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INSTITUTE OF CURRENT WORLD AFFAIRS

Report for School Year, September 1934 to
June 1935

John N. Hazard

CONTENTS

I. Review of Activities from September 1934 to June 1935	1.
The Russian Language	1.
The Study of Law-Theories	4.
The Study of Law-In Practice	6.
The Practice of Law	6.
General Observations	7.
II. Soviet Law	
Marxian analysis of History	8.
Correlation between development of law and progress of history	8.
--The first period in legal cycle	8.
--The second period	9.
--The third period	10.
False interpretation of Soviet Law	11.
Why Soviet differs from predecessors	12.
Existing Soviet Law	13.
--The Criminal Code	13.
--The Civil Code	14.
--The Labor Code	14.
--The Family Code	15.
--Codes of Civil and Criminal Procedure	15.
--Other Codes	15.
III. Foreign Student Life in the Soviet Union	16.
Getting entrance visas	16.
Rooms	16.
Food	17.
Bugs	17.
Health	17.
Institutional study permits	17.
Trips out of the Soviet Union	18.
Rewards	18.
IV. Finances	19.
The Past year	19.
The Future	19.
Detailed monthly accounts	20.
V. Future program	30.
Personal	30.
Immediate future	30.
More distant future	32.
Institute	33.

I

REVIEW OF ACTIVITIES FROM SEPTEMBER 1934 TO JUNE 1935

The Russian Language

Following a program suggested in part by Professor Samuel Harper, after my arrival in the Soviet Union on September 20th language lessons were started. ~~As~~ a teacher I was fortunate in finding a woman of some forty-odd years of age, now teaching English in the Academy connected with the Commissariat of Foreign Trade. She had at an early age lived in New York and London, but returned to the Union at the outbreak of the World War. From that time on she ~~was~~ ^{has been} engaged in teaching English and Russian in the schools. Grounded in fundamental principles of grammar, and with the familiarity with differences in thinking in English and Russian, she was able to present Russian to me in a manner ~~more~~ comprehensible to a foreigner who needs to know rules and reasons. She ~~had~~ ^{has} already developed a system of teaching which has ~~achieved~~ ^{and with} great success in the various English classes she conducts and this method was followed in my case. It will become clear as the program is explained below.

The Russian week has six days, the sixth being a rest day. Until December 1st (two and one half months) on each of the first four days of the week a lesson of one hour was given. On the fifth day the lesson was two hours long to make up for the absence of a lesson on the rest day which followed. From December 1st to March 29th lessons were alternated with free days, but each lesson was lengthened in time to two hours. A short vacation was granted from March 30th to April 3rd, after which lessons of two hours in length were continued three times a week until May 30th. From May 31st to June 10th lessons of two hours each were given every day except the free day on June 6th.

For the first month of work the program was confined to reading from a simple large-type reader prepared by the Commissariat of Education for the training of illiterate peasants and factory workers. The reader was composed of paragraphs dealing with descriptions of incidents of every day life, the program of the five year plan, and criticism of bourgeois systems of production. Paragraphs were read, translated, and memorized, thus creating a simple vocabulary necessary for every day life in a sentence, and not disconnected, form. The second month was outlined to include in addition to a continuation of the work in the reader a learning of the principle rules of grammar as set forth in the Russian

language grammar used in the Soviet Schools. Rules and examples were copied in Russian into note books, and sentences were prepared during home work hours containing examples of the application of the rules and the use of nouns and adjectives in all of the various cases. With the third month, December, the reader was replaced with reading of articles from the children's paper, the Pionerskaya Pravda; these were longer and could not be effectively memorized. Consequently summaries were prepared during homework^{hours} and corrected in class, these summaries being later memorized and recited in answer to questions asked by the teacher. Grammar was continued, one day each week being devoted exclusively to it.

In January the Pionerskaya Pravda was replaced by a reading of Pravda. Articles were laboriously worked out, questions composed from their contents to give practice in the peculiar question form used in Russian, and the substance was repeated in conversation with the teacher during the lesson. Here as throughout the year only Russian was used in class, except when translation was done into English to make certain that I was understanding.

In February, a regular program was at last possible, a program which in principle was followed the rest of the school year. There being three lessons a week, one was devoted to reading from Russian classical literature, at first the prose of Pushkin, and later the simpler stories of Turgenev. One lesson was devoted to reading, analyzing and writing summaries and questions on an article either in Izvestia or Pravda. The last lesson of the week was devoted to grammar, new rules being copied during dictation, and sentences showing the application of rules copied the previous week were corrected, and after having been corrected were copied into notebooks in their accurate form.

Two poems and the "International" were memorized to provide a feeling of the Russian musical cadence. In April the newspaper reading had become simple enough to be combined with the grammar work, which although pretty well covered was not by any means being applied in practice. The free day resulting from the combination was allotted to the reading of the annotated students edition of the Criminal Code of the RSFSR., which contains an exposition of the function of Soviet Law in general. Questions were composed and corrected and in addition a summary of each day's reading was made, corrected and copied into a notebook so that it provided a reference for theories of Soviet Law. This program was continued to the end, except that the first ten days of June were given over to the review of the year's work, bit by bit until all had been covered.

Each month the teacher gave me an examination, written and oral on the preceding month's work. At the end of six months the examination was divided between two days, one being two hours oral and one being two hours written work on the preceding six months work. At the end of eight months a similar two day examination was given on the year's work. It proved to be less

satisfactory, however, than the one at the end of six ~~months~~ work, perhaps due to the presence of a certain fatigue with the study of the language, which, except for five days in April, had been in progress without interruption for eight and a half months.

As a result of this language work, I find that I can read the newspapers quite readily, finding difficulty, however, in the columnists' columns and in many articles on the home pages. The articles dealing with law, international relations, and progress of the productive plans while by no means being understood word for word do not provide a great difficulty. I can talk and say nearly everything I need to, although having to use ingenuity in many cases to say in the simpler round-about way things which could be expressed by some word or group of words which I do not know or cannot remember. I can read laws moderately well and understand by far the major portion of a lecture on law. I cannot, however, catch and understand shouted announcements made from the rostrum in the Institute. I cannot understand much of the Crocodile, the humorous magazine. I cannot understand much of the colloquial Russian used in the Soviet Plays. My accent is definitely foreign, and is apparently destined to be for some time to come, as I cannot hear that I am not repeating what I am given to repeat, although I can tell when other people are speaking with an accent. Whereas I can usually find the right case when writing, in the rush of conversation, it often escapes, particularly in those cases where verbs take other than the accusative case for an object, or in cases where prepositions take more than one case depending on various meanings of the same preposition.

Study of grammar under the Russian system does not involve learning that a certain preposition takes the dative or accusative case. It is the teaching of the ear to associate with each preposition the correct case of the word what or who. Thus since these words have the same endings as all but irregular nouns the ear is trained to permit only the correct case after certain prepositions and as objects of certain verbs. The system permits of much faster speaking without the necessity of thinking in English of the rule and the case required. The task becomes one of repeating hundreds of times each preposition with the correct case of the relative pronoun. Were there only a few prepositions the task would not be hard. Aspects of the verb also seem to be a question of ear, for rules fall short in many cases of explaining whether the complete or incomplete form could be used in the case desired. There seems to be no way to learn declensions and conjugations except to sit down and memorize by rote. Were it not that the genitive plural is so irregular, the task would not be difficult.

