

INSTITUTE ON SOCIALIST LAW

NUMBER THREE

PAPERS ON SOVIET LAW

Editors: Leon Lipson, Valery Chalidze



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CONTENTS

<i>Louise Shelley.</i> Criminality in Soviet Georgia in 1976	5
<i>George Ginsburgs.</i> The New Soviet Citizenship Law and International Agreements on Human Rights	16
<i>Valery Chalidze.</i> On the Right of a Nation to Self-Determination	28
<i>Cronid Lubarsky.</i> On the Soviet Passport System	40

Documents:

Weekly Analyses of Crime in the Republic, Ministry of Internal Affairs of the Georgian SSR	65
Regulations for the Behaviour and Maintenance of Persons Confined in Investigative Isolation Cells, Who Are under Arrest or Have Been Sentenced	125

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Louise Shelley

CRIMINALITY IN SOVIET GEORGIA IN 1976 (Based On Confidential Police Reports)

INTRODUCTION

All that we have previously known about contemporary Soviet crime problems is what Soviet officials and scholars have chosen to tell us in their censored publications. Quantitative scholarship of Soviet criminality by foreigners has been impossible because no crime statistics have been available and no Western scholar has been able to study crime directly in the USSR.

This study of criminality in Soviet Georgia is based on confidential, previously unavailable, weekly police analyses of crime in the republic*. The seven Georgian police reports, on which this paper is based, describe crimes committed in the republic between January and July of 1976, and the reports contain a selective sample of all crimes committed during each week.

All results of Soviet criminological scholarship published in the open literature are given in percentage form. No sample sizes are ever furnished, and very limited material on criminality outside the RSFSR (Russian Republic) is ever presented in the leading journals or scholarly publications. Therefore, the Georgian police analyses are a doubly valuable source of information because they provide reports on concrete acts of criminality in a republic rarely discussed by criminologists.

Soviet scholars analyze geographical but not ethnic differences in criminality, thereby creating the impression that standardized patterns of criminality exist across all nationalities. While this assumption appears blatantly invalid to all scholars of Soviet society, concrete evidence necessary to disprove it was not previously available. The Georgian police reports make analysis of the impact of cultural and historical traditions on Georgian criminality possible.

Format of the Police Reports

The weekly police reports analyze crime trends and describe selective offenses. Each report compares current crime rates with those of the previous week as well as providing more detailed analysis of the decline or growth of different categories of criminality. Those cities and regions with the highest levels

* Published in this issue, see p. 65.

of criminality and the ministries employing the largest number of offenders are also named weekly in the police blotter.

The offense descriptions contained in the police blotter are organized first by the ministerial employers of the offenders (ministries of Agriculture, Auto Transport, Food Industry, Vocational-Technical Education, etc. and secondly by the category of offense, such as crimes against the person, private and public property, etc.). The police reports contain only a partial list of the most serious offenses committed in the previous week. An undisclosed amount of crime is recorded but not reported by the police in the weekly bulletin. Only the principal educational and employment affiliations of the unreported offenders are given.

The reports do not provide a complete picture of Georgian criminality. For example, hooliganism and small scale embezzlement rates are minimized and political crimes are entirely omitted, crimes committed by students and officials appear to be consciously excluded from the reports. The motivation for these deliberate distortions of the crime picture are varied. Hooliganism and small scale embezzlement in Soviet society are widespread and if all such cases were discussed the summary of police activity would be lengthened significantly without providing much greater insight into the nature of Georgian criminality. Political crimes fall outside of the domain of the MVD and are the responsibility of the KGB, accounting for their omission from police reports compiled by local police authorities. The failure to specify the crimes committed by students or important officials suggests that the police authorities may be cautious in handling individuals with direct or familial influence in society.

The location of the offense, the identity of the victim and the extent of damage done are listed for each reported crime. In addition, the offense descriptions provide the age, job title and employer of each known offender and any previous police record as well as any Party or Komsomol (Young Communist League) affiliation. No mention is made of the articles of the criminal code under which the defendants have been charged.

The police reports pay an inordinate amount of attention to the occupation and employers of the criminal population. This contrasts with American police reports contributed to the FBI for the Uniform Crime Reports which are concerned exclusively with age, sex, location and type of crime and not the social status of the offender. Georgian police analyses differ so significantly from their American and West European counterparts because Soviet authorities are trying not only to record crime but to pinpoint responsibility for criminal behavior. Once the police establish which ministries employ significant numbers of offenders, these administrative bodies are expected to intensify crime prevention measures within their institutions.

