

September 28th, 1937

My dear Joe:

Perhaps you will have seen John Hazard by the time this letter reaches you, and he may have told you about two young men, named Wiedemann and May, in whom we are interested. They will be in Moscow for two or three weeks in October and November.

Last summer they took an eight weeks' course in Russian at the University of California, Berkeley. May's father is head of the Department of Public Administration at that institution and is an influential person in California. Young May is an extremely promising mathematician and is particularly interested in the statistical problems involved in large scale planning.

Wiedemann has been trained in mathematics and basic science and is developing a concern with the interaction of science and society. The social implications of science is a subject that is being given increasing attention, both in this country and abroad. Scientific publications, such as the English "Nature" and the American "Science", contain one or more articles bearing on it in nearly every issue. The American Association for the Advancement of Science plans to hold four or five general conferences under the heading "Science and Society".

Any encouragement or assistance you feel at liberty to give these young men will be greatly appreciated by their numerous personal friends and by the trustees of this Institute.

Washington has been beckoning me for several months but I have only been there once and then only for a few hours. About mid-October I expect to be there for a week or so and to gossip with several of our friends.

Mr. Crane is still living at his country place, Woods Hole, Massachusetts. He had a setback in August but now, according to reports, is fairly well, considering his age.

With cordial greetings and good wishes, I am,

WSR/fc

Yours sincerely,

Hon. Joseph E. Davies,  
American Embassy,  
Moscow, USSR.

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**J. C. WILLEVER**  
FIRST VICE-PRESIDENT

Send the following message, subject to the terms on back hereof, which are hereby agreed to

*John Hazard*

**NLT**  
**JOHN HAZARD**  
**AMEMBASSY**  
**MOSCOW (USSR)**

**September 30, 1937**

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2. In any event the Company shall not be liable for damages for mistakes or delays in the transmission or delivery, or for the non-delivery, of any message, whether caused by the negligence of its servants or otherwise, beyond the sum of five thousand dollars, at which amount each message is deemed to be valued, unless a greater value is stated in writing by the sender thereof at the time the message is tendered for transmission, and unless the repeated-message rate is paid or agreed to be paid, and an additional charge equal to one-tenth of one per cent of the amount by which such valuation shall exceed five thousand dollars.

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# WESTERN UNION CABLEGRAM (45)

SYMBOLS

LC	Deferred Cablegram
NLT	Cable Night Letter
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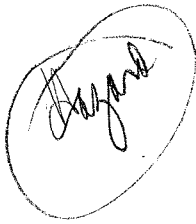
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1937 OCT 2 AM 6 47

NBA26 CABLE=MOSCOU 17 2/1311

LC INCWA(INSTITUTE OF CURRENT WORLD AFFAIRS)=  
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SUGGEST MAILING ME LETTERS INTRODUCING BOYS TO VOKS  
OUTLINING THEIR STUDIES AND ASKING COOPERATION.



VOKS.

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

INSTITUTE OF CURRENT WORLD AFFAIRS  
522 FIFTH AVENUE  
NEW YORK

JNH...WSR..103 PERSONAL

Moscow, USSR.,  
October 3, 1937.

Dear Mr. Rogers;

I was glad to get your letter of Sept. 21st and to learn that the boys are on the way. I am looking forward with the greatest anticipation to meeting them, and I know we are going to have a lot of fun together. They will be wise to stay and see the November celebrations, as they really are quite a sight the first time. Already it is so cold that I fear that we may have snow by then, but I guess both of them are ready for the weather.

I shall do what I can to get them started. Personally I think there will be little possible, as their fields have been under the hottest fire, culminating in the census failure. But we shall try and no one can ever tell in advance what will turn up.

Herman has reserved me a cabin on the Christmas sailing of the Manhattan which reaches N.Y. December 22nd. The U. of Chicago tells me that I must be ready to start classes January 3rd. It means that there will be precious little time between landing and going West, but my time is so valuable here that I have put off sailing until the last possible moment. Should you want me there earlier than the 22nd, cable me and I will come on an earlier sailing. I chose the Manhattan so as to have a longer more leisurely crossing in which to write. I never got a thing done on the Normandie which was in New York before I turned around.

I shall mail you in a few days a letter directed to the visa department asking for an exit visa for me in December. This is a new regulation. Please be sure to sign it and put on the Institute seal and return as quickly as possible. I also am mailing starting yesterday packages of books. Please have Ben note the numbers of the bundles, (upper left hand corner of each) and write me how they have come through. I got some wrapping paper here, and I only hope that it holds together.

Ben also is keeping for me some maps and charts of Soviet government set-ups. I will need them in teaching this winter, and so please have him get each one mounted on canvas so that it won't tear. They are too rare and valuable to lose. I shall send some more on soon to be treated in the same way, and also will mail on some

charts which I have sketched myself and which I want drawn to the scale of the printed charts he now has. You probably can find a draftstman to do it. Also please have those charts mounted on canvas as well, and all of them ready for me to take to Chicago when I land.