Whereas it is true that Russian forms more words from a single root than other languages, thus making it easier to guess the meaning of ~~articles~~ ^{new words} than in a language where this is not the case, the fact that words may differ ~~to~~ ^{to} variations in meaning of what in English may be a single word requires the

learning of a great many more words than in English if daily conversation is to be carried on effectively. It is of course true that the sum total of words in the English language is much larger than the sum total in Russian, but unfortunately for the foreigner the Russian uses many more of his more limited supply in talking and writing than the English speaking person uses in similar situations. This difficulty presents the task of learning an immense number of words which have in many cases no relation to words in English or French which might make their study easier.

The Study of Law -- Theories

Until February it was impossible to do any effective work in the study of Soviet Law in the Russian language. The only alternative was to read what little material was available in English or French. Such was done and the conclusions ~~discussed~~^{discussed} with Professor E.A.Korovin during the conferences discussed below.

Starting in February I attended the following series of lectures at the Moscow Institute of Soviet Law (name changed May 1, 1935 to Moscow Law Institute)

(a) Introduction to Soviet Law (18 hours) Professor Dotsenko, Assistant Director of the Institute of Red Professors. The course covered the general Marxian principles of law, their concrete form in Soviet law, the history of the Soviet Codes, the major principles of Soviet law as written into the codes, a comparison with principles underlying bourgeois law, and a criticism of these principles, as well as a criticism of theories of Soviet Law expressed by older Professors early in the history of the Soviet State.

(b) The History of the State and the Development of Law (98 hours.) Professors E.A.Korovin and I.S.Peretersky, Professors of International Law and Conflicts of Law, respectively. The course undertook to trace the development of the state from the breakdown of tribal communism through the slaveholding states of Greece and Rome, through the feudal and serf states of Western Europe and Russia, to Capitalism and its final stage, Imperialism and Fascism. The course was an exposé of history to prove that history had developed in accordance with principles outlined by Marx and should be so interpreted. It ~~showed~~ that law is the tool of the governing class, and that the artificial conceptions of law mouthed abroad are not in keeping with the historical facts. It is the basic course in the Law Institute.

(c) Soviet Criminal Law (14 hours) Professor A.Ya.Estren and Professor Bulatov. Professor Estren has only just

been replaced as the Chief of the Criminal Law Division of the Communist Academy's Department of Law and Government. Professor Bulatov is a young Professor accorded great fame as having been made a professor while still in his thirty's. The Course discussed a comparison between bourgeois and Soviet theories of Criminal Law, ~~and~~ illustrated by references to sections of the Criminal Code of the RSFSR.

(c) History of International Relations from 1850 to the World War. (4 hours) Evening lectures by Professor Korovin and Professor Levin of the Commissariat of Foreign Affairs. The course covered the review of the foreign policy of the Czarist regime from shortly before the freeing of the serfs, to the declaration of the World War, showing how economic factors had led to the various policies, and how these policies had brought ruin on Russia.

From October to June at approximately two-week intervals Professor Korovin saw me in a series of fifteen evening conferences, held at his home alone with him in the most informal manner. Early conferences were devoted to a discussion of my readings in theory, while later a program was followed based on the table of contents of Professor Hudson's Casebook in International Law. I attempted to determine the attitude to be expected in the Union on every principle of law outlined in the Casebook, at least in so far as this attitude could be defined and predicted from cases which had arisen or from other material bearing on the point. When Mr. Taracouzio's International Law and the Soviet Union appeared its contents were checked with my previous findings and where variations were discovered, the interpretation given by Taracouzio was explained to Professor Korovin and his answer noted. The last conference was spent in rehearsing my understanding of history and law as interpreted by Marx, the results of which are stated hereafter. I cannot overemphasize the value of these conferences, for Professor Korovin, having lived in the pre-war days, having taught then and now and having thus bridged the great change in law and in legal thinking which had occurred was able to interpret the new in terms of the old and to interpret it in a sensible reasoned manner which did not cause the mental rebellion which is too often the sequel to a reading of Pravda. To be sure Pravda's style may be necessary for a great mass of Russian peasantry and factory workers. It does not, however, lead to a sympathetic understanding of what is being carried on in the Union if one happens to be in the group which wishes to see intelligent and thoughtful explanations and analyses of the development. It may be added at this point that there are enough opponents of the Soviet interpretation of law now interpreting it abroad as evidenced by the mass of material published in France and the lesser amount published in America. To do something new and as

yet undone, it seems necessary to try and interpret the Soviet idea of law in a method which grasps the true meaning of the law, and to do this the student must approach the problem in as nearly a scientific manner as possible, which means in practice an approach in the main sympathetic, for conservative tendencies and outlooks are so inborn that to even counteract them and reach an impartial state one has to go a long way beyond to what conservatives would call an attitude definitely sympathetic.

The Study of Law -- In Practice

Courts- Regular sessions of the People's Courts were attended followed by attendance at a session of the next highest court, the Moscow City Court, and sessions at the Supreme Court of the RSFSR. The fact that students from the Law Institute were on the bench in the People's Court made the experiences doubly interesting and made possible a discussion of the handling of cases witnessed.

American Embassy and Consulate- Cases coming up involving nationality problems resulting from the conflicts between Soviet and American nationality laws were discussed with the Vice-Consuls handling such cases, and various questions as to the application of laws printed in the press were discussed with the Legal Adviser to the Embassy. Translations of the various Codes made by the Legal Adviser were read, and smoothed out, with reference to the original texts, thus making possible a study not only of the law on various subjects but also practice in the language.

The Practice of Law

On occasion I prepared memoranda^s for the Vice Consul in charge of Nationality problems on various points in American Law which he needed in the conduct of his work. These were not many in number as few problems involving American legal points arose during the year.

On one occasion The Consulate referred to me an American Couple living in the Union who wanted a Power of Attorney drafted which they might sign and send to America to make possible the handling of some of their affairs. Such was done as a friendly gesture as the Consulate said they had no authority to do it, and if it had not been done the man would have had to go back to America. No charge was made, of course.

On two occasions American women asked advice as to the validity of divorces they had been granted in the Union, and in one case an American Woman asked advice as to the validity of a marriage contracted in the Union.

I followed quite closely the practice of Mr. Henry Shapiro, a naturalized American now earning his living by the practice of

law in Moscow. At his invitation I talked through problems involving patents, wills, inheritance, and divorce. He likewise is a member of the New York Bar and an able man who has been in Russia some three years, and has developed a wide acquaintanceship.