The Georgian police reports demonstrate that the police have authority and jurisdiction in more areas than just controlling criminal behavior. Accidents and fires as well as natural disasters are reported. Each week a partial list of automobile fatalities and serious fires are reported as well as the extent and cost of the damage. Winter police reports cite mountain snow storms and resulting fatalities.

The police analyses occasionally conclude with a prognosis of future criminality and instructions for expanded police activity. Police are directed to increase their vigilance before Easter and the May 1st celebrations because of the increased drinking and travelling accompanying the holidays. Before the onset of the summer foreign tourist trade, the police are told to intensify their activities to prevent thefts from foreign tourists and to reduce the possibility of speculation in foreign currency. While the Georgian police are concerned with the reduction of crimes against the native population, special police efforts are reserved for foreign and Soviet tourists.

Anticipated Crime Patterns

Soviet Georgians are famous for their "capitalist" attitudes manifested in extensive free enterprise within the republic. Economic criminality has pervaded all levels of Georgian society, reaching even the top political leadership. Much has been made in the Soviet press and in Soviet criminal law courses of the "capitalistic" Georgians who have established private factories using supplies embezzled from Soviet enterprises. Because such attention is focused on the existence of the "second" illegal economy in Soviet Georgia, it would be natural to expect that considerable attention would be devoted by the police to the apprehension of criminals violating laws against public property and the state economy.

The seven weekly police reports of 1976 bear out this expectation. A weekly section in the police analyses discussed selected criminal cases involving theft of socialist property. More embezzlers are arrested than any other category of offender. The cases that are mentioned involve large sums of money, and it must be presumed that there are other cases involving smaller sums. There were no cases in the police records of arrest for establishment of private factories or other large scale private enterprises. It can be concluded that either no such cases were broken during these weeks or that such rampant violations of the Soviet order are among the cases that the compilers of these police reports chose to omit.

The police reports, while not illuminating the extent of corruption in Soviet Georgia, provide some illustrations of the pervasiveness of economic and administrative illegalities. One disclosed embezzlement scheme involved eight men from different Georgian trade organizations. They introduced unaccounted for goods into the trade network with forged invoices. By an elaborate scheme of substituting invoices, the eight conspirators were able to embezzle almost 13,000 rubles (\$17,000) in the period between August 1975 and March 1976. Other cases of embezzlement netted the offenders as much as 30,000 rubles.

Another form of corruption disclosed in these reports concerns entrance examination frauds. An established official hired a younger man to take his examinations for admission to an institution of higher technical education. Both men were arrested.

The Georgian mountain traditions of blood feuds, underage and arranged marriages are now illegal under Soviet law. While Soviet newspapers occasionally report violations of these laws, not one such case was reported in the police blotters during the weeks studied. Such outlawed practices are often accompanied by bribes to responsible authorities which helps explain

their infrequent exposure by the police. Though much of the violent crime was committed in rural areas, there is no indication that any of it was the result of the survival of old Georgian customs.

Traditional Georgian protectionist attitudes towards women, as might be expected, resulted in the reporting of few crimes against women. Very few specific rape cases were mentioned though the police blotters reported trends in rape and attempted rape. While the names of rape victims are always omitted, the names of all other victims are reported. The traditional Georgian attitude towards women apparently affects both the recording and reporting of rape cases.

While Georgians drink heavily, they do not have the problem of alcoholism associated with Russian culture. It would therefore be expected that fewer crimes would be associated with alcohol in Georgia than in Russia. Very few cases in the police reports mentioned an inebriated offender or victim, indicating either police omission of this fact or a lower correlation of alcohol with crime in Georgia than in the Slavic areas of the Soviet Union.

Georgian Criminality

The weekly offense descriptions in the confidential police report have been organized by the author of this article into statistical tables for the purposes of analysis. The seven criminal blotters contain only a sample of Georgian criminality. While it is impossible to discern how truly representative these reports are, they, nonetheless, provide interesting insights into Soviet Georgian crime patterns.

Based on the information provided in the reports, tables have been constructed showing the age of the offender, Komsomol or Party affiliation, existence of past criminal record, age, social status, location and nature of the offense. The statistics are based on the total number of offenders known to the police. Even though multiple offenses may be committed simultaneously by one offender, for the purposes of this report, the crime is recorded only by its most serious component.

