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CRIMINAL LAW AND PROCEDURE IN EUROPE¹

JOHN R. OLIVER²

Since the last meeting of the Institute your Committee has greatly increased its activities and has extended its correspondents to every country of Europe with the exception of Greece. It has also had an opportunity of getting into touch with jurists and criminologists in Australia. In all the more important European countries, permanent correspondents have been secured for the Committee, who have expressed their willingness to contribute at least once a year a report on the modern modifications in Criminal Law and Procedure in the countries in question. A number of these letters have already been received, have been translated and classified and have been transmitted to the Editor of the JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY for publication. Attached to this report is a statement containing the results of the more important correspondence received during the past year. This covers the countries of Italy, Switzerland, Holland, England, Belgium, and Norway. The most interesting reports have been those received from Holland, which have been translated and abstracted in the attached statement. There is also an article by Professor Hafter of the University of Zurich, which is submitted herewith. We have been disappointed in not receiving more material from the newly established European states, such as Poland, Czecho Slovakia, etc. The Committee has had the co-operation of the legations of these various countries in Washington, which have furnished the Committee with the names and addresses of their most prominent jurists and criminologists. Probably the unsettled conditions in these countries are responsible for our failure to secure prompt responses to our letters from them. Since the attached statement was drawn up the Committee has had new lines of communication opened up through the kind services of "L'Institut Intermédiaire International" at the Hague, which was founded in 1918 in order to make possible an interchange of scientific information between Europe and America. This Institute, of its own initiative, placed its services at the disposal of your Committee. A communication has also been received from Professor John Omsted, who is a prominent criminologist in Sweden

¹Read by title at the thirteenth annual meeting, in Cincinnati, November 19, 1921.

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this Committee and were sent to the Editor of our JOURNAL. Your and at the head of the Norwegian Association for the Prevention of Crime. Professor Omsted has sent the Committee a report of the work of his Association and promises frequent reports on modern modification of criminal law in Norway. Through the kindness of Mrs. Marguerite Harrison, who was for many months detained in a Moscow prison and who is a well known Baltimorean, the Committee has been enabled to get into touch with Russian prison authorities and hopes to be able to secure from them valuable details as to the working of criminal law under present conditions in Russia. Lines of communication with Austria and Germany are also becoming easier. A number of letters have been written to former friends of the chairman of this Committee in Austria and replies are expected very shortly. Conditions in Turkey are also of engrossing interest, but until a few weeks ago, it was impossible to secure any adequate lines of communication. At the present the chairman has been fortunate enough to find a friend among the members of the American High Commission in Constantinople from whom he expects to receive direct information as well as the addresses of those persons in authority in Constantinople who could supply this Committee with valuable data. A report from Melbourne, Australia, is also promised.

In reviewing the work of the Committee during the past year, we cannot but feel greatly encouraged at the manner in which our lines of communication are extending. Should the Institute see fit to continue this Committee in its present form, or in any other form agreeable to the Institute, we believe that we shall be able during the coming year to transmit to the Editor of the JOURNAL a number of long single articles written by various European authorities, as well as brief statements in the form of a classified report which will contain abstracts of the various letters received, and notes of interest touching on European conditions. The Committee has been impressed with the kindness and the willingness to co-operate which it has met with in approaching different European jurists and criminologists. They have all expressed a keen interest in the work of the Committee and, although busy men themselves, have been willing to write long letters and reports. This is especially true of authorities in Switzerland, Holland and Italy. The long letter from Professor Carrara of Turin has been already published in our JOURNAL, giving a brief account of the fundamental principles underlying the work of the Royal Commission appointed for the revision of the Italian Penal Code. Copies of the Preliminary Report of this Commission were also transmitted to

Committee has also been impressed with the friendliness and appreciation for American ideals and especially for the work of our Institute which has been manifested by our many correspondents in Europe. In some cases our Institute and its JOURNAL were unknown to our correspondents. In such cases copies of our JOURNAL were sent to them and the work and aims of our Institute were described. In this way the knowledge of the Institute and its activity is spreading among European jurists and criminologists.