General Observations

In order to understand more fully the background on which the law rests, I have accepted every opportunity to see what is being done in the Union. This has involved going to the Criminal Correctional Home at Bolshevo, trips to factories and plants, trips through museums, attendance at plays, concerts and operas where not only does one see Russia as it plays but also one sees the material being provided for the individual's class education during the most formative period of his day, the time he plays and rests. I have accepted invitations from Russian students to their homes to get an idea of the inside life of the average Russian boy and girl, and I have made frequent calls on older Russian friends to hear their explanations of phenomena and try ^{to} and get such an understanding of the Russian's approach to affairs of the world that I can predict what the reaction will be in any given case. I am not as yet satisfied with this side of the work. It is handicapped by the difficulty in seeing Russians, and by a desire not to implicate the younger ones in any unpleasanties which might follow from their knowing a foreigner. But where a person or family is definitely from the working classes and thus more or less impregnated politically I have been glad to have the opportunity to know the true inside Russia.

Contacts with all types of Americans; officials of the diplomatic circle, correspondents, engineers, students, and general hangers-on have been developed and maintained. It is utterly impossible to know all fields of Russian life and by knowing other Americans to whom one is naturally bound who are working in these fields a much broader outlook is made possible than might otherwise be expected. I cannot agree with those people who think it is better to throw aside all contacts with the American colony. Every American in Russia is there because he is interested in it. His reactions are valuable to supplement one's own, and in most cases they supplement it in fields with which one is not familiar and never could make the Russian contacts necessary to find out the information. The Russians expect you to see the other Americans, and if it is not carried to extremes of parties in public restaurants, and general rowdyism, it is my opinion that these contacts do more good than harm. Needless to say they add immeasurably in brightening a winter which is rather completely deprived of a very great deal one takes for granted in America.

II

SOVIET LAW

Any conception of law as a blindfolded goddess holding before her the weighty scales of justice is entirely foreign to the Soviet jurist. Not only would he deny that law in the Soviet Union can be conceived of in such terms, but he would go further and deny that the judicial system in any part of the world can be characterized in such a manner. To understand his argument one must turn to Marxism and its interpretation of history, for on that Soviet jurisprudence is based.

Marx outlined in history four great periods: (1) primitive tribal communism; (2) the slaveholding state of Greece and Rome; (3) the feudal state of Western Europe, Russia, and to some extent the Far East; and (4) the capitalist state. To be sure the change from one period to another did not occur simultaneously in all parts of the world, ~~at the same time~~, but within defined regions the progress has followed this pattern.

But Marx went further and subdivided each of the last three stages into three periods. The first period was that immediately following the rise to power of the new governing class which had been successful in throwing off the yoke of the old ruling group. The second period followed after the new governing class had firmly entrenched itself in power and had sufficiently suppressed or annihilated all opposition to have achieved an impregnable position. Then finally came the third period when the governing class began to find itself no longer in the preferred position it had previously been in, when the classes which had been exploited by the ruling class became more numerous and to demand a share in the government, and when that was denied, to revolt and finally to overthrow the governing class and set up a new state in the interests of the new governing class. Once again the three stages appeared as the new governing class continued around the cycle until they in turn were ousted by the class which they were forced to exploit to maintain their economic supremacy.

Marx saw a definite correlation between these cycles in the progress of history and the changes in the legal structure which occurred from time to time. During the first stage of each epoch while the new governing class was entrenching itself in power and facing a still powerful, although defeated opposition, laws were directed solely to protecting the new governing class. Opponents were only given sham trials and removed from the scene. There was no time to make certain that mistakes were not made. There was no time to organize a tribunal where the prosecutor could take months in working up the case for the State. Danger was too pressing for delay, and if some

perished who had not plotted against the new state, it was regrettable, but necessary to make certain that all possible danger to the new governing class be removed. Almost by hypothesis the members of the old governing class were plotters against the new state, which was entirely opposed to their interests. Whereas the ^{time} ~~more~~ of the philosophers among them might become subservient to the new masters without a struggle, such a case was too rare to permit of risking the future of the new state by taking time to look into minute details of each case which would only give other people or perhaps the same person being examined time to continue harmful acts. The early days of the French Revolution provide sufficient proof of this thesis of Marx. Members of the aristocracy were tried before Revolutionary tribunals with only a veneer of judicial procedure and investigation. They were deprived of their property and their lives in order that there could not be a possibility of the old feudal state's returning to plague the bourgeoisie. Similarly on the other side of the Atlantic the Tories had been deprived of their property, although in few cases of their lives, and ideas of law as an arbiter between the classes were never even considered. Law was truly a method of defending the new governing class. It was truly a tool of the new rulers, a weapon to keep them in power.

Following on this early period in the development of law in each epoch, there came a second period when the governing class was firmly entrenched and could afford to be magnanimous, when they could with safety talk of rights for every one, for they knew that their position was now impregnable, and within the system which had been built up, any rights one might have would of necessity conform to the society in which people were living. Rights came to have a new conception; that a person had a right to be examined and have a fair trial to determine whether he had actually violated any of the tenets of the society which the governing class had so firmly established. Rights no longer were considered as referring to privileges a person had under the old society set up by the governing class which had now long since been ousted. No one claimed to have the "right" to keep slaves or the "right" to exact feudal dues from the farmers who lived in the same village he did. These things were no longer defined as rights, because the individual living in the new society had been so trained and educated that he did not expect them and would not want them. Only an old timer who had somehow lived over from the old régime could have bewailed the facts that no longer were his "rights" protected, and that law was now a farce since it did not guarantee to each individual his "rights". This period of magnanimous action on the part of the ruling class in giving to all members of society of whatever class the right to a trial to determine whether he had actually violated the principles of the society of the governing class or whether there had not been a mistake is found repeatedly in history. America and England and France as the great democracies where until recent times the power of the governing class, the bourgeoisie, was established without question were examples of this theory

of such a period. The governing bourgeoisie talked and still talk of law as guaranteeing to all and every their "rights". It is here that justice is conceived of as a blindfolded goddess with her scales handing out to rich and poor alike protection of their "fundamental rights" that is the rights which are "fundamental" in a bourgeois society. It would not include the protection of rights which had existed under slaveholding society or feudal society, nor would it include the protection of rights which might be demanded in the future under a communist society. But in this period when the governing class was firmly established in power and had successfully annihilated all of the older elements who might ask for rights known to previous societies and was not yet faced by persons from a class below the governing class who might later make a bid for power, it might well believe in law and justice as a preserver of rights, for no conception of rights foreign to the conception of the governing class existed.

But as Marx has explained, the governing class in order to progress economically had to exploit a class lower than they, and when this lower class became powerful enough to threaten the ruling class, it became necessary to discard the magnanimous conception of law known in the middle period just outlined. It became necessary to once again turn law to the protection of the governing class as it had been so turned in the first period of the epoch, but this time the protection was demanded not against those who had been formerly above, but against those who now stood below the governing class. History is replete with examples of this final period of the solidification of the power of the governing class in a system of laws which historians, coming later from the class which suffered from this solidification, called tyranny. Greece, although it had never achieved a democracy in any real sense discarded all sham of democracy to organize the iron rule of Alexander the Great in the last great effort to retain the Empire. Rome turned to the Caesars. France turned to the absolutism of the last of the Bourbons, and England to the iron hand of the last of the Stuarts. Once again the picture is being redrawn in the new epoch which followed these slaveholding and feudal epochs, for as the bourgeoisie see their power tottering they at first try to strengthen their economic position through imperialism, and finally in a desperate effort to preserve their political position they turn to what is now described as fascism. All conception of law as an arbiter between the classes has vanished. Once again opponents of the governing class are annihilated and their property confiscated. Persons are put in prison or concentration camps and kept there months or years without a hearing. Time is not available to examine the hundreds and thousands of cases of suspected persons. The cycle has been completed. Law is once again painted in its true colors and not disguised. There remains only some final jolt to weaken the control the governing class has over the means of defense, the army, and

the revolution will begin, and a new governing class will be in the saddle. The cycle will start again, and law will be used to protect the new ruling class. It will be a tool of the new governing group, who in each case have dubbed themselves the "people".