In view of our talk of last summer on writing a newspaper column on legal developments in various parts of the world, I have interested myself in trying to prepare a sample of such a one about the new Sovietbelectoral system. The publication of the electoral law in July which makes all details certain, together with masses of articles in the papers has made possible the preparation of a pretty detailed account of just what the procedure is. I have written it without footnotes and as lightly as I could with such a subject. It is now being corrected by a friend, and I shall send it off when he returns it, which should be within the next ten days. If you think it good enough, you may be able to find some place for it, either with the agencies or with somebody's Sunday Magazine Section. I shall leave that up to you.

Also I have mailed to the Chicago Law Review the paper they wanted on the Child in Soviet Law. We can only wait and see whether it is what they wanted. It was fun to work it up, for the material is enormous and the subject in the public eye at the moment.

My lectures are going well in Political Economy, Theory of the State and Law, Administrative Law, and some few lectures in Dialectic Materialism. They all come twice a Soviet week for two hours so that I keep running up to school every day, and the rest of the time I am trying to fill in loose ends of work I had not yet finished, as well as write up things I have not before touched. It makes a full but pleasant day, and I am far more cheerful than I was last year after things slowed down with the change in theories. Already there is activity and new thought afoot, and in the general spirit of vitality I find great inspiration. I start next week on trying to prepare those lectures for this winter, and a nice job it is going to be.

Greetings to you all,

JNH.

INSTITUTE OF CURRENT WORLD AFFAIRS  
522 FIFTH AVENUE  
NEW YORK

JNH...WSR..104

Moscow, USSR.,  
October 7, 1937.

Dear Mr. Rogers;

A new law raising the top possible limit for imprisonment from ten to twenty-five years has been the lawyer's highlight of the week. Although at first glance the event would appear to be of little importance, a look at the change as nothing more than an increase in penalties would mean missing much of the interest accompanying the publication. In reviewing earlier laws one finds that this act is but the last step in a notable progression.

Soviet law since the earliest criminal statutes has provided three basic types of punishment in addition to the minor forms of warnings, censures, fines, and confiscation of property. These three are: (a) "compulsory work", which means a sentence defining the place and period during which the condemned is required to work at a minimum wage. His freedom is not otherwise limited in any way, and in practice the sentence usually designates the defendant's present place of employment so that nothing is changed by the sentence except that the condemned receives far less money for his toil and must remain on the job; (b) deprivation of liberty by imprisonment in detention houses or work camps; (c) capital punishment, by shooting.

The earliest criminal statute of 1919<sup>1</sup> did no more than to list general principles to guide courts which up to that time had been instructed to decide questions on the basis of revolutionary conscience. This statute listed these types of punishment, and allowed the judge to choose the penalty deemed most expedient. Shooting was defined as the unusual method of social defense and was permitted only in the most serious cases. In practice "compulsory work" was applied to those who committed minor crimes, while more important acts drew terms of "deprivation of freedom", which is now being called imprisonment again.

In 1921<sup>2</sup> a law appeared putting a top limit of five years upon imprisonment, while all the rest remained unchanged. Here was introduced the principle of a limit, based largely upon what was thought to be adequate time for reformation. For the more dangerous case where reformation could not

be expected to be effective, shooting remained as a means of protecting a society organized in keeping with principles of the proletarian revolution.

The first full criminal code in the R.S.F.S.R. appeared in 1922<sup>5</sup>, and this long code defined specific types of crime in its numbered articles. For each crime there was appended a paragraph giving maximum and minimum possible sentences, the court being left free to choose within the limits. As a general principle governing the whole code, it was established that no "compulsory work" should be decreed for less than 7 days or more than one year, and imprisonment was to be ordered only for periods of from one to ten years. Shooting remained as a measure of defense in extreme cases. Here was a raising of the top limit on imprisonment, it being felt that five years was hardly commensurate with the seriousness of some crimes, which at the same time were not severe enough to require the protection of society through complete extermination of the criminal.

When the Soviet Union was formed in 1923 and '24, the new Guiding Principles<sup>4</sup> for all Republics in the main repeated the provisions already well-known in the legislation of the R.S.F.S.R., which became one of the four Republics making up the Union. This general law did not, however, set a minimum at all, and left each Republic to determine its own.

The next change came in 1926 with the publication of the second criminal code in the R.S.F.S.R.<sup>5</sup> Here the change was not in the upper limits. Those tops had been fixed by the General Principles, but the alteration came in the lower limits, which the Union law had not even mentioned. "Compulsory work" was given a lower limit of one day and a maximum of one year. Imprisonment could be ordered for as short a time as one day.

