their research at penal institutions and focused on the life styles and personalities of the inmates.³⁷ A laboratory for biochemical, anthropological, and physiological research was affiliated with the institute. Research was conducted by the institute staff with the assistance of the NKVD, the People's Commissariat of Justice, the Central Statistical Bureau, and university students. No researcher affiliated with the Belorussian center employed Marxist concepts, and no research was done on the effect of social and economic conditions on criminality.

Criminological research was also carried on in three Ukrainian cities—Odessa, Kharkov, and Kiev—by institutions affiliated with the People's Commissariat of Justice. The headquarters of Ukrainian criminological research in Odessa emphasized penal practice and biosociological research in its journal *Izuchenie prestupnosti i penitentsiarnaia praktika*.³⁸ Although it worked with the effect of social and economic conditions on crime, scholars at the Odessa center also studied the contribution of biological factors to criminality, thereby directly contradicting Marxist principles. The affiliate in Kharkov published *Arkhiv kriminologii i sudebnoi meditsiny*, and the Kiev branch published its findings in *Vestnik sovetskoi iustitsii*. In their studies of the criminal personality, crime prevention, and crime causation, the Ukrainian research centers and a lesser institute in Kiev employed a combination of legal, biological, and social science methodologies.³⁹

Numerous sources other than the *Gosudarstvennyi Institut* and its local affiliates produced research on Soviet crime problems that originated in the 1920s. Research was conducted by the courts, the TsSU, Narkomiust RSFSR, Narkomvudel RSFSR, and individual legal scholars unaffiliated with research institutes. Journals of the previously named government organizations contained articles of criminological interest,⁴⁰ and scholars also published books sponsored by these government agencies. Textbooks on criminal law were published which contained large sections on the nature of crime, and on the causality and prevention of criminality.⁴¹

Research outside the *Gosudarstvennyi Institut* and the regional criminal institutes analyzed more diversified topics. More statistical and less theoretical, it placed less emphasis on the criminal personality and more on crime causation, the fight against crime, crime patterns, and the geography of crime in the USSR.

37. N. Spasokukotskii, "Deiatel'nost' gosudarstvennogo instituta po izucheniiu prestupnosti i prestupnika," *Problemy prestupnosti*, no. 4 (1929), p. 149.

38. Il'ina, "Razvitie kriminologicheskikh issledovani," p. 139.

39. Spasokukotskii, "Deiatel'nost' gosudarstvennogo instituta," *Problemy prestupnosti*, no. 4 (1929), p. 139.

40. Some of these journals included *Ezhenedel'nik sovetskoi iustitsii*, organ of the Supreme Court of the RSFSR, *Sovetskoe pravo*, journal of the Institute of Soviet Law, *Administrativnyi vestnik*, published by the NKVD, and the *Biulleten' tsentral'nogo statisticheskogo upravleniia*.

41. Textbooks were published by A. A. Piontkovskii, *Ugolovnoe pravo RSFSR* (Moscow, 1924); S. V. Poznyshv, *Uchebnik ugolovnogo prava* (Moscow, 1923); A. N. Trainin, *Ugolovnoe pravo* (Moscow, 1929).

Authors of the articles and books sponsored by the government organs were more responsive to political and social developments in the Soviet Union. These scholars were strongly influenced by the Marxian point of view and commented frequently on the effects of such social, economic, and political developments as war communism, NEP, and famine on rates and forms of criminality.⁴² From 1928 on, the journals produced by these government agencies were increasingly responsive to political concerns and consequently focused on the judicial treatment of political offenses more intensely than their counterparts produced by researchers at criminological institutions.⁴³

With Stalin's ascent to power, most of the original, profound, and penetrating research on crime and the individual offender produced by criminological institutes and other sources of criminological research ceased. By the end of the 1920s, criminology had become an applied science in the service of the judicial administration.

The political conditions that had facilitated the development and diversification of Soviet criminology changed rapidly at the close of the 1920s and resulted in less research objectivity and more applied research. Peter Solomon states that "just as in other social sciences, scholarship in criminology became politicized, and established scholars became vulnerable to attack because of their imputed ideological persuasion."⁴⁴

Stalin's rise to power brought increasing use of the criminal justice system for political purposes. The 1926 criminal code and its amendments emphasized the breadth of application of the law and the political orientation of criminal legislation and gave legal legitimacy to political repression. The 1926 criminal code "reflected a high degree of impatience with 'enemies of the working people' whose crimes were 'directed against the foundations of the Soviet system' combined with a high degree of patience toward those who did not oppose the Soviet system and whose acts, though criminal, did not threaten its foundation."⁴⁵ The dichotomous objectives of the new criminal code were reflected in Soviet criminology of the period.