It is this review of history which caused Lenin to say in his State and Revolution which is the handbook for the Soviet jurist that "law is politics", and by that he meant that law is a political tool to be used in preserving the power of the government and defending it against all who would destroy it.

It would be too easy to say that since it has been shown that law has invariably followed this cycle that now that the Bolshevik Revolution has brought a new class into power, the same phenomena will be repeated. On the surface it would seem that the first stage has been followed almost almost exactly the pattern of history. Law has been turned to the protection of the governing class, the proletariat, and all those ~~not~~ in harmony have been suppressed. Rights which the bourgeoisie claim, which cannot be permitted under the new socialized state, are not protected, and this gives rise to the thunderous cry outside of the Soviet Union that there is no law, for no "rights" are protected. No one remembers that their ~~conception~~ of "rights" are bourgeois conceptions. Years of bourgeois government the world around have created the impression that rights under the bourgeois state are "God-given" and the only true rights mankind can hope for. No one remembers that the bourgeoisie themselves saw no time to give ^{more than} sham revolutionary trials to representatives of the defeated class. No one notices that bourgeois society which in some countries has reached the last stage is not giving more than a sham of a trial to representatives of the lower class which is now pushing up to engulf the old governing class.

The parallel between the pattern of history and the new Soviet state may be drawn even further, for now there is evidence that the second stage in the cycle is approaching. The Congress of Soviets meeting in January of 1935 decided to institute ~~the~~ ^{of the} closed ballot, and the program calls for the broadening/franchise by the end of the second five year plan to include members of ~~the new~~ dis-enfranchised classes. It is a sign that the governing class is finding itself more firmly in power, and can broaden the conception of law to permit all to share in government, and to make certain that persons are not treated unjustly through error, that is, that persons who although members of the old governing class, who by hypothesis in the early stages of the revolution were against the new state, will now have the chance to show that they in fact were individually faultless, and should not be treated perfunctorily as an enemy because they were a member

of the class which almost to a man had been antagonistic in the early days. The bourgeois critic who has learned this much of the Marxian method of analyzing history quite naturally now turns and points out that under the Marxian analysis after the second period in the new epoch, a period which even now seems to be on the horizon, there will come the third period, when the governing class finds itself threatened again as a new class arises, and law will again be turned to the protection of the governing class until such time as the suppressed groups become strong enough, ~~and there comes a great blow to the defenses of the governing class,~~ making possible another revolution.

To understand why the cycle is this time not to be completed one must understand how the new state differs from all of its predecessors. Each of the predecessors ~~were~~ ^{was} avowedly the government of a ruling class on economic class principles. The governing class had to exploit the class or classes below it to develop economically. Law was directed to protecting the governing class so that the privileges of that class might be retained as long as possible. The Soviet State has quite a different goal. The ideal is the destruction of all economic class distinctions.* Only the proletariat is committed to a program which calls for the destruction of classes. Consequently to protect the orderly development of a classless society, it is necessary to protect the sole champions of such a society. It becomes necessary to protect the proletariat not because the proletariat wishes to preserve the privileges which it might demand as the governing class, but to protect the proletariat who alone can bring about the classless society which Marx envisaged. Thus the first stage in the new epoch is the protection of the governing class, and if one does not know why this protection is demanded one jumps to the conclusion that the old cycle is progressing as before. The members of the old bourgeoisie are suppressed not because they oppose the proletariat but because they oppose a classless society. The second stage will come when the opposition of these old bourgeois elements is no longer of any importance. ~~Then~~ the law can be broadened to make certain that no person through error is suppressed. The classless state will be assured. It follows that the third stage seen in every other cycle will have no occasion to arise, for the simple reason that there will be no exploited class below to push upward and need suppression. The stage will be set for that future time when society no longer torn by the class struggle and no longer containing elements who seek to overthrow the state may approach the stage where the need for the state as a stern organization protecting the government will vanish and as

*The Marxian doctrine is replete with words used in new manners. As a result it is necessary to learn the Marxian definition of words which abroad have quite different meanings. One of the most usual causes for misunderstanding of the goal of the Soviet State is a failure to understand that for the Marxian "class" is ~~defined as~~ ^{determined by} a relationship to means of production. It does not have the connotation known in America of distinctions based on amount of money, dress, etc. Marxism does not strive to equalize the bank accounts and clothing of all. It only strives

Marx has predicted the State will wither away. There will remain only the organization necessary to carry on the central accounting needed to keep everything running, and correctional institutions to handle those pathological cases who are not amenable to education against committing acts of violence.

But all this is in the future. The question remains as to what is the state of the Soviet Law^{as} of today, in this first stage, when law is very definitely directed towards protecting the only group who stands forth as the champion of a classless society.

Considering the various branches of Soviet Law, which it must be remembered are only parts of a unified system, and not independent units, it becomes imperative to search for the fundamental principles of each branch of law.

The most spectacular defender of the State is the Criminal Code. The keynote is struck in the very first section which defines the purpose of the code as the protection of the state of the workers and peasants. The principles of law enumerated above are outlined and it is explained that the Criminal Code must define those acts, which are found to be harmful to the new socialist state, and, after defining those such acts, to set forth the principles to be followed in determining what should be done with the offender, and, to insure a certain measure of uniformity, to set forth limits within which the court may act. The court is not to be deemed to be meting out punishment for acts which a person may have done, as the courts in bourgeois society must do. The court in the Soviet State must examine each individual case and determine whether the person before it is likely to be dangerous to the state in the future. His class background, his previous history, his friends and associations, and finally the act which has landed him in court are all to be considered. If the court decides that he is dangerous, he may be given the most severe of penalties, even though the act which landed him in court may have been only a street fight which resulted in slashing with a razor. If the court decides that he is not dangerous to the interests of the Soviet State he may be given only a period in a corrective camp or prison when the act which brought him before the court was murder. Bourgeois principles based on the theory that each act should have a definite punishment defined in the codes are ridiculed by the Soviet jurist. Law is not conceived as the means of frightening persons into refraining from committing

(Note continued from previous page) - to remove all possibility of supporting oneself by means other than one's own toil. Thus a talented writer may earn 1,000 rubles a month while a worker at a machine may earn only 100. Both are in the same class in the Marxian definition of the term, as both live from money which comes from their own toil. The writer is not getting an income from interest on investments which would be unearned on his part and represent exploitation. To be sure the State gives pensions but this does not upset the general theory--in fact it might be considered as the paying of wages held back at an earlier time in view of the fact that the citizen might fail to save.