The small and possibly unrepresentative nature of the sample makes detailed statistical analysis infeasible. The analysis concentrates exclusively on examining patterns of criminality and not absolute relationships between offenders and their crimes. An attempt is made to place the conclusions in a cross-cultural context to understand the implications of the findings both within a Soviet and an international context.

The vast majority of offenders in Georgia are male. In only one out of the seven weeks examined were more than four of the mentioned offenders female. Women in Georgia appear to commit fewer crimes than their counterparts in the rest of the Soviet Union. Nationwide Soviet statistics reveal that women commit one-seventh of all Soviet crime while the contribution of Georgian women, based on the discussed sample, is one fifteenth of the criminality in the Georgia republic. Women in developing countries consistently commit 50% less crime than their counterparts in developed countries.¹ The criminal behavior of Georgian women is consistent with the patterns observed in all developing countries

and differs significantly from the level of female criminality observed in the more economically developed areas of the RSFSR (Russian Republic).

Not one case of juvenile female criminality was recorded. Only two female offenders were in their early twenties, and these women were students involved in a swindling case. Most female offenders committed their crimes while employed in stores or buffets (snack bars). These women were arrested either on charges of embezzlement or for cheating customers. A leading Soviet criminologist has stated that 50% of the women incarcerated in Soviet penal institutions have been convicted of crimes related to their employment in stores.² The figures in Georgia, based on the sample in the police report, seem to confirm this trend. There were no cases of women involved in crimes against the person. Only one woman was involved with a member of her family in a drug case, and all remaining female offenders were arrested for crimes against property.

Most of the unsolved cases were crimes in which a theft or burglary had occurred. Police had a high apprehension rate for cases involving crimes against the person. This policing pattern correlates with American and European experience which show high arrest rates for crimes against the person and lower arrest rates for crimes against property.

The limited number of recidivists, the even smaller number of multiple recidivists and the relatively low rate of unemployment (see table 4) among offenders included in this limited sample suggest that few professional criminals operate in Soviet Georgia. The recidivism rate is lowest in cases of murder and highest in hooliganism and property crimes, a relationship which conforms with all internationally observed patterns of recidivism.

Almost all recidivists are male. The only female recidivist mentioned in the seven police reports had been convicted of speculation. The majority of the recidivists are under 30. This can be explained in either of the following ways. The older offenders are more experienced and have close ties with the Georgian police, resulting in their less frequent arrest or professional criminals operate in groups and, following the code of the Georgian underworld, the younger thieves must take the blame for the older offenders. In either case, younger criminals would be more frequently rearrested than the older, more professional offender.

A very small proportion of the youthful criminals are members of the Komsomol, far below the general representation of their age group in the Young Communist League. Selection for the Komsomol is based primarily on desired political, social and academic behavior or perceived potential to contribute to society. The low representation of youthful offenders in the Komsomol is evidence that Soviet authorities have already determined that these individuals lack desirable personality traits or the ability to be transformed into constructive citizens.

The few members of the Communist Party of the Soviet Union who are mentioned in the police report held responsible positions. In most cases, the Party members were arrested for embezzlement, bribery, or for missing merchandise from stores under their management. These criminals are some of

the white collar offenders of the Soviet Union. They are individuals of high social status who commit crimes in the course of their occupational duties.

In the United States, the majority of crimes is committed by juveniles and recidivists. In Georgia, recidivists contribute only a small proportion of the given sample, and the true share of crimes attributable to juveniles is not discernible from the police reports. Twenty-five percent of crimes described are committed by those 15 to 19, though the police documents regularly state that an unnamed number of other crimes are committed by youthful offenders. The one week in which more juvenile crime was reported, youthful criminals were responsible for a disproportionate amount of the total criminality. The age distribution of criminals included in the Georgian and the Central Black Earth region samples differs significantly. According to the tables, there are many more criminals under 25 in Georgia than in the Central Black Earth region of the RSFSR. No age is given for over one-quarter of the offenders described in the Georgian police reports. Many of these offenders whose ages are not given are workers. If their ages were provided and incorporated in the statistics, the share of criminality committed by young people in Georgia would be significantly reduced. It is therefore likely, that if fuller statistics were given, the proportional contribution of those under 25 in Georgia and the Central Black Earth region would correspond more closely.