Because scholars shifted their attention from the ordinary criminal to the political criminal and the evaluation of newly conceived penal measures, much of the pioneering criminological research of early Soviet scholars was halted after Stalin's ascent to power. Although significant changes occurred in the research publications of the *Gosudarstvennyi Institut* and other criminological research institutes,⁴⁶ no fundamental changes were made in the structure of criminological institutions until the close of the decade.

Criminological studies after the introduction of the second criminal code of 1926 emphasized two basic areas of research—the practical work of the organs

42. See *Ezhenedel'nik sovetskoi iustitsii*, 1924, no. 15, p. 356; 1924, no. 22, p. 512; 1924, no. 28, p. 649.

43. The work of S. F. Kabonov, *Bor'ba s ugolovnoi prestupnost'iu v derevne* (Moscow, 1928), is typical of this approach.

44. Solomon, "Soviet Criminology," p. 124.

45. Berman, *Soviet Criminal Law and Procedure*, p. 25.

46. The publications of the Moscow center and the research centers in Minsk and Kharkov were affected.

of justice and the statistical analyses of patterns of criminality in the Soviet state. The criminological institutes still produced a limited number of articles of general criminological interest, but the mass of scholarship on crime in the late 1920s was dominated by books and journals, such as *Administrativnyi vestnik* and *Eshenedel'nik sovetskoi iustitsii* (published by the Narkomvudel RSFSR and Narkomiust of the RSFSR, respectively), which emphasized concrete efforts to combat criminality.

The only significant research effort initiated after the introduction of the code was a census of the prison population. This extensive survey of inmates coincided with the national census and provided accurate information, previously unavailable to criminologists, on the lives and backgrounds of prisoners. Scholars under the sponsorship of the People's Commissariat of Internal Affairs produced two volumes entitled *Sovremennaia prestupnost'*, published in 1928 and 1930, that employed research material obtained during the census. Lengthy analytical essays on the census in these two volumes revealed the breadth and statistical sophistication of the Soviet researchers of the period.⁴⁷ The volumes of *Sovremennaia prestupnost'* were clearly an exception to the criminological research of the late 1920s, which was characterized by a narrow and increasingly political focus.

The criminological institutes reacted in different ways to the new criminal code and to Stalin. Before the introduction of the 1926 code, *Problemy prestupnosti*, the journal of the *Gosudarstvennyi Institut*, was dedicated almost exclusively to the dynamics of crime and the criminal, but after 1926, the articles in the journal analyzed the impact of the new lenient penal measures for ordinary offenders.

The methodological diversity of the Moscow center rapidly came to a halt. Contributors to the first issue of the center's journal, *Prestupnik i prestupnost'*, were exclusively doctors who used medical, psychological, and psychiatric approaches to study the ordinary criminal. The second issue, published in 1927, represented increased ideological influence as demonstrated by two articles by Gertsenzon which advocated an exclusively Marxist approach to criminology.⁴⁸ The regional criminological institute in Leningrad was unaffected by the new political demands placed on criminologists.

Research in Belorussia and the Ukraine was not uniformly influenced by the legal and political developments of the late 1920s. The research conducted by the Belorussian criminological center, opened in 1926, was strictly limited to the ordinary offender, and political developments in the late 1920s prevented publication of its results. In the Ukraine, the *Iuridicheskii Institut* in Kharkov, which published its research findings in its journal, *Arkhiv kriminologii i sudebnoi meditsiny*, employed anthropological means exclusively, the antithesis of Marxist research. No fundamental changes were made in the nature of the articles published in the journal before its termination in 1927, an early fatality of repressive Stalinist policies. The *Vse-Ukrainskii Kabinet po izucheniiu lichnosti prestupnika i prestupnosti* was, however, at first unaffected by the new

47. See B. Utevskaia, "Prestupnost' i retsidiv," in *Sovremennaia prestupnost'*, vol. 1 (Moscow, 1927); D. P. Rodin, "Sotsial'nyi sostav" and N. Visherskaia, "Professii i prestupnost'," in *ibid.*, vol. 2 (Moscow, 1930).