These lower limits were changed again in 1930<sup>6</sup> when the principle existing up to October of this year was added by amendment--"compulsory labor" for periods of from one day to one year, and imprisonment from one to ten years. Shooting remained for the unusual case.

These laws bring out the fact that variations in the lower limits have been general, but since the earliest years, the principle of a low fixed upper limit has remained. At first it was set at five years, and shortly raised to ten. That figure has remained ever since 1922.

On October 2nd<sup>7</sup> came the new law extending the penalty to twenty-five years or capital punishment for cases



involving spying, explosions, wrecks, arson with loss of life, and other acts of diversion. The law goes further than these crimes, for it removes the general limit of ten years as a principle to govern criminal law policy, and thus opens the door for the later extension of penalties to twenty-five years for crimes which the central authorities may designate.

The papers have not assisted us in determining what this change means as no interpretive articles have appeared since the publication of the law. Perhaps it will be safe to guess that something like the following considerations were involved: The past few months have seen an extensive clean-up of persons alleged to have played an intentional part in the slowing down of industry, the failure of the census, the poor production of the motion picture studios, misuse of the provincial press, and misuse of high positions in the various Republics. It must have been apparent that many of these people were hardly as unimportant as a murderer who does not set out to wreck socialist society. Yet the code classed them together since both could be given ten years imprisonment. At the same time it must also have been clear that they were not as dangerous, nor as treasonable as an Army Marshall who violated his oath. Yet the Code provided no other penalties except the small ten year term or shooting for all this class of case.

The way out was found in typical Soviet fashion. No past traditions or theories were permitted to act as a brake upon the introduction of policies deemed necessary at the present period of history. Out went the old top limit, together with the theory that a man who could not be reformed in ten years might as well be shot, and we are presented with a new amendment, boldly breaking with the past and startling law students who had learned the old principles by heart.

If one accepts this explanation, it would seem that one should also draw the conclusion that the new law amounts to a withdrawal from the broad application of the death sentence. In the past capital punishment was administered generally to persons obviously more dangerous than the violator of personal rights of a single individual and yet clearly not as dangerous as a national traitor. Now a middle stage will be possible, and since on any graph, the middle group is the largest, those who formerly have been wholly removed from society because they were beyond the less dangerous type of criminal will now be removed from active participation within society for long periods of time.

Greetings,

JNH

For translation of new law and citations to old ones, see next page.

Citations

1. Collection of Laws of the R.S.F.S.R., 1919, No.66, Art.590. see esp. sec. 25 listing the types of punishment.

2. Collection of Laws of the R.S.F.S.R., 1921, No.22, Art.138. Law of March 21, 1921 at sec.I.

3. Collection of Laws of the R.S.F.S.R., 1922, No.15, Art.153. see secs. 34 and 35.

4. Collection of Laws of the U.S.S.R., 1924, No.24, Art.205. see secs. 18 and 19.

5. Collection of Laws of the R.S.F.S.R., 1926, No.80, Art.600. see secs. 28 and 30.

6. Collection of Laws of the R.S.F.S.R., 1930, No.26, Art.344.

7. See Izvestiya, No. 231(6393) of October 3, 1937.

Decree of the Central Executive Committee of the U.S.S.R.

By the existing criminal legislation of the U.S.S.R. and Union Republics for the struggle with espionage, wrecking, attempts to organize wrecks, explosions, arson with loss of human life, and other acts of diversion there is established as a measure of criminal punishment--deprivation of liberty for a period not greater than ten years, and for more serious kinds of state crimes--the supreme measures of punishment--(shooting).

For the purpose of struggling further with this type of crime and to give the court the opportunity to choose for these crimes not only the supreme measure of punishment (shooting), but also deprivation of liberty for a longer period, the Central Executive Committee decrees:

1. In modification of Art. 18 of "The Basic Principles of criminal legislation of the U.S.S.R. and Union Republics" there shall be established as a measure of punishment deprivation of liberty for not more than 25 years,

2. It shall be proposed to the Central Executive Committees of the Union Republics to bring their legislation into accord with the present decree.

President of the Central  
Executive Committee of  
the U.S.S.R.

M.Kalinin

Secretary of the Central  
Executive Committee of  
the U.S.S.R.

A.Gorkin

Moscow, The Kremlin,  
October 2, 1937.

October 12, 1937

Society for Cultural Relations,  
17 Bolshaya Gruzinskaya,  
Moscow, USSR.

Gentlemen:

Permit me by this letter to introduce Mr. Kenneth May and Mr. Howard M. Wiedemann, two young men that this Institute is financing to enable them to continue their studies.

Mr. May has completed all requirements for the Ph.D. degree at the University of California except for preparation of a final thesis. He has made an enviable record at that institution; his professors consider him to be an extremely promising person. His field of study is mathematics, particularly statistics and their utilization as a means for furthering social and economic welfare. Mr. May's father is head of the Department of Public Administration at the University of California.