Far fewer criminals are in their thirties in Georgia than in the Central Black Earth region. Many of the workers without age attributions would naturally fall into this age group which might rectify part of the discrepancy between the two regions. Significantly more older offenders commit crime in Soviet Georgia than in the Central Black Earth region of Russia. The reason why Georgia has so many older offenders may be partially explained by the emphasis placed on prosecuting those guilty of crimes against the socialist economy. Crimes such as embezzlement, cheating customers and speculation do not require the physical agility of the youthful offender but the access to goods that accompanies responsible positions acquired with age.

Older offenders committed a disproportionate number of crimes against the person. Many of the serious assaults are perpetrated by older individuals in the course of arguments and are not associated with other forms of criminality.

The largest social group contributing to crime is the workers. This category includes those employed in production, in service jobs, as drivers as well as sovkhoz (state farm) workers. (Workers on state farms, unlike their counterparts on collective farms, are classified by Soviet authorities as workers.) Very few individuals with any advanced training or with jobs that would classify them as intelligentsia (intellectuals) are arrested. The crimes of officials and managers are confined almost exclusively to the different crimes against socialist property.

In most weeks, those studying in vocational or technical schools provide less than 10% of all criminals mentioned in the police analyses. Only in two of the seven police reports did students contribute as much as 20% or 25% of the crime. The reports consistently mention that crimes other than those described were committed by students and these limited data suggest that the contribution of those studying in middle and technical schools may actually be higher

than the figures suggest. There is no indication whether these crimes were acts of hooliganism or other criminal offenses usually associated with youthful offenders.

There is no indication that students of middle and technical schools or other educational institutions are responsible for much of the republic's serious criminality. Most of the student offenses are crimes against property such as theft of automobiles, breaking and entering a store or home or robbing an individual. Students only rarely commit serious crimes against the person. In an unusual case, nine students knocked unconscious their dormitory guard before running away from school.

Each week five or six individuals in the sample are unemployed. These unemployed offenders have been arrested for the more serious thefts and drug cases. The unemployed have a greater tendency to be recidivists than all other categories of criminals and most closely resemble what American scholars call professional criminals in terms of their crimes, sources of income and life histories.

A few individuals in the reports did not fall into the usual occupational categories. These people are either pensioners, invalids or housewives. Their criminality cannot be categorized by any particular offense category or degree of seriousness.

The majority of crimes in Georgia, based on the police reports, are committed in cities even though the majority of the population resides in rural areas. This seemingly contradictory distribution of crime provided by this limited sample, is explained by the fact that most crimes committed in Georgia are property offenses and the wealth of the republic rests primarily in its cities. The ratio of urban to rural criminality varied significantly during the weeks studied. The urban crime rate ranged from 3 to 1.3 times the amount committed in the countryside. Each week several crimes, automobile fatalities and robberies at railway stations, occur in areas that can neither be defined as urban or rural.

A disproportionate amount of the serious crime against the person is committed in rural areas. The crimes against personal and socialist property occur primarily in Georgian cities. This distribution of criminality existed in the RSFSR (Russian Republic) in the 1920's, but the Russian pattern has changed with the industrialization of the republic. Criminologists have observed that developed countries have a concentration of both personal and property crimes in their cities while developing countries manifest the same urban-rural division of property and personal crimes that is found in Soviet Georgia. This is further evidence that Georgia possesses the crime patterns found in countries with a developing economic structure.

Crime Tendencies

The seven weeks of police analyses reveal that certain areas of the country have consistently high levels of criminality. During all seven weeks examined, the largest number of crimes are consistently committed in Tbilisi, Rustavi and Sukhumi in Abkhazia. While the highest level of crime in Tbilisi was most frequently in the Ordhonikidze and Lenin districts, not one administrative district

of the city was exempt from high crime rates. The city of Kutaisi, the industrial areas close to the republic capital, Tbilisi, and selected rural areas frequently also had high rates of criminality.

The level of criminality in Soviet Georgia fluctuated weekly. In four of the weeks examined, crime increased while during the other two, crime decreased. These variations in the overall level of crime commission do not appear to be seasonal. The only discernible seasonal variation was a slight increase during the spring and summer months in such crimes against the person as rape and premeditated murder. Increases in hooliganism and auto fatalities coincided with holiday drinking and travel.