48. Gertsenzon, "Nekotorye voprosy"; and Gertsenzon, "K metodike individual'no-sotsiologicheskogo izucheniia pravonarushitelei," in *Problemy prestupnosti*, no. 2 (1927), pp. 136-63.

political elements of the 1926 criminal code and early Stalinist policies, and only in 1930 did it modify its research orientation.⁴⁹

The most dramatic impact of Stalin's rise to power was on the publications of the different administrative organs of criminal justice. The books and journals of the People's Commissariat of Justice, the People's Commissariat of Internal Affairs, and the court system addressed the concerted questions involved in the fight against crime and ignored the larger questions of criminality in Soviet society. Rather than chronicling their activity in the fight with more 'standard forms of criminality, such as property offenses and crimes against the person, studies written by the practitioners of the justice system after 1926 dealt almost exclusively with the criminality of politically vulnerable groups in the population, such as the kulaks and the Central Asian and Caucasian nationalities, who adhered to their outlawed native traditions.

Mutually contradictory forces were influencing Soviet criminology during the latter half of the 1920s. The 1926 criminal code introduced a liberalized penal policy for ordinary offenders and increased repression for political offenders. Yet, at the same time, "the impetus for the establishment of an orthodox line" arose,⁵⁰ and increased emphasis was placed on developing ideologically acceptable research to support repressive Stalinist policies. None of these developments had a consistent effect on the totality of early Soviet criminology. Research on crime persisted throughout the country in a fragmented manner through the end of the decade. The ultimate drive for a Marxist criminology in 1929, which was led by the legal establishment, resulted in the rapid and complete destruction of serious research on criminality.

A significant event affecting the course of early Soviet criminology was the debate on the study of crime in the USSR conducted by the law section of the Communist Academy that followed closely the 1928 All-Union Conference of Penitentiary Workers which attacked all who deviated from Marxist theory.⁵¹ A critical article on the methodology of Soviet criminological research published in the orthodox journal *Revoliutsiia prava* also had hastened the demise of innovative research.⁵²

The debate on Soviet criminology was significant for the methodological development as well as for the character of future Soviet crime research. Both Peter Solomon and I attribute the impact of the dispute to the distinguished position of its organizers, Krylenko and Pashukanis, who were either practitioners or researchers on law and problems of crime.⁵³ The two leading Soviet legal theorists of the period who organized the debate were assigned responsibility for developing a methodology and a criminological research center that conformed to Marxist ideology,⁵⁴ thereby ensuring that fundamental changes

49. *Izuchenie prestupnosti i penitentsiarnaia praktika*, no. 3 (1930).

50. Solomon, "Soviet Criminology," p. 124.

51. Louise Shelley, "The 1929 Dispute on Soviet Criminology," forthcoming in *Soviet Union*, 6, no. 1 (Spring 1979).

52. M. M. Grodzinskii, "Disput k voprosu ob izuchenii prestupnosti v SSSR," *Revoliutsiia prava*, 1929, no. 3, pp. 48-78.

53. Solomon, "Soviet Criminology," pp. 125-26; Shelley, "The 1929 Dispute on Soviet Criminology."

54. Solomon, "Soviet Criminology," p. 125.

in the orientation and leadership of criminological research would result from discussions held at the Communist Academy.

The participants in the debate were acutely aware of both the political pressures that were being applied to them and the punishments being meted out to opponents of the Soviet regime. It took great courage to defend the validity of their work, and very few scholars had the moral strength to mount a defense of their previous research activities and their use of biological and non-Marxist methodologies prior to the debate.⁵⁵ The orthodox Marxist views of the Communist Academy predominated over those previously held by most Soviet criminologists.⁵⁶ The majority of the scholars following the debates were prepared, in differing degrees, to accept the requirements of Marxist criminology, the direction and subject matter of which would be decided ultimately by Pashukanis and the other leaders of the Communist Academy.

The 1929 debates on Soviet criminology had a rapid and devastating effect on nationwide criminological research. The institutions that had conformed to Marxist demands, such as the headquarters of the *Gosudarstvennyi Institut* and the *Vse-Ukrainskii Kabinet*, were no more immune from political pressures than the research centers in Rostov and Saratov which used the castigated biological methodology.