Mr. Wiedemann last June was awarded his master's degree by the University of Buffalo. He has been the outstanding student at that institution. His field is what may be called the philosophy of science, with particular interest in the interpenetration of science and society. This is a subject that is being increasingly studied in this country. Scientific publications and scientific organizations are developing programs for its consideration. Mr. Wiedemann has been largely making his own way, his father having died many years ago.

Before agreeing to help these young men, most careful inquiries were made with regard to their characters, their work and their potentialities. I recommend them to you with the utmost assurance and with full confidence that any opportunities for study that may be given them will be used honestly and to the best advantage. If they are given opportunity to study in Russia, I am sure that in future they will prove to be valuable links between Soviet Russian and American cultures.

Let me take this opportunity to express our appreciation of the many courtesies and opportunities that your organization has given to other young men in which we have been interested.

Yours sincerely,

ESR/fo

Director.

Moscow, USSR.,  
October 18, 1937.

Dear Mr. Rogers;

Educational work for the coming elections was greatly speeded up with the setting of a date for the first elections to the Supreme Soviet. December 12th has been chosen, and between now and then we are going to see great activity.

The actual mechanics of the new elections are complicated enough for the mass of the people who know little about stepping into a curtained booth and choosing a candidate in secret. They are not a great deal better known to the persons who are being delegated to run the elections, make arrangements for setting up polling places, manufacture ballot boxes and print ballots. Most of these people have already been trained in Party or Komsomol circles, and already they are throughout the country conducting master classes from which lesser experts go into every factory, office, club, school, and social gathering to lead the discussion.

Some of these study groups are on a pretty high intellectual level as in the Law Institute or at the Professional clubs. In those places the mechanics are easily grasped and the political aspects can be dealt with very soon after the circle begins meeting. In other groups where less advanced people are being taught, circles have already been meeting every week for a long time to rehearse just the simple elements of how one votes and nominates. Those details I have made the subject of another paper, and I shall not reproduce them here.

Far more interesting to the foreigner than the technique of voting, which can be easily mastered, is the political education accompanying the technical explanation. The political aspects are of extreme importance, for these elections are very serious. Millions are being given the opportunity in secret to cross out names they do not like leaving the name of their chosen candidate. Party members explain that if the mass of the people did not understand which groups were the ones most interested in the long-run future of the workers, they might be misled by demagogues. They might vote for people who emphasize the shortcomings of a system still going through severe growing pains, and the result might be a real setback for the leadership of the country.

Many lectures are being given to once again point out the unusual position of the Party as the vanguard of the proletariat, and the public is advised of the need of choosing candidates who, if not Party members are at least persons led by the spirit of Lenin and Stalin. The tenor of these talks is reflected in a speech made at the huge Stalin auto factory by a member of the newly created Central Electoral Commission. He ended with these words: "We must not forget that enemies are also actively preparing for the elections. While not exaggerating the strength of our enemies, we must at the same time not sleep on our laurels." In response to this speech the workers unanimously adopted the following resolution, starting with; "We --workers, engineers, and clerks of the Moscow Auto Factory named for Stalin as a unit give our vote to the candidates put forward by the Party of the Bolsheviks."

The sailors of the Amur fleet in their resolution unanimously declared that they would give their votes only to the deputies true to the work of Lenin and Stalin. The wall newspapers around town are appearing with headlines: "We give our vote to our first candidate, Comrade Stalin." These are only preliminary events showing the nature of the campaign, and we are awaiting the naming of candidates to see how the actual campaign speeches will be framed. All nominations must be in the hands of electoral commissions by November 12th, so that we have not long to wait.

The personnel of the Central Electoral Commission shows the general representation to be expected on the ballots;--Party, trade unions, collective farms, factories, mills. It is almost unthinkable that a candidate could survive the close scrutiny of an alert class conscious leadership of the working class to put his name on the ballot on December 12th if he is not an enthusiastic worker for the present program. What campaign issues there are could not conceivably arise on the question of general Party policy. What the Soviet voter is going to have a chance to do in December is to strike out the red tape artists and bureaucrats who now dog his steps. The very threat of this eventuality may be enough to eliminate in advance much of this abuse of authority which has long called forth severe criticism in the press.

Greetings to you all,

JNH.

*John*

105 (PERSONAL)

The boys have come in and I am very much pleased with your choice. You certainly now have three people who are not in the least alike--with different backgrounds, interests and hopes for the future. That is as it should be, and I am having a lot of fun working with them and fitting our pictures together.

So far things have gone very well, and they have gotten about the town quite a bit. There remain the big tasks ahead, but we shall see what can be done. One can never tell in advance what the result will be so that I shall not even guess.

The naming of election day as December 12th, suggests that I stay for it and catch the train taking me straight to Havre for the Washington's sailing. At the present time my visa runs out on December 10th, but they may give me two extra days when the time comes. In any event we shall see what can be done.

