

Complex societies require rules. No rules, no complex societies. It's that simple. Or is it? In the case of state-oriented societies, like late Tsarist Russia or the Soviet Union, a visible and important subset of those rules concern proper behavior towards and by government officials. The historical concentration of resources and power in the hands of the government created the nearly inevitable risk of people falling short of ideal impartiality or ideological rectitude. Hence the rules, particularly concerning the giving and taking of bribes by government officials. The challenge in Russia has been all the greater because for significant periods in its history, resources have been scarce enough to put the citizenry in the difficult position of sometimes having to break the rules in order to get on, and in some cases, to even survive.

And so in modern Russian history we encounter the regular tension between “the rules” and how people actually lived their lives. When breaking the rules is as much culture as crime is the topic of James Heinzen’s fascinating history, *The Art of the Bribe: Corruption Under Stalin, 1943-1953* (Yale, 2016).

For a detailed account of lawbreaking in a modern society, there are few extreme, dedicated villains on the pages of *The Art of the Bribe*. Similarly, the tale is not about the people at the top of the system though a few of them appear. It is instead about mostly mid-level and low-level officialdom and their interactions with the populace. The lines between the two were blurred because, in such a state-heavy society, a railroad conductor can be in the position of taking favors (as a representative of the state) and giving favors (as a poorly paid official just trying to get by).

Documents from the procuracy—the state’s investigative arm—form the basis of Heinzen’s account. One has to take some of the narratives in these documents with a grain of salt—as Heinzen does—but insights into popular practice and belief still come through vividly. (In the post-Soviet period, it is too easy to be dismissive of all Soviet-era sources just because the Soviet Union itself came to an end. That post-Soviet bias is simply ahistorical.)

A major test of culture versus crime happened in 1947 and in the years immediately thereafter, and that period forms the backbone of Heinzen’s account. In June of that year, the Soviet government passed a law on theft of state property that tilted heavily in the direction of crime, not culture. The reason was simple: the Soviet Union was still struggling from the enormous destructive aftermath of World War II. The issue of government resources was too critical to be left to the cultural niceties of a Chekhov tale for the late Tsarist period or even the sarcasm in regard to officialdom from the mid 1920s NEP. So by the terms of the 1947 law, the lines were drawn very brightly, and the penalties for crossing them went way up.

Heinzen assesses the flood of cases that result from this effort to apply the rules strictly. They make for compelling reading. What was the result of the test? Did the Soviet citizenry and officialdom suddenly abandon prior practices when the stakes increased dramatically? As you might expect, the answer was no. But as Heinzen demonstrates clearly, the context was so far from black and white that it is hard to put the blame on anyone in particular. In a vastly different context, Gibbon commented about late Rome that instituting laws it could not implement was a sign of the empire’s decline. Perhaps there is a parallel here, or perhaps not. But the reaction to the 1947 law should be a reminder to bureaucrats everywhere that societies are nowhere near as mechanical as they might imagine. The rule of law depends on the laws being reasonable and practical. In short, culture matters.