



Title	<REVIEW>SUTARIN TAISE_KA NO HO TO KENRYOKU : SHAKAISHUGITEKIGOHOSEI GENRI NO KEISEI KATEI [THE POLITICAL POWER AND THE LAW UNDER THE GOVERNMENT OF STARIN : THE FORMATIVE PROCESS OF THE SOCIALIST LEGALITY], By Hiroshi Oda, Tokyo : Iwanami Shoten, 1986., 357pp., 7,400 / SOBIETO HANZAIGAKUSHI KENKYU [A STUDY OF THE HISTORY OF SOVIET CRIMINOLOGY], By Kan Ueda, Tokyo : Seibundo, 1985., 265pp., 4,500
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Yearbook. Further, he presents macro 1972 income-commodity tables by integrating the Sverdlik Money Circulation Table and his own estimates of Soviet input-output tables (Chapter 8). This second area constitutes the key section of the book. However, some inconsistencies are apparent. For example, two sets of data, the author's data and data based on other sources, are presented. It is not clear to the reader which source should be taken as accurate, since the data are contradictory. At times, the author appears to ignore published data and presents less-than-useful estimates; for example, kolkhoz estimates of inventory changes. In addition, some serious miscalculations can be found in the basic tables.

The third area is concerned with input-output analysis. The author introduces the Soviet input-output tables estimated by Soviet economist Sverdlik and estimates provided by Treml and his associates. Employing Sverdlik's nine-sector tables, Mochizuki performs conventional input-output impact analysis and presents a comparison of the Japanese and Soviet economies, the first time that this type of comparison has been made in Japan. However, a series of inputting errors make the final results suspect.

The fourth area deals with three important, but difficult to understand, Soviet statistics; namely, foreign trade, agricultural subsidies and military expenditures (Chapter 9). With regard to the former two statistics, the author bases his consideration entirely on the Treml estimates. For the military estimates, the author presents his own estimates.

The key points of the author's estimation of Soviet military expenditures are as follows:

1. Estimation of "unfinished investment change" and "inventory change."
2. Estimation of the "state stock" by subtracting unfinished investment change and inventory change from "material inventory and stock change" data appearing in the Statistical Yearbook.

It is not clear just how the share of military expenditure in the estimated state stock is determined. However, the author's attempt to estimate Soviet military expenditure and present the results for scholarly rather than political consideration, is commendable.

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SUTĀRIN TAISE-KA NO HŌ TO KENRYOKU : SHAKAISHUGITEKIGŌHŌSEI GEN-RI NO KEISEI KATEI [THE POLITICAL POWER AND THE LAW UNDER THE GOVERNMENT OF STARIN : THE FORMATIVE PROCESS OF THE SOCIALIST LEGALITY]. By *Hiroshi Oda*, Tokyo : Iwanami Shoten, 1986. 357 pp. ¥7,400
SOBIETO HANZAIGAKUSHI KENKYU [A STUDY OF THE HISTORY OF SOVIET CRIMINOLOGY]. By *Kan Ueda*. Tokyo : Seibundo, 1985. 265 pp. ¥4,500

These two books under review have one thing in common : they represent a new trend of Japanese scholarship of Soviet law, which is characterized by detached objectivity. But they approach the subject from the completely opposite direction.

Oda's work examines the history of socialist or revolutionary legality by analyzing the system of procuracy from 1917 to 1930. The author examines the origins of revolutionary legality in the period of War Communism (Chapter 1), the relationship between revolutionary legality in the NEP period and the foundation of the general supervisory power of the Procurator General (1922) (Chapter 2), and the development of revolutionary legality from 1923 through the 15th party Congress in 1927 (Chapter 3). According to Oda, the period between 1922 and 1927 was important, because it was during this period when the theory of revolutionary legality became diversified and its understanding deepened. In the final two chapters Oda analyzes the period beginning from the extraordinary measures of 1928 to the "Revolution from Above" of 1930.

In analyzing the development of revolutionary legality, the author uses the methodology which he terms as "positivist method." Thus, his analysis is focused on reality of legal system rather than the ideological background that produced the legal system. He consciously ignores the role of the party in the realm of law. In fact, the author argues that Marxism played little role in actual practice of law.

Oda concludes that arbitrariness rather than legality characterized in both Imperial Russia and the Stalin period. The negative view toward Soviet view consistently characterizes the author's view. One may question, however, if it is possible to ignore the role of Marxian ideology and the role of the party in the establishment of the Soviet legal system.

Ueda's book on Soviet criminology takes the complete opposite approach in the sense that author traces the evolution of Marxism in the criminal justice system in the Soviet Union. Ueda examines in detail such subjects as influence of the Russian Revolution on criminal law as well as on criminology, establishment of criminology in the Soviet Union, changes of criminology under Stalin, and the new direction of criminology and criminal legislation in the post-Stalin period. The problem of coordination between Marxism and the criminal system is excellently analyzed particularly with regard to the problems on the character of the criminal law and its amendments in 1928-1931. The author fully examines the varied dimensions of the criminological study in the 1920s, the process of the creation and eventual destruction of the national institute of criminology. Finally, Ueda discusses some of the vital issues of the contemporary problems such as the cause of crime, psychological aspects of criminals, and problems of Soviet attempts to prevent crime. He also points out the problems of contemporary Soviet criminology. In his opinion, one of the most important obstacles to development of criminology lies in the unavailability of criminal statistics.

This is the first significant work on history of Soviet criminology in Japan. It is a major achievement of Japanese scholarship of Soviet law.

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