I have mailed by registered mail the paper on the elections, together with a chart on how it all works. I shall be interested to hear whether you think this material can be used. I leave it to your discretion in placing it.

My health is better than it has ever been, no doubt due to the strenuous canoe trip which put me in better shape than I have been in for some time. My work keeps me rushed, and the boy's coming adds to the din, but it is worth the effort and will prepare me for the tempo which I know I am going to have to face in Chicago.

Ben's packages of books came through on International legislation. I hope mine have done as well.

JNH.

# ASSOCIATION OF AMERICAN LAW SCHOOLS

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## OFFICE OF THE SECRETARY

COLLEGE OF LAW  
OHIO STATE UNIVERSITY  
COLUMBUS, OHIO

October 19, 1937

## EXECUTIVE COMMITTEE

PRESIDENT, EX-OFFICIO  
SECRETARY, EX-OFFICIO  
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JOHN HANNA  
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UNIVERSITY OF IOWA

*Hazard*

Walter S. Rogers, Esq.  
Institute for Current World Affairs  
522 5th Avenue  
New York, New York

Dear Mr. Rogers:

I understand that Mr. Hazard is back in Russia and will return to this country on or about December 29. Our Association will have its annual meeting in Chicago on December 29, 30 and 31. I am most anxious to invite Mr. Hazard to give an informal talk at one of our sessions on Legal Education and the Administration of Justice in Russia. What I should like best would be to ask him to talk on the evening of December 30 for, roughly, forty-five minutes. The University of Chicago Law School people tell me that he is planning to do some work there after his arrival, and so it occurred to me that he might be able and willing to come to our meeting. We shall be glad to pay his expenses.

Knowing that you would be in touch with him, I thought I would write you first to find out how definite his plans are. Our printed program ought to go to press by the middle of November or the last week of November, so there is very little time to be lost. If you wish to do so, I should be glad to have you write him immediately on receipt of this letter.

If he is planning to take a ship which is not scheduled to arrive in New York until the 29th, I think we would hardly be safe in scheduling him for the evening of the 30th unless he is used to flying. We could schedule him for the morning or afternoon of the 31st if necessary, though he would have a better crowd on the evening of the 30th and it would fit a little better into our program to have him on that date.

Our annual meetings are attended by law school teachers from all over the country, generally around 300. He needn't be afraid of his audience as they will be very sympathetic and tremendously interested.

Please let me hear from you as soon as possible.

Sincerely yours,

LKG:vc

*L. K. Garrison*

Oct. 20/37

## A NEW VOTING PROCEDURE FOR THE SOVIET UNION

With the first election to the Supreme Soviet of the U.S.S.R. set for December 12th, educational campaigns are in full swing to acquaint the public with an unfamiliar voting procedure. Activity really dates from the ratification of the draft Constitution on December 5, 1936 introducing principles largely new to Russians and the other nationalities comprising the Soviet Union, but the publication of the electoral law on July 9, 1937, followed by the naming of an election day has been the signal for mass education.

Everything centers about the Constitution with its basic principles and the electoral law with its specific details which provide novelty ample enough to make extensive explanation necessary. To carry out this work special instructors have been sent into every corner of the country, and evening study circles are the order of the day.

Most striking of all the innovations is the abolition of class restrictions on the franchise. These had previously been a characteristic feature of the old electoral systems outlined in the basic laws of each of the Republics comprising the Union. Former factory owners, large shopkeepers, employers of labor for profit, priests, and Tsarist police had constituted the disenfranchised groups under these documents. Besides these political unreliaables the insane and persons specially deprived of the privilege by a court were also denied the right to vote.

Now the picture is greatly simplified, just as Lenin said that it could be someday when conditions were ripe



for the change. Now Stalin emphasizes that the achievement of socialism has made possible the realization of Lenin's prophesy, and last December's Congress of Soviets followed this lead in opening the franchise to all citizens over the age of eighteen with the exception of those declared insane in the manner provided by law and those deprived of citizenship rights by a court. This latter class was somewhat augmented by a decree of October 16, 1937, which in effect withholds the right to vote from suspected criminals undergoing preliminary investigation if they are being held under guard. It also announces that sentenced criminals not deprived of citizenship rights may vote only if their sentence is not being served in a prison.

Although the group having the right to vote is described in what would appear to be nearly all-inclusive terms, women and members of the Red Army are specially named in the Constitution as possessing the right of the franchise. By these sections the generality of the new franchise is re-emphasized. These groups would, of course, fall within the term "citizens", but they are mentioned separately to contrast with Tsarist days and with constitutions of some other states which still specifically exclude them.

Candidacy for any elective position was opened by the new Constitution to any citizen if nominated by the Communist Party organs, trade unions, cooperatives, youth organizations, and cultural associations. Broader definitions of these groups was left to the later law.

