

## OTHER NATIONS

## If Found Innocent, Try, Try Again

**THE SOURCES:** "Trust In Public Institutions in Russia: The Lowest in the World" by Vladimir Shlapentokh, in *Communist and Post-Communist Studies*, June 2006, and "Not Guilty Until the Supreme Court Finds You Guilty: A Reflection on Jury Trials in Russia" by Kristi O'Malley, in *Demokratizatsiya*, Winter 2006.

THE TYPICAL RUSSIAN TODAY is almost as suspicious as was Stalin, who mistrusted peasants, bureaucrats, officers, allies, agents, and his own wife—for a start. No Russian institution commands even a moderate level of trust from more than half of the population. Russians have the lowest level of confidence in their social institutions in the world, according to Michigan State University sociologist Vladimir Shlapentokh.

Russia's courts, for example, enjoy the trust of only 15 percent of the pop-

ulation. And when it comes to juries, a post-Soviet innovation, typical Russians appear not to trust even one another. The nation's experience with jury trials has triggered controversy and criticism. The recurring theme during academic and judicial conferences, and in the news media, is that the Russian people are not "mature enough" for jury trials and too many criminals are escaping punishment.

In 1993, when jury trials were first permitted, under the new Russian constitution, a total of two were held. By 2004, the number had jumped to 1,000. In some regions more than 60 percent of all defendants now demand jury trials, writes Kristi O'Malley, a Washington lawyer who has worked on judicial reform efforts in Russia for the U.S. Justice Department.

That's not surprising. Juries acquit about 15 to 20 percent of defendants, judges about 1 percent. Not-guilty verdicts are new in the country, where the Soviet system convicted virtually 100 percent of the accused.

But an acquittal can be only the beginning of the story. Both convictions and acquittals can be appealed. In 2005 the Russian Supreme Court overturned 49 percent of the acquittals that were appealed, compared with only 14.5 percent of the guilty verdicts.

A Russian told O'Malley that prosecutors often appeal and re-appeal an acquittal "until they get what they want." That's a mistake, she believes. She argues that the Supreme Court should stop overturning so many acquittals and reform the haphazard lower court procedures that open the door to numerous appeals. Jury acquittals send "a message to the authorities that there are some uses of state power that people are not willing to tolerate."

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## David and Goliath in Africa

**THE SOURCE:** "West Africa Versus the United States on Cotton Subsidies: How, Why, and What Next?" by Elinor Lynn Heinisch, in *The Journal of Modern African Studies*, June 2006.

WHEN THREE IMPOVERISHED African countries took on American cotton producers in 2003, charging that subsidized U.S. cotton was flooding the market and reducing the price of their main export, it was a watershed event in international



Jurors hear a 1994 double homicide case in one of Russia's first jury trials. Jurors are more likely to find defendants not guilty than judges are, and acquittals are often overturned by the Supreme Court.