JUDICIAL STATISTICS IN A PERIOD OF GLASNOST'

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1. Introduction

In the Soviet Union, hardly any clear data have been published on the development in the level of criminality from 1940 onwards, although in the past, and also recently, many scholars have urged for the publication of criminal statistics.1 The Estonian jurist Muraste stated recently: "[i]t is difficult to understand why in a period in which negative features in social and economic life are judged highly critically, openness has not been achieved with regard to the statistical indexes, which characterize the legal order".2 Although also in the field of civil law statistics a systematic collection of data has never been made available to the public, Soviet experts in this field have published from time to time data from this field of judicial statistics. This happened already under Brezhnev, and also during 1986 some data have been published.3

In its session of 2 April 1987 the Politbureau considered the question of improving the availability of statistics in the country. This seems to have been the result of the work of a commission, which had studied the problem of the admittance to archival data. This commission proposed that 75% of all archival data with a previously restricted access should be made freely accessible. According to a communication in Izvestiia of 23 May 1987, the USSR Ministry of Internal Affairs "now deems it possible to publish in the press

3. See van den Berg, op.cit., note 1, 143ff.; Pravovaia statistika, (Z.G. Iakovleva, ed.), Moscow 1986, 132ff.; E.A. Pavloukhi, Sudodevia zashchita prav i interesov grazhdan, Moscow 1986. The course on judicial statistics contains some data on criminality in the USA, but data on the developments in criminality in the USSR are absent. In this field only some outdated quotations from earlier published works have been included.
statistical data on the number and the nature of crimes and on their rate of
detection".4 But whether this will result in a systematic publication of crime
statistics and other data pertaining to the field of the Soviet system of justice
remains to be seen.

This paper is a survey and an analysis of the data which have been published
in the past two years.

2. Criminal Law Statistics

2.1 Trends in the Number of Sentences

Notwithstanding the limited amount of statistical data which are published
sufficient data are available to show that in the mid-1970s about 800,000 per-
sons were sentenced annually by the criminal courts of law.5 In depenaliza-
tion campaigns launched in 1978 and 1980, the possibilities to divert criminal
charges from criminal law courts to administrative law courts, to the com-
rades’ courts, and to the police were broadened. As a result, one would have
expected a certain decrease in the number of criminal law sentences. In other
socialist countries, where Soviet practices were reproduced, the number of
sentences decreased at first, but e.g., in Hungary, this tendency quickly
reversed.6

The only reports published on developments of criminality in the Soviet
Union in the 10 years before Gorbachev came to power, contained local data.
In the Tatar autonomous republic, the number of sentences had increased by
some 30% in 1980 compared to 1976 and 1978.1 In Latvia, criminality had
increased in 1984 by 15% compared to 1980.8

1987. See also the resolution of the Plenum of the CPSU Central Committee of June 1987,
5. See van den Berg, op.cit., note 1.
6. See K. Gyorgyi, S. Lammich, “Die Sanktionen ungarischen Straf- und Ordnungswidrigkeiten-
rechts und deren Einsatz bei der Bekämpfung der Kriminalität”, 30 Recht in Ost und West 1986
No.2, 108.
7. See for data from the Tatar ASSR: Problemy sovershenstvovaniia gosudarstvennogo i
pravovogo mekanizma v razvitiom sotsialisticheskom obschestve, (F.R. Sundurov, ed.),
Kazan 1984, 72. The trend in the number of sentences may be calculated from the trend in
the number of sentences to exile labor and of suspended sentences. This results in: 1976 100; 1978
101; 1980 120.
8. See Zasedaniia Verkhovnogo Soveta Latviiskoi SSR, 22 June 1985, 82-83, 92. See for other
local data: Bakinskii rabochii 24 Oct. 1982, Azerbaidzhan; Sov.Iust. 1986 No.16, 3-5,
Kemerovo; SotiZak 1986 No.7, 23, Voroshilov; Izvestiia 7 March 1987, Iaroslavl'; Izvestiia
6 May 1987, Chechen-Ingushiia.