Almost all of the early criminological institutions were closed by 1930. The survival of the few that remained can be attributed to highly placed political support or geographically remote locations. The *Gosudarstvennyi Institut* survived intact temporarily because of strong support from the People's Commissariat of Internal Affairs,⁵⁷ and the criminological centers in Saratov and Tbilisi continued into the early 1930s because of their remote locations and low scholarly visibility. The other regional criminological centers which had produced prolific and diversified research, however, ceased to exist.

The debates of 1929 had an immediate and unfortunate effect on Soviet criminological research taken as a whole. A recent Soviet text on criminal law comments:

Unfortunately, in the 1930s criminology research subsided. The *Gosudarstvennyi Institut* was reorganized, the Central Statistical Bureau's division of moral statistics was liquidated. Not one criminology center remained. Crime research was not entirely ended. The procuracy, courts, and police analyzed criminal indicators. Reports were made but their reports were not scientific material.⁵⁸

The only serious criminological scholarship published after 1930 was based on research conducted during the previous decade. *Prestupnost' za granitse i v SSSR* by Gernet and *Prestupnost' i alkoholizm* by Gertsenzon, published in 1931 and 1930, were representative of the serious statistical and sociological studies that had appeared prior to the dispute and differed significantly from the politicized studies that marked the final years of Soviet criminology.

55. Shelley, "The 1929 Dispute on Soviet Criminology."

56. Grodzinskii, "Disput."

57. Solomon, "Soviet Criminology," p. 127.

58. *Sovetskaiia kriminologiia*, p. 27.

Research initiated after 1930 detailed the struggle of Soviet authorities against the criminal. Publications such as *Administrativnyi vestnik*, *Sovetskaia iustitsiia*, and *Sovetskoe gosudarstvo* by the Commissariat of Internal Affairs, the courts, and the research institutes, documented Soviet efforts to curtail the criminality of all offenders. Institutes in Moscow and Leningrad devoted their research efforts exclusively to the fight against crime. The journal *Problemy ugolovnoi politiki* was published by the Moscow and Leningrad branches of the *Institut Sovetskogo stroitel'stva i prava* of the Communist Academy. The successors to the *Gosudarstvennyi Institut* in Moscow and Leningrad also conducted research on the fight against criminality.

The fate of the *Gosudarstvennyi Institut* is discussed by Solomon in his article, "Soviet Criminology: Its Demise and Rebirth, 1928–63,"⁵⁹ in which he maintains that the political maneuvers of the Commissariat of Internal Affairs and the Commissariat of Justice, as well as the leadership of the Communist Academy, resulted in 1931 in the transformation of the *Gosudarstvennyi Institut* into the *Institut ugolovnoi politiki*, directed by Krylenko, formerly chief state prosecutor.⁶⁰ He also discusses the consequences of the institutional change, stating that:

Under Krylenko's hegemony the Institut Ugolovnoi Politiki virtually ceased studying crime, its causes and the administration of justice. Thus Krylenko transformed the Gosudarstvennyi Institut from a research center into a service bureau for the RSFSR Commissariat of Justice.⁶¹

In 1933, the *Gosudarstvennyi Institut* was renamed the *Institut ispravitel'no-trudovoi politiki* to emphasize its new focus on penal policy.⁶² The main purpose of the institute became the organization and collection of statistics which filled the void created by the closure of the Moral Statistics Department of the TsSU in 1931.⁶³

Solomon suggests that the perceived limited utility of criminology and "its irrelevance to the principal crime problem—the repression of the so-called 'class enemies'"—may have precipitated the further emasculation of the discipline.⁶⁴ After 1930, neither the *Gosudarstvennyi Institut* nor any of its successors published any serious studies of crime. The two books it published were dedicated to immediate political and penal problems. *Klassovaia bor'ba i prestupnost'*, published in 1930 and edited by Shirvindt, is a collection of eight articles on class crimes committed by enemies of the state against the social and economic structure of Soviet society. This work provides remarkable empirical evidence of the extent of political repression. All the essays address the religious, political, and economic criminality of the kulaks and their opposition to agricultural collectivization. Scholars called for the elimination of the kulaks because of their excessive criminality, but in his introduction Shirvindt indicated that this repression should

59. Solomon, "Soviet Criminology," pp. 127–28.

60. *Ibid.*, pp. 128–29.