Employees of certain ministries contributed disproportionately to Georgian crime commission. Criminals were most frequently employed by the ministries of Auto Transport, Trade and Agriculture or studied under the Government Committee of Vocational-Technical Education. The large number of offenders studying and working in these ministries is explained by the age of the participants, the large ministerial budget of the Trade Ministry, and the possibility of abuse inherent in the Auto Transport Ministry.

Crimes Committed

The seven 1976 Georgian police reports describe a total of 471 offenders. These limited reports, however, can provide no indication of the overall crime rate in the republic. Many areas of criminality are omitted from the reports. No criminal cases mentioned could be classified as crimes against justice, crimes against the political or labor rights of citizens, crimes which are survivals of local customs, or military and state crimes.

Hooliganism is the most frequent of Soviet crimes, but because the Georgian police analyses list only a portion of the total number of hooligan cases it is impossible to determine whether this is also true in Soviet Georgia. The hooligan in the USSR is frequently intoxicated, but there is no indication from the police reports that a strong correlation exists between drink and disorderly conduct in Georgia.

Arrests for crimes against the public safety and order, primarily drug possession and sale and illegal possession of a deadly weapon, were recorded during each week examined. One case of illegal possession of explosives was reported, but no further information was provided on the intended use of the materials. Two of the police reports mention the imposition of fines for fire code violations. In one week over 67 such fines were imposed, and those held responsible for these violations were primarily public officials.

Burglaries, thefts, robberies and swindling comprise the largest group of crimes reported to the police. The majority of the thefts but a minority of the burglaries are committed with a weapon. Only a few of the thefts involve sums of several thousand rubles. The large number of thefts and burglaries involving personal possessions indicate that a considerable market exists for stolen goods in Georgia ensuring that criminals are not limited to the theft of money. One of the most unusual cases recorded involved the theft of 150 kilos (330 lbs.) of onions from a warehouse during a period when onions were almost unavailable on the open market.

Crimes against socialist property are less frequent than those against personal property though their total cost to society might be greater. The reported cases of embezzlement and missing goods almost invariably involved sums of at least 1,000 rubles. While many of the embezzlement cases entailed solely the appropriation of funds, numerous cases involved both the embezzlement and resale of goods such as cement and metal. Police reports frequently mentioned the illegal transport of freight within the republic. The amount of illegal freight moved weekly varied between 5 and 19 tons, demonstrating a large illegal flow of goods within Soviet Georgia.

Murder, rape and assault occur most frequently in the countryside. Most of the murder victims are acquaintances of the assailants, and only a small number of the victims are strangers to their murderers. The same murder-victim relationship that exists in Soviet Georgia has been observed in many other societies. Almost all the murders cited resulted from fights in which knives were used; more rarely the assailant employed a pistol. The reports describe trends in premeditated murder, but few actual cases are discussed. Only one multiple murder of a total family by a stranger was reported, but no motivation or explanation of the case was given.

The relationship between the rapist and his victim cannot be determined from the case descriptions. It can be presumed that the rapist knew his victim when both were residents of the same collective farm, but no such inferences can be made about other rape cases. Forty-five percent of the rapes reported in Georgia in 1967 were group rapes³ while few of the fifteen rapes described in the police blotters involved more than one assailant. This discrepancy is the result of either underreporting or an unexplained change in crime patterns. Only one of the reported cases was a homosexual rape; the rest were heterosexual. No arrests were reported for homosexuality between consenting adults.

All seven police reports mention numerous motor vehicle crimes, negligent homicides and automobile thefts. The negligent homicides, with unknown numbers of victims, are most frequently committed by professional drivers. The auto thieves described in the reports are not professionals but young males whose activities are best described as joyriding. The reason that no professional auto thieves, whose existence is known from Soviet newspaper reports, are mentioned in the police blotters may be the result either of their close ties with the police or the lack of arrests of such offenders during the weeks studied.

Cases against the administrative order are rarely described. Arrests were made of several citizens who had insulted policemen, but no cases of public disorder, slander of the Soviet system, or violations of passport rules, residence requirements or draft rules were reported.

Bribery cases are frequently associated with other forms of criminality as individuals try to mask their embezzlement or misuse of their position through bribes to their superiors and the police. One of the more unusual bribery cases involved an engineer and Party member who accepted a bribe from an employee who had violated the sanitary standards of the bread factory in which he worked. The man bribed his superior with 100 rubles to forestall his dismissal