acts. The way to prevent the commission of acts harmful to society is deemed to be through education and not through fear. Krylenko, Commissar of Justice, has stated that the principle of keeping order by fear of punishment plays only a small part in the judicial system of the Union, and then only for the most unstable elements of society. If a menace becomes extreme in a short period and there is no chance to educate the people against it in a short enough time to protect society, then the law may be used to frighten persons from doing the acts. This was apparent when new decrees were passed to frighten ~~children~~ children from committing serious acts of rowdiness, but it was shortly afterward followed by a decree setting up a series of children's schools to train and educate children who might fall into harmful acts. The fear motive of law is discarded as soon as it becomes possible. Likewise rules of retroactivity differ from those in bourgeois countries. In bourgeois countries a person who commits an act is held responsible under the law as it existed at the time he committed the act. This is in keeping with the theory that law is a preventative of crime and not alone a protector of the state, for a man who commits a crime is deemed to have weighed the consequences before he acts, and if he thought he was risking only ten years in jail when he kidnapped that is all he can be held to. He cannot be condemned to death under an ~~law~~ law which provided later the death penalty for kidnapping. Likewise if a man committed burglary in a country such as Finland where the death penalty is provided, he is deemed to have risked death to act, and if the penalty in the law should be changed before his trial to life or less, he would still be subject to the old law for that is what he risked, and if he is to be spared at all, it would be only on the pardon of the executive who might take into consideration the fact that no longer was the act deemed so serious as seen from the new law. This decision of the executive provides a bridge for the Soviet conception, where a prisoner benefits from any lessening of the punishment provided in laws, even if he is already sentenced and in prison for an act he committed. Of course, however, nothing can be done to save one who has already been executed under a law which is later changed. But if a law makes a penalty more severe than it was when the criminal committed his act, he is not subjected to the new law, except when the interests of the state demand it, in the opinion of the government and the court.

The Civil Code rests on the principle that the best interests of the state are served by maintaining law and order (pravoporyadok). If a man does not fulfill his obligations to another, or to a government organ, the whole machine of intercourse may tumble, and in the resulting chaos the establishing of the future stateless society will be impossible. The very future depends on the creation of a society in which all runs ^{in an} orderly manner. The task of the court as defined by Lenin is not alone the protection of the state but the education of the masses, and by teaching the masses to act ^{in an} orderly manner the court performs its greatest service. It is this principle which prompts the court in many a case to lean forward and tell the person before it that the way he or she has acted is no way for a ~~citizen~~ citizen of the new Soviet Russia to act. The Civil Code

is little more than a code of ethics in the conduct of the business of the day, complicated even under the Soviet State, and in delimiting the privileges of members of society, it prevents conflicts which if allowed to continue would make impossible the orderly conduct of a huge industrial state.

The Labor Code sets forth the rules calculated to protect the health and morale of the proletariat, the backbone of the Soviet State. State organizations scientifically determine just how much light a worker needs in a factory, how much space he needs, how much rest, and how much work he can stand. These rules comprise the code which the various factories must follow. Outsiders wonder why in a state designed to protect the workers, a workers code is needed. The answer is in that in a huge industrial country spread over so many thousand miles, if uniformity is to be achieved, there must be a uniform set of rules, and the code provides simply these.

The Family Code is designed to protect the equality between the sexes and to insure that a parent ~~cares~~ ^{is} for his children. It instituted principles of marriage and divorce never heard of before in the bourgeois world which had come to look on its Family Codes as methods of enforcing morality through law. The Soviet Union looks to education to provide morality, and ~~would not~~ ^{must} permit a code to preserve it. Where in some cases education has been too slow as in the care of children of divorced parents, stricter rules as to alimony had to be enforced. It may become necessary to make stricter rules as to divorce, but if this should be done, it would be only conceived of as a temporary measure necessary until such time as education catches up with the standard of fidelity desired.

The Codes of Civil and Criminal Procedure provide the working rules for the conduct of lawsuits. As such they have little social interest, except in so far as they simplify procedure to such a point that legal procedure loses its frightening qualities and makes possible recourse to law by those members of society who are not familiar with its procedure.

Other Codes exist for the conduct of various relations, such as the rules for the conduct of labor camps, the rules for ships on Soviet waters, rules for the granting of rewards for service, and for the army. Administrative in character, they do not have the social interest of the basic codes, and as such are not treated herein.

If one has reached the conclusion that there is law in the Soviet Union in the true sense of the term, as outlined by Marx, he will be in a position to understand the better the criticisms of the outsiders as criticisms of people opposed to the system represented by the Soviet State, and not as the criticism of so called champions of law as an abstract concept of social justice, represented by the blindfolded goddess with her scales.

Having reviewed history and the part law has played in it the Soviet jurist is inclined towards the conclusion that people who criticize Soviet law as not being true law are doing so only because they have not familiarized themselves with this historical background and therefore do not realize that Soviet law and the law in bourgeois countries fit within the same pattern, or because they are not in sympathy with the new regime in the Soviet Union and consequently refuse to see and understand the historical facts. These Soviet jurists then turn to one who thinks of law in terms of blindfolded figures of Justice and pass off with a smile his comments as being fruitless and not worthy of an answer, saying that the critic will find his own answer if he will study the facts which were interpreted in the plainest of language by Lenin in his State and Revolution.

III

FOREIGN STUDENT LIFE IN THE SOVIET UNION

No question is more often raised than the question of what kind of life the foreign student lives in the Soviet Union and would one recommend it to those wishing to study abroad to continue their various specialities. The immediate reaction is to make an effort to determine whether the would-be student thinks of study abroad in terms of a glorious experience doing new things, seeing a new place, and enjoying a thrill which would be impossible at home or whether he is really interested in carrying on a career, which may be better rounded out by study in the Union with all of its different approaches to science, particularly in the realms of social science, and is willing to endure immeasurable exasperation, uncomfortable conditions, fatiguing struggle with a language which never seems to be mastered, and at times long periods of discouragement.

Life is most certainly ^{not} all ice cream and cake for the foreign student. In the first place he must obtain permission to study in the Union. Not only must he meet what must be some secret test of suitability for study in the Union, but his subject must be one which the authorities are not averse to having studied. One or the other of these causes has apparently stopped some students on the very threshold of their program. It is well to explain in great detail at the very start the nature of the study and to ask for a permit to study for as many years as seems desirable. This makes possible the continuation of the work after the first residence permit runs out without creating the impression that the student is asking for a renewal merely to stay on in the Union for any number of ~~undesirable~~ reasons not connected with his original program. After having once set forth a program, it is wisest to live by it to the letter if such is possible, and to show by every action possible that the work is being done in the most serious fashion. The authorities are not slow in finding out if study is only an excuse for continuing other activities. One must always live as if he were living in a glass house. People have been thrown out of Moscow by having their residence permits not renewed because they lived too loose a life. Political variations are not alone the only activities watched by the authorities.