Of interest to Americans is the fact that foreign citizens, who used to have the<sup>e</sup> right to vote and be elected if they sprung from peasant-worker stock, are now deprived of these rights by virtue of the fact that they do not fall within the class of Soviet citizens. This privilege of the franchise was not formerly an empty right, for under it a foreigner was elected to the Moscow City Soviet, while many a foreigner exercised his right to vote. This privilege was part of the general manifestation of the Marxian principle of the brotherhood of the working peoples of the world. Today the situation has greatly changed, for most foreign workers desiring to remain permanently within the Soviet Union have adopted Soviet citizenship. The need for the old provision vanishes, since the few foreign workers who retain their foreign passports are primarily temporary residents not having the political background necessary to permit them to choose intelligently.

Further articles of the Constitution provide still other innovations, requiring that voting be direct, secret, and by electoral districts. With these new specifications as major principles to govern the framing of an electoral law, the Stalin Constitution left definition of details to the outgoing Central Executive Committee of the Union. The publication of this electoral law as well as the law of October 12, 1937 setting a date and outlining electoral districts has completed the picture.

The electoral law opens with an outline of the method to be used in determining which specific persons have the right to vote. Residents are not left to their own initiative. The government does not wait until a person puts in an appearance at a registration booth. The administration takes the active role,

and each village or ward soviet is directed to prepare an alphabetical list of all permanent and temporary residents within its jurisdiction, excluding only those declared insane or deprived of citizenship rights by a court. If the district is an army unit, the commander prepares the list. Thirty days prior to an election date this list must be published or posted in a public place in the district so that all may check it for errors. Any mistake must be communicated to the local soviet, whose Executive Committee must consider the question within three days. On refusing to satisfy a complainant, the committee must issue a written explanation on the basis of which the complainant may turn to the People's Court of the district. This court which is the usual court of original jurisdiction in civil and criminal cases must hear the complaint within three days, and its ruling is final.

Absentee voting is carried out in a manner quite unfamiliar to Americans. Should a resident move away before election day, he is to be given a certificate on a special form, identical in all parts of the country, on which his right to vote is certified. With this certificate he may present himself at any polling place where he may happen to be on the election date, his vote being cast not for the candidate in the district from which he came, but for one of the nominees in the district in which he presents himself. This provision assures the exercise of the right to vote to all citizens including transients.

Election is by districts, formed to comply with the differing character of the two chambers of the Supreme Council. Both Chambers have equal rights, delegates being elected

for four year terms, and laws being required to pass both bodies before they may be declared effective.

For the Soviet of the Union, which is a body representing all citizens of the Union as individuals, the country is divided into 569 electoral districts of 300,000 persons, from each of which districts a delegate is to be elected. These districts do not necessarily follow boundary lines of national cultural areas, some of which are far too small to number even enough inhabitants to constitute one electoral district.

For the Soviet of Nationalities, which is a body representing citizens of the Union not as individuals but as members of national groups no election solely on population principles was desired. Citizens will vote for a member of a delegation representing the national cultural group in the Soviet. This delegation will vary in size according to the relative size and stage of political development of the nationality. This relationship has already been determined by the Constitution defining eleven "Union Republics" with 25 representatives each; twenty-two "Autonomous Republics" with 11 representatives each; nine "Autonomous Regions" with 5 representatives each; and nine "National Districts" with one representative each. Three more National Districts have since been added to bring the total deputies in this chamber to 574. In this manner each national group and each national culture will be represented in a roughly proportionate way in the central government.

The issue is slightly complicated by the fact that only the eleven Union Republics are fully autonomous. The other

units in spite of their names lie within Union Republics and are partially under their supervision and control. As a result of this the citizens of the smaller national groups have a vital interest in the policies of the Union Republic under whose aegis they may be, and this interest calls for some representation in the choosing of the large delegation which represents the Union Republic in its entirety including the smaller national groups within its boundaries.

To satisfy this need it is provided that the smaller nationality in addition to choosing a national delegation to represent its own culture may also share in the selection of the large national delegation to be sent by the Union Republic in which it lies. Its share in this delegation is determined by the proportion its population bears to the total population of the Union Republic. To make this picture concrete one may take the example of the Moldavian Autonomous Republic which lies within the boundaries of the Ukrainian Union Republic. The Ukraine's total population is 31,902,000, while Moldavia's is but some 700,000. In consequence the Moldavian Republic will vote not only for its own delegation of 11 deputies representing Moldavia, but it will vote also, together with the city of Odessa in the Ukraine, for one of the large Ukrainian delegation of 25 persons.

Voting for the members of the national delegation is not by list, but each member represents a specific geographical area within the cultural group. To put this principle into practice the area occupied by the nationality is divided into special electoral districts in accordance with the number of representatives which each nationality may elect. This system

makes personal acquaintance a possibility and permits it to act as a criterion in judging the desirability of a candidate.

