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**Book Review:**  
***Russian Criminal Policy and Criminal Law***

**M.M. Babaev, Yu.E. Pudovochkin**

*Yurlitinform, Moscow, 2017, 696 p.*

The study of the Criminal Policy of Russia (and earlier - the USSR) has always received great attention. Here not only scientific, but also political considerations played a role. A lot of short-term work was published, books exposing not only miscalculations, but also actual crimes of the authorities, works aimed at changing this policy or analyzing its content, stages, goals from a purely scientific point of view. Therefore, the book under review cannot and should not claim to be the discoverer, and, strictly speaking, its authors do not claim to be so. They set themselves other goals, trying (and I must say, successfully) to provide the reader with an overview of opinions, decisions and steps that are being implemented and planned in the area of the implementation of the criminal policy of the Russian state today.

The structure of the monograph is difficult. An appeal to the reader is formulated at the beginning, in which the necessary conceptual clarifications are given (p. 3-11). Then there are four sections divided into chapters, and chapters, respectively, into paragraphs. One can argue about such a structural approach, one can unconditionally agree with it, taking into account the author's vision of the problem (as a reviewer, I remain committed to the second position).

Understandably, the views of Russian scientists (though not all of them) on the concept of criminal policy are cited in the introduction. The authors found it necessary to emphasize that "the fulfillment of the methodological functions of criminal policy is primarily related to the series of what should be, rather than present, which, apparently, can be considered as one of the factors impeding the normal development and improvement of all its specific substructures, however, and itself as the center of their "ideological support" (p. 11).

The first section is titled in a promising way: "Criminal Policy as a science and practice." (pp. 12–166). It includes three chapters that analyze the state of Russian criminal policy, its connection with crime, and determine the place of criminal policy in the system of scientific knowledge about crime. We should welcome the authors' attempt to present an overall picture of this in the form of a table "Pros and cons of Russian criminal policy on first review" (pp. 14-18), using indicators such as criminal policy infrastructure, regulatory support, resources, scientific support, ideology, compliance with international standards, means of criminal law impact, crime prevention and the situation (status) of the victim. As a result, assessing, in general, the Russian criminal policy, M. M. Babaev and Yu.E. Pudovochkin makes a difficultly challenged conclusion: "it must be reasonable, adequate and addressed to a person, his rights and interests, his concerns and fears" (p. 29). The answer to this conclusion (question) is the whole book. And the answer is ambiguous, of



course. In addition to traditional problems, for example, on the relationship between criminal policy and crime characteristics, the authors analyze the issue of criminal policy transformation in the context of globalization (p. 106-119) and formulate seven final conclusions about the laws of this process. At least one of them should be cited: “globalization creates such challenges for criminal policy and criminal law, an adequate response to which is impossible without a cardinal revision of many, if not all traditional principles of criminal law regulation, but this revision should not be accompanied by the destruction of the industry but should ensure its sustainable development in the future” (p. 119).

The second section “The concept of criminal policy” (pp. 167–323) concentrates general theoretical, political, criminological principles, as well as socio-psychological and information problems of criminal policy formation. This section also consists of three chapters. Here M.M. Babaev and Yu.E. Pudovochkina pay attention to the question of criminological security as the ideological basis of the concept of criminal policy (p. 184–203). They also justifiably highlighted the problems of minimizing the social consequences of crime (p. 203–218), intellectual support of criminal policy (p. 244–266), and criminological thinking (p. 292–305). The section ends with the original paragraph “The experience of criminological research on the phenomenon of lies” (p. 305–323), in which the authors define the content of the concept of “lie”, carry out a structural-functional analysis of lies in criminal policy and culture, and on this basis they make interesting, though somewhat indisputable conclusions.

The third section is devoted to the traditional problem - crime and punishment. So much has been written about it and by such distinguished lawyers from different countries that it is to find new turns in this topic is very difficult. In this connection, it is necessary to point out the analysis of criminal punishment in a conflictological context (p. 409-428), and the problem of a political crime that was considered by the authors (p. 324-342). As part of the review, it is impossible to characterize all the positions, especially since it would require comparing them with the opinions of other specialists, but a general conclusion can be made: M.M. Babayev and Yu.E. Pudovochkin managed to give a fresh interpretation of a number of aspects of this eternal problem.

Section four “Criminal Law” is also devoted to widely discussed issues (p. 468-675). It includes three chapters: on defects in criminal law-making as a political problem, on handling criminal law, on the quality and prospects of development of Criminal Law and Order. Moreover, the authors find new twists, formulate their own points of view, for example, on criminal law as a source of violence, on provocative use of Criminal Law, etc. in these chapters.

Instead of the conclusion, M.M. Babaev and Yu.E. Pudovochkin present to the reader the “Concept of the Criminal Law Policy of the Russian Federation, the theoretical model” (p. 676–678) and the explanatory note to it (p. 679–691). Let's hope that this Concept will attract the attention of not only scientists, but also the legislator, and practitioners, who fights against crime.