Before the December assassination, it was comparatively easy to find a room. Now it is increasingly harder, and especially hard to find a place where the student may eat with the family and thus have the advantages of daily use of the language. If a room is found, they seldom have baths which involves going down to one of the central baths when the spirit calls and having a famous Russian steam bath. Russians to conserve fuel only heat the houses during the severe winter months. This policy results in many a cold day in the damp room in the fall and the early spring. Electric heaters relieve the discomfort to some extent, but they cannot help over a large area and one has the odd feeling of being cooked behind

and frozen in front or vice versa. One must always remember that even though the family with which he lives may be the most ardent supporters of the regime any ideas he may form and express which are not of a friendly nature will be attributed to the people with whom he associates. Only the most cold-hearted person can go ahead and tell anecdotes of a derogatory nature which may possibly result in unpleasantnesses for the people he lives or works with.

Food is not luxurious, although there is no reason why it should not be stable and ample. The difficulties in eating lunch in the middle afternoon and limiting supper to a glass of tea and a roll with jelly are at first disconcerting, but are not unsurmountable. They may be overcome entirely if one has his own ménage, or is hard boiled enough to ask and pay for more for supper, while his housemates look on with envious eyes and do not wax warm with friendly feeling for the rich bourgeois student. Russians are often not aware of the delicacies which can be prepared with the food they have in the market. Boiled onions, mutton broth, lamb are examples of things I taught my family to cook and serve. Desert is almost never a part of the meal, and fruit cannot replace it, for except for December, January, and February when there are tangerines and oranges, the fruit is limited to apples, with a scattering of grapes in October. Canned fruit is a possibility, but its price generally prohibits it from the Russian menu, and if one has it, either he must supply the house, which makes him look terribly rich, or he must be a piker and eat his fruit alone while the rest look enviously on.

Lice and bed bugs play such an important part in the daily life that they might be written in the red letters of the blood they suck. Some people have never been bitten, yet others seem to attract the creatures. I for one can sit in the home of persons who have never been bitten and be chewed up by the lice which apparently have been hungry too long. They jump on in trolleys and crawl up theater chair legs. Nothing quite undermines morale like successive nights of being bitten by bed bugs. Intensive cleaning cannot prevent them, they come down from apartments above via the windows and ride in on the wood from below. For the susceptible person no one evil is more terrible in the Union.

Epidemics rage unheralded. February, March, and April see the children's diseases taken around in the crowded trolley cars; ~~whereas~~ at times by chance one will learn that a ^{small} section of town has been quarantined for typhus. In the spring malaria stalks through the environs of the city to which one goes on holidays. Colds ravage every foreigner at least once every six weeks, and effective rates are cut to fractions during the period of the cold.

Study in an Institute seems to be possible of arrangement

most easily through some individual with whom the student has ~~some~~ contact, through a letter of introduction or by chance acquaintanceship. But if the student wishes to register officially as seems necessary if he wishes to extend his study beyond the initial period of duration of his residence permit, considerable effort must be made to get the authorization of VOKS (Society for Cultural Relations with Foreigners), and this permission of recent months is dependent upon permission of the Commissariat of Foreign Affairs. Once it has been obtained the actual study is conveniently arranged and apparently without charge.

Some uncanny force seems to wear down ~~the~~ foreign students. Time after time they break and go to pieces in health or in morale. It seems that the girl students are particularly susceptible, but the boys are not immune. A short trip out does seem to help in picking up one's spirit, but the difficulty in taking such trips is that each time one must get the exit and re-entry visas, which take time, and also may be denied if it becomes apparent from the too-frequent requests that the student is not really serious in his work. It may be suggested that if a student were to rush out of the Union during the course of the school year which he is attending, ~~that presumably he is~~ ^{it might be assumed that} not a serious student. Summer alone remains for a trip away, and ~~only~~ those who have lived in the Union can bear witness to the fact that such a trip outside is necessary.

In my own case a trip to Finland or Continental Europe would hardly do the trick, for I have seen it all so often that any rest from the novelty of travel, ^{vs. absent} and consequently I would rather have a short time in America with all that homeland ^{means} any number of shorter trips to the environs of the Union, which at the present time do little more than to sadden the picture of world distress. To be sure some persons have stayed three years in the Union without leaving. Their general run down condition mentally and physically is adequate argument for those who maintain that a trip out is not a luxury but a necessity. The Government of the United States makes it possible for men stationed in the Union to take a short vacation in other European countries as often as every three months, and the men are not slow in taking advantage of it.

But on the other side of the ¹ ledger are many more points of a more enduring and important nature. There is no question that study of social sciences in the Union opens up new possibilities of thought. No one can remain unmoved to the new efforts going on in the Soviet State. One has a chance not only to develop his specialty but to put himself in tune with the greatest step of the Century, a step which one may well come to feel inevitable in all countries as his study progresses. For the person who likes to think and to work in as yet un molded clay the Soviet Union provides a paradise, which makes all other places of study in other foreign lands dusty Victorian ivory rose trees under glass covers.

IV
FINANCES

The Past

During the current school year the Institute has delivered to my hands the sum of \$2172.00.

The expenses of the steamer ticket from New York to Moscow, amounting to some \$168.00 was paid directly to the Open Road, Inc., and never passed through my hands.

Expense sheets attached account for \$1442.41, leaving a balance on deposit in the Bank for Foreign Trade in Moscow of \$729.59

The figures are somewhat deceptive as they do not include expenses for clothes, none of which are procurable in Moscow, but which must be purchased in New York to replace a literally completely exhausted wardrobe, including suits, overcoat, and linen.

For the balance of the fiscal year to September 1st, no provision has been made to cover expenses in America. Nothing was ever said in the original agreement as to where expenses were to be paid and where not. It would seem, however, likely that the Institute intended to pay expenses of the research agent throughout the year wherever he might be. The matter remains to be clarified. Life in America is not as inexpensive as in Moscow. A continuation of \$200.00 each month would adequately supply needs throughout the balance of the fiscal year.

The Future

On the eve of my departure from Moscow, there were rumors on foot to the effect that the prices in Torgsin were to be raised so as to thereby raise the value of the rouble on the black bourse. If this occurs, quite naturally the prices for living quarters, food, language lessons, theaters, and general expenses will be raised accordingly as the Russians who are taking payment in dollars can use them only in Torgsin and they will demand that they be put in the same relative position with respect to the purchasing power of the dollar as they have been in during the current year.

But if there is no change in the price level during the next two years, and likewise there is no change on the American side in the gold content of the dollar (both of which changes seem likely), a payment of \$200.00 a month throughout the year would cover expenses with an allowance for ocean travel to be determined, in conference with the Director.

Whether or not a remuneration in addition to actual expense money is to be paid is not considered herein. Such a matter remains to be clarified in conference with the Director.

V.

FUTURE PROGRAM

Personal

Living in the Soviet Union during the past year has produced in me a curious conflict. For years I have lived by program, planning ahead each year what is to be done, and living up to the program as nearly to the letter as was possible. Last summer when I started out for the Union, it seemed only natural that this way of life would and could be continued so that at the end of a year I could definitely place on these pages a program which would cover a very large part of what I wished and expected to do during the coming years.