Polling places or precincts are distributed in accordance with carefully defined rules, it being required that the polls for the Soviet of the Union and the Soviet of Nationalities be identical. The law and the amendment define seven classes of polling places, two of which are the most usual. In rural areas the polling place as a rule must be provided for each locality which has 2,000 inhabitants, irregardless of whether they are all qualified voters or not. There may be a separate precinct if the number of people in a village and its immediate environs numbers not more than 500. A recent amendment has reduced even this small unit to a requirement of no more than 300 inhabitants if the village is more than 10 kilometers from the place which would be the precinct under the electoral law as originally published.

In cities there must be a polling place in each district where there are from 1500 to 2,500 inhabitants. Since it is obvious that these two basic types of polling places would not make it convenient for persons in remoter regions to vote, the law goes further to provide that in remote sections of the far north, in nomad and mountain districts polling places may be set up if the area has as few as 50 inhabitants.

For the exceptional situation there are three

special types of polling places to be formed in very small units; ships, hospitals, maternity homes, sanitarium, and invalid homes. Any one of these which has more than 50 voters may organize a separate polling place. The army unit votes for candidates in the district in which it may be stationed, while the ship votes for candidates in the district of its home port.

Persons living in diplomatic missions abroad, trading corporations like the Amtorg in New York and Arcos in London, Redarmymen in small border patrols, and persons in small sanitarium will not be able to vote unless they can get to one of the regular polling places provided for under other headings. In this way a recent arrival at Amtorg who had a certificate from his home soviet entitling him to vote might present it at any Soviet ship in New York harbor and vote for the candidates of the ship's home port.

Control and supervision over the mechanics of elections is provided by a series of commissions set up by the electoral law. They follow the usual soviet administrative lines of division, there being a central commission for the whole Union, a commission in each Union Republic, Autonomous Republic, Autonomous Region, and National District. Close to the people stands the district electoral commission in each district from which a delegate is to be elected. This commission controls the work of the precinct commissions which sit in each of the many polling places.

Each electoral commission from the top to the bottom is composed of members chosen from the organs nominating candidates

for election. Each commission as finally constituted must be approved by the governmental organ in the area within which they sit. This means that the central electoral commission is approved by the Presidium of the Supreme Soviet of the Union; the commission for each Republic is approved by the Presidium of the Supreme Soviet of the Republic; the commission for each electoral district is approved by the Central Executive Committee of the District Soviet; while the precinct electoral commission is approved by the local village soviet in the country or by the ward soviet in the city.

The central electoral commission as named on October 13th contains fifteen persons. These represent the Communist Party organs of Moscow, Leningrad, Kiev and one central Asian Republic, the ~~Leninist~~ All-Union Communist Youth League (Komsomols), four labor unions including those of writers and school teachers, two collective farms, two factories, and the Society for the Defence of the Soviet Union and for the Development of its Aviation and Chemical Industries (Osoviakhim). The Chairman is named as a representative of the All-Union Council of Trade Unions.

Tasks of the electoral commissions are framed to include everything necessary to successfully complete the elections. The Central Commission oversees the whole election, describing the form of ballots, ballot boxes, and other materials. The Republic Commissions head up the work of the district commissions, which in turn arrange for the establishment of precincts and print the ballots for distribution to each of the precincts. Their function also includes the collection and compilation of electoral returns. The commission in each



precinct in turn is composed of representatives of the major organizations nominating candidates, and its function is to carry out the general instructions in concrete form, arrange for the polling place and its equipment, check persons who present themselves to vote, maintain order, and finally count the ballots and notify the district commission of the results.

Model polling places already set up for the purpose of educating people for whom the whole affair is quite new look much like similar arrangements in America. Partitioned and curtained booths line the walls around a central table where the precinct commission will sit to check names and keep order.

Nominations are not put forward by individuals but by organizations. Defining these groups in broad terms, the Constitution lists the Communist Party, trade unions, cooperatives, youth organizations, cultural organizations, and adds another class called "other organizations". This general list was expanded by the electoral law which specified that this included local as well as central units of the Party and other organizations. The law went further to declare that it included general assemblies of workers in factories, offices, or on collective and state farms.

Campaign issues will not be those familiar to voters in America. Stalin has said that a candidate stands for election upon the basis of his record in a place in which he works. This system is heralded as a method of eliminating people who are important only in their own eyes and not in the eyes of their fellow workmen. Writers argue that if a man or woman is not acceptable to the people who know him best, why should he

allowed to crowd the lists of candidates and seek election from the public in general who can judge him only through campaign speeches. Sponsorship by an organization will amount to evidence to other voters that the candidate has already proved his worth among his critical co-workers.

Churches and other religious organizations are prevented from entering candidates for political office, since the early revolutionary law on the Church separates it from the state and all political activity.