61. *Ibid.*

62. Il'ina, "Razvitie kriminologicheskikh issledovaniï," p. 263.

63. *Ibid.*, pp. 263–64.

64. Solomon, "Soviet Criminology," p. 129.

not affect the rest of society.⁶⁵ Criminologists thus demonstrated their utility by justifying the massive repressions of the Stalinist period. The use of political repression was not only justified but ennobled. The other volume published by the institute's successor, the *Institut ugolovnoi politiki, Ot tiurem k vospitatel'nyim uchrezhdeniiam* (1937), praised the penal institutions or Stalinist labor camps in which inmates happily served the state. The book, however, had academic pretensions and therefore provided a curious blend of scholarship and self-serving propaganda.

Soviet penal policy was portrayed favorably not only in the books published during the period but also in the journals produced by the criminal law institutes, the *Institut ugolovnoi politiki*, the *Institut Sovetskogo stroitel'stva i prava*, the Communist Academy, and such government agencies as the Narkomiust of the USSR, the procuracy of the USSR, the supreme courts of the USSR and the RSFSR.⁶⁶ Rather than documenting all forms of crime commission, these journals focused on the enactment of criminal policy under Stalin and the criminality of kulaks and speculators. Their articles emphasized the need for repression of class enemies, and in *Sovetskaia iustitsiia* direct reference was made to the "purges" then in progress against political enemies.⁶⁷

In his discussion of the demise of Soviet criminology, Solomon sees that one purpose of the promulgation of the 1936 Constitution was to place a façade of legality over the purges.⁶⁸ Changes in criminological research and its institutional base, motivated by similar political objectives, also occurred at this time. The *Institut ugolovnoi politiki* was transformed into the *Vsesoiuznyi Institut iuridicheskikh nauk*, a name change that indicated a departure from the study of criminal law.⁶⁹ Because of their sensitivity, all studies of ordinary and political criminality ceased being published. Analysis of crime and the offender was terminated in 1936.

Soviet criminology came to a halt, ending the first diversified period of Soviet criminological research. An almost total hiatus in criminological research existed for twenty years, until the study of criminology was reestablished in 1956 following Stalin's death and the Twentieth Party Congress resolution to reintroduce Soviet scholarship on crime.

Soviet research on crime, before Stalin's ascent to power, was conducted by many scholars of different research orientations in criminological institutes and government agencies scattered throughout the country. While the political climate permitted, valuable research was produced on the nature of the criminal and criminality in the Soviet state. The highly charged political environment of the late 1920s resulted in the stifling of almost all serious criminological research by 1930. Demands for political conformity were not felt immediately nor uniformly in all of the institutions devoted to criminological research. Certain

65. E. G. Shirvindt, ed., *Klassovaia bor'ba i prestupnost'* (Moscow, 1930), p. 100.

66. See the following journals: *Sovetskoe gosudarstvo i revoliutsiia prava*, *Sovetskoe gosudarstvo*, *Sovetskaia iustitsiia*, *Sotsialisticheskaia zakonnost'*.

67. Frugarts, "Rastraty kak osobaia forma klassovoi bor'by s nim organov iustitsii," *Sovetskaia iustitsiia*, 1933, no. 15, p. 15.

68. Solomon, "Soviet Criminology," p. 129.

69. Il'ina, "Razvitie kriminologicheskikh issledovanii," p. 265.

sources of criminological research such as the Narkomvnudel RSFSR were most rapidly affected, as evidenced by the articles published in *Administrativnyi vestnik* in the late 1920s, while the work of most criminological institutes was interrupted only in 1929–30.

The gradual encroachment on the various sources of criminological research in the late 1920s culminated in 1929 with the start of mass collectivization and campaigns against the kulaks. The 1929 debate on Soviet criminology conducted by the Communist Academy marked the end of all serious criminology as all previously conducted research was criticized for its non-Marxist base. While the leading Soviet criminologists tried to avert the demise of Soviet criminology that came ultimately in 1936, other opportunists justified the worst of the society's repressions as the appropriate answer to the threatening problem of class crimes. Objective criminological research on the full range of criminal offenses reemerged only after Stalin's death in the 1950s.