But life in the Union is not conducive to a following or even a forming of programs. No day can be foreseen, and no month is too short a time for some event to change the whole outlook. Living with people and among people who have gone through the World War, the years of Civil War, the Revolution, starvation and complete social upheaval I realize as never before that to plan ^{immediately} for the future is ridiculous. One must rather take into account that a war in Europe is more than likely in the not too distant future. ^{It is not that} Only the fact that Hitler fears that Germany would go Bolshevick, and Russia fears that it would revert to capitalism prevents a war at the present time. ^{Communism in the non-Communist world} I no longer think it impossible that revolution will come ^{even in my own time.} I feel much as did Vincent Sheean when in his Personal History he realized that revolution was inevitable and like it or not, even if one is not willing to work for it, one is a blind fool who fails to put himself in a position where he can understand its development, and if necessary stand on the armored cars as they cross the border into Communism. The capitalist system ^{is not} is not good or idealistic or romantic enough to die for as the White Guards ^{one is expected to die} did for their Czar. Intellectuals in old Russia never felt this feeling of loyalty to the old, and it is they ^{alone} who have continued to live on as relics from the old regime yet as a part of the new. There ^{is} more in me of the attitude of the intellectuals than of the whiteguardists, and ~~I am not prepared to say that I would die for capitalism.~~

The future then becomes a curious unknown and ^{partly} unpredictable period, for which one must plan so as to live as usefully as possible ~~at the same time doing things which will earn a living~~ until such time as one is forceably turned to other fields, some of which can now be foreseen and can be prepared for.

The Immediate future

In view of this puzzle, it is easier to begin with the immediate future which alone seems reasonably clear. There is a major premise which will be explained later, on which the plans for the present are based, but as it is vaguer I have

saved it for that part which will follow the more concrete which is more comprehensible.

What I have done this year has been reviewed elsewhere. I now wish to continue the course set, which means continuing at the Moscow Institute of Law, taking courses in the subjects which I have as yet scarcely touched if at all, such as the Civil Code ~~of~~ (Hozyaistvennoye Pravo); the Labor Code, the Codes of Civil and Criminal Procedure, International Public Law, and International Private Law (Conflicts of Law), Dialectic Materialism, and Leninism (Marxism adapted to conditions of Imperialism). These courses are large ones in the Institute in that they take many hours of classroom work and homework, which will of course take me longer to prepare due to my inadequate understanding of the language. Most can be done next year, but some must wait until the third year. I shall also wish to continue my attendance at courts until I feel that I can reasonably guess the approach the Court will take to a given set of facts. Then finally for the third year I shall want to do some original work on a thesis to clinch my complete understanding of such field as seems most useful at that time. During the summer of 1936 I shall want to return to the States for two months to refresh my viewpoint and to keep up with American developments. My future is primarily in America, and I do not wish to lose track of what is going on there. It is only too apparent as one watches the Americans who live more or less permanently in the Union that they become persons without a country. They lose contact with America so that they fear to return for fear that they will be lost, and they never really become at home in Russia unless they take citizenship, a step which I shall never wish to do. I have seen too many transplanted people to ever wish to give up the citizenship of my birth.

Whether an foreigner can ever be granted a degree is a disputed point, but it seems highly probable that it would be impossible. The law school does not grant degrees, but certifies that its graduates are prepared for the work in the judicial system. But a large part of the law course is in practical work in the courts as judges and in the prosecutors offices, both of which places would of course be closed to foreigners. Since a foreigner could never qualify in this way, the most he could hope for would be to receive a letter from the Director of the ^{Law} Institute to the effect that he had taken the courses listed, and (if he is successful) has passed examinations in them. This letter would be useful if one were asked to produce proof in court in America of one's qualifications as an expert of Soviet Law. It is said that a foreigner may be admitted to the Soviet Bar even without taking Soviet citizenship. Mr. Shapiro tells me that he is to be admitted in the fall. But foreigners who keep their foreign citizenship can be admitted only if their class background is such as to be in harmony with the Soviet State. As there is no use fooling any one that my ancestry was not proletarian, admittance to the Bar in the Union would under existing rules be forever barred. The most I

can do is to learn the law in school, attend courts and thus come as near as possible to the practical work the students receive, and by outside study and the writing of a thesis make such contacts that if cases arise I can understand them and can refer them to a member of the Soviet Bar with whom I can work intelligently in his own language.

More distant future

It is no secret that my chief love has always been International Public Law. Of recent years since I have learned of International Private Law it has also fascinated me, and may almost be ranked with the other as my chief interest in the field of law. I should like to put myself in such a position that I could feel myself prepared to assist persons having problems in these fields, be these persons governmental or private. As a byproduct of the study of these subjects the study of Soviet Law provides an intriguing and what seems to me a necessary supplement towards an understanding of both fields of law in the modern world. There is no question in my mind that the Soviet Union is the country of the future, and many of our legal problems are going to need the criticism of some one who knows both American and Soviet interpretations of International Public and Private Law. To know this interpretation it is necessary also to know Marxism and the role of law in general as Marx saw it. That has been my principal task during the present year.

The future would seem, then, to be most profitably spent developing my understanding of these subjects, and putting my knowledge to work where it seems most useful at the time. I should never say now whether some years from now I could be most useful doing governmental or private work or teaching. Those questions can wait until it is necessary to decide them. I should like to maintain my connection with the Institute as long as the Institute seems fit to keep me, for life if possible. But this does not mean that I should want always to travel about at the Institute's expense and study. Such would neither be advisable nor possible, for if the Soviet Union continues its policy of granting visas with the greatest care and only in such cases as they (the Union) think the work is worthwhile, it seems possible that after my three years are up, any visas for work in the Union in the future would be limited in time, and perhaps only granted to me as a Tourist. But while maintaining my connection with the Institute, I might find it advisable to take some years of practice either in the Government at Washington or in a private firm in New York. During these periods, it is immaterial to me whether the Institute takes financial interest in me if they will keep me on the staff and consider me as having been loaned as may seem advisable to such places as can use me effectively. In this way the Institute will receive a return on the investment they have made in my education, and they may have the satisfaction of seeing their investment making one of their agents useful to his countrymen, and thus fulfilling in some measure the purposes for which the donors originally

founded the Institute. I have never seen the value of research students who only do research and never put it to practice in some useful way.

During my years with the Institute I shall wish from time to time to publish material concerning the work which I am doing. I do not, however, wish to publish certain material during my first three years in the Union which might in any conceivable way compromise any person with whom I have come in contact or give the impression that every thing I hear is more than likely to get into print. For this reason articles on the law schools would at the present seem unwise, for it would be only a matter of a few days before the authorities would feel that they had a reporter in their midst and in the Union that is perilous to one's being able to do anything.

The future for the Institute.