Although the law provides no particular procedure for choosing a nominee, practice has already centered upon the method of the ~~open~~ ballot. Nominations are made orally in open meeting. Names are written on the blackboard. Nominating speeches may be made or critics be heard, and elections follow as each qualified member of the group casts his ballot by a show of hands.

No person who is a member of an electoral commission may be a candidate. To this rule there is one exception, permitting a person to serve on a precinct commission in any district in which he is not a candidate. No residence requirement for a candidate is demanded, but to eliminate the possibility of a single candidate's running in several districts, the law permits a candidate to consent to run in only one district. This rule is of great importance in a country where national figures such as Alexei Stakhanov and Dusya Vinogradova gain such prominence that many districts might be expected to nominate them. Although a person may not be a candidate in more than one district, the law does not forbid his candidature as the nominee of more than

one nominating group within the district in which he has consented to run.

Nominations must be forwarded to the district electoral commission at least 30 days before elections, and must contain both the minutes of the meeting nominating the candidate and his personal consent to stand. Should the district commission refuse to register a candidate, appeal may be had to the central electoral commission, whose decision is final. Lists of candidates must be published in the national language by the district commission at least 25 days before elections, and the ballots with the names of the candidates must be distributed to all precincts within the district in sufficient quantity to supply all voters.

Nominating organs may campaign for their candidates and are assured of the use of streets, press, and public halls for these purposes. Since only one Party exists in the Union campaigns are not conducted between opposed Party groups but between organizations all of whom accept principles of socialism but who may differ in opinion as to the comparative ability of different people to carry out the general principles on which all agree.

Voting procedure is so similar to that in America that only a few points need be emphasized. Election day is a single non-working day, and the polls remain open from 6 A.M. to midnight. Announcement of the polling place must be published in the local press for twenty days preceding the elections. As each person appears personally, his name is checked against the registration list as he presents his passport, trade union pr

Party card or other official document which may serve as a certain means of identification.

Each voter receives a ballot and an envelope and retires to a separate partitioned booth. He crosses out all names on the ballot except that of the person for whom he wishes to vote, seals the ballot in an unmarked envelope and after returning to the general room, drops it in the standard type, padlocked ballot box.

This procedure is followed to choose a delegate for the Soviet of the Union and is repeated in choosing the delegate to the Soviet of Nationalities. In small national groups it will be repeated even a third time to select a delegate to the Soviet of Nationalities from the small national group as well as from the Union Republic.

If a person not on the list of residents appears bearing a certificate of his right to vote issued by a soviet in some other district, his name is added to the list, and his certificate taken up and forwarded to the district commission.

At the end of the voting session the box is opened in the presence of all members of the precinct commission and the press, and the total number of envelopes is compared with the number of persons who are registered as having voted. When this is tallied, the Chairman opens each envelope, reads aloud the vote and records it. Ballots are declared invalid if they are not of the form and color fixed by the Central Commission, if they are not in an envelope or in an envelope other than that officially designated as the correct type, or if more than one name has been left uncrossed out on the ballot.

When the ballots have been counted, a report is prepared together with a summary of the entire day's proceedings. These are sent to the district electoral commission by special messenger who must be dispatched within 24 hours. The actual marked ballots are sealed and turned over to the local soviet for safekeeping and any subsequent examination if that be necessary.

The district commission adds up the totals sent in by each precinct commission and declares the person elected. To win the election a candidate must receive an absolute majority or more than half of all votes cast. Should this not happen, a run-off election must be held within two weeks according to the same rules, but in this second election only the two highest candidates are permitted to run. This same procedure is followed if a delegate during his term of office withdraws from his duties.

Having determined the person elected, the district commission gives him a certificate of his authority, and within 24 hours starts a messenger with this name to the central electoral commission who will later present the name to the credentials commission of the chamber concerned.

Since distances are long in the Soviet Union and travelling time for the special messenger may not be inconsiderable, it is possible that the final results will not be in Moscow for a month or so. In this event the press may step into the gap as it does in America and wire the results as news items so that unofficial returns may be out in a short time. The carrying out of this service is still a matter of conjecture.

To eliminate tampering with elections the electoral law provides for a series of criminal penalties for election offenses. Persons who intimidate voters are subject to a penalty of two years deprivation of freedom, while forgery of election returns subjects an official to three years deprivation of freedom.

A bureaucratic approach to this problem is the fear of the Party press which is even now reminding readers that the active participation of the masses in the whole elections is the essential element to democratic procedure. No one knows as well as the Party leaders that rules cannot assure success, and it is the application of the rules which the Soviet world will watch with the keenest interest. The days intervening before December 12th will be practically unprecedented covering as they do both only the celebrations in honor of the Twentieth Anniversary of the proletarian revolution and the first elections since the achievement of socialism.

John N. Hazard

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October 20, 1937.