It was long before I read Lasky's Law and Justice in the Soviet Union that I had developed the idea expressed by the Director last year of making in the Institute a Russian (or rather a Soviet Union) Section. Working as I do without a knowledge of the funds at the disposal of the Institute of the ideas the Institute wishes to develop, I have been handicapped. But as Lasky says, there would be much to be learned if a group of specialists could study the whole Soviet picture and combine their findings, and thrash them out in a group bound together by being employed by the same employer. Each man may be useful as an individual, but if the Institute were to develop an alert group of young men, all of whom were not averse to revising their ideas of society, all of whom were able to approach the Union in a scientific frame of mind, and all of whom had the drive to stick to the most difficult work with the language, the Institute might develop a group which would become the highest authority on the American side of the Atlantic, and perhaps on both sides of the Atlantic on the problems of the Soviet Union, particularly as they concern the outside world. It is not impossible that such a group might redound to the credit of the Institute in a manner much more effective than could a single individual working away in a particular field which would be known only to other specialists in that field. ~~It would tend to make a department of the Institute similar to the Institute of Pacific Relations. Much could be learned in studying the organization of that Institute and seeing just how they have found they can be most useful in putting their information to work.~~

Concretely I would propose that an economist, a psychologist, a public health specialist, a sociologist, and I hesitate to add, a lawyer be employed by the Institute for a period of two to three years to study their fields in the Soviet Union. At the end of that period the group should be withdrawn to some place outside the Union to correlate their findings and discuss their ramifications. The results of this work, which would better be spread over some period, say four to six months should then be

published in two forms, one scientific for members of the various professions concerned, and one in a one-volume readable popular study designed for circulation in the United States and Great Britain.

After the publication of this work, I should suggest that the group be united with New York headquarters at the Institute and be loaned out as seemed wise to such institutions as could make use of the material the various members would be able to supply. At intervals of time, as determined by the members of the group, if the permission of the Soviet Union could be acquired, which seems probably if the group has not made hostile findings (this does not prevent constructive criticism, but only unseeing whiteguardist bourgeois criticism) the group the members should repair to the Union for six month periods to keep in fresh contact with most recent developments, perhaps after each time publishing supplementary findings to be added to the original treatise.

Here is a plan which may sound like a dream! It seemed wiser to put some fat into the fire so that we would have something to chew on, as my up-staters say. I for one am so indebted to the Institute for what they have done for me that I would like to repay as much as I can the kindness which has been shown me, and I feel that the most effective results can be had, not in individual but in group work.

INSTITUTE OF CURRENT WORLD AFFAIRS

Supplement to annual report of John N. Hazard:

The Director has in his hands a report covering my activities from September, 1934 to June 20th, 1935 on which date I landed in the United States after completing my first school year in the Soviet Union.

With an eye to bringing that report up to date for the annual meeting of the Trustees, I am including in this supplement a short account of my activities in the United States during the summer and of my new start in the Soviet Union this fall.

Summer in the United States:

Immediately on arrival on June 20th I received word that I had been invited to attend the Eleventh Harris Institute at the University of Chicago which was to discuss the Soviet Union. The sessions were to start on the 24th of June and last a week. I arrived for the opening, and attended all sessions with the exception of one day when I went to Rochester to take my oath as an attorney permitting me to practice as a member of the Bar of the State of New York.

Although I made no comments in the meetings, the private conversations outside during hours of inactivity provided me with opportunities for making contacts with many of the specialists in various phases of the Soviet picture, as well as with the members of the delegation from the Soviet Embassy itself. Opportunity to know personally a former agent of the Institute, Professor Hopper, as well as the pleasure of renewing my friendship with Professor Harper were outstanding incidents, as were my acquaintanceships with Professor Malbone Graham of the University of California at Los Angeles, Professor Fisher of Stanford University, Professor Robinson of Columbia, Professor Kohn of Smith College, and several members of various Institutes working in the fields of International relations. The sessions lasted one week, after which I left for Boston for ten days of mountain climbing in New Hampshire.

Later I spent a week in New York, interviewing friends of the Director and some of last year's acquaintances. Conversations with Mr. Simpson of the Institute, and Mr. Moe were particularly helpful in assisting me to formulate a program for further study. An afternoon with Dr. Lambert of the Rockefeller Foundation gave me a picture of the work being done to train Soviet students in America and other fields, a work with which I had not been entirely familiar. Mr. Bowman had a moment to see me and give me pointers which

(2)

will be of assistance in avoiding the pitfalls lying in the path of an attempt at objective study. An evening with Professor Joseph Chamberlain who last year provided me with my entry into legal circles in the Soviet Union brought me up to date on problems of labor in the United States.

Later I saw in ~~Skaneateles~~ Dr. James Brown Scott of the Carnegie Endowment, who also had provided me with letters to Professors in the Soviet Union. While in ~~Washington~~ Mr. Skvirsky of the Soviet Embassy who originally arranged for my visa gave me a few minutes to recount my experiences.

A trip to Montreal to see Mr. Parkin was sandwiched into two weeks of research in the Harvard Law Library, during which time I looked into various phases of Soviet law in the American courts and familiarized myself with the Russian and Soviet law collection of the Library. After this a final ten days with my family at Skaneateles closed the summer and I sailed back to the Union on August 14th on the Bremen, after a day with Mr. Crane at Wood's Hole. Such a rehearsal of people I met can hardly serve any other useful purpose except to show the contacts which were established or renewed on the basis of the interest people have in the work of the Institute.

Program since return to the Soviet Union:

The possibility of going back to the same room and family as last year has removed the strangeness of the return which might otherwise have hindered my resuming my studies. As all permissions had been arranged before leaving, no inconvenience was experienced in starting work and obtaining residence permits.

Courses are being followed in ~~six~~ subjects at the Law Institute and in International Law at the Institute of Defenders (Attorneys). These courses are the basic ones:

Civil Law-Professor Amphiteatrov-A survey of the Civil Code, with special emphasis on commercial law and the structure of trading corporations

Criminal Law-Professor Bulatov-Analysis of special sections of the Criminal Code (the general theory having been studied last year in a special course)

Civil Procedure-Professor Borisov-Study of sections of Code of Civil Procedure, and the practical application of such, training students to conduct a law suit.

Criminal Procedure-Professor Strogovitch-Study of sections of Code of Criminal Procedure, and the practical application of such, training students to conduct, as prosecutor, and defend accused persons in a criminal trial, the emphasis being on the conducting of the prosecution.

(3)

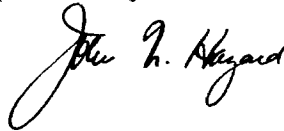
Labor Law-Professor Voitinsky-Study of theory of Code of Labor Law, and meaning of particular sections, acquainting students with provisions which must be observed in the conduct of business, and how workers protect their rights in labor contracts with employer trusts and corporations. Also covers law of social insurance, hours of labor etc.

Agrarian Law-Professor Pavlov-A survey of the law relating to collective farms. I am listening only to the lectures to gain a general idea in a field which is of educational importance but not as likely to demand the attentions of a foreign legal expert as the others.

International Law-Professor Korovin(Given at the Institute of Defenders) - A survey of the history of International Law, together with conclusions as to the state of the law. A rehearsal of the Soviet attitude as gained from historical documents and actions.

In addition to these courses which require 20 hours of classroom attendance a week (five day week), I am continuing my language study with six hours a week, divided into three two-hour lessons.

Respectfully submitted



Moscow, USSR.
September 21, 1935.

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