

SOVIET CIVIL PROCEDURE: HISTORY AND ANALYSIS. By *Don W. Chenoweth*. Transactions of The American Philosophical Society, vol. 67, part 6, October 1977. Philadelphia: The American Philosophical Society, 1977. ii, 55 pp. \$6.00, paper.

The bulk of American writing on Soviet legal affairs has focused on areas dominated by policy considerations, where the thrust of the regime's attempts at "legal engineering" is usually most evident. The more routine sectors of legal activity have received less attention. Professor Chenoweth's able survey of the Soviet experience in the field of civil procedure is therefore a welcome addition to the meager literature on the subject. In his compact monograph, the author reviews the salient features in the development and elaboration of Soviet theory and practice in that important sphere, and he assesses the highlights of the record to date with commendable completeness, accuracy, and lucidity. The study is well documented and good use is made of Soviet primary and secondary sources in an effort to show how Soviet institutions in this domain have evolved over the years and how well or poorly they have fulfilled their designated function. Discussion of the technical aspects is excellent, but little effort is made to relate the individual reforms to wider sociopolitical trends, perhaps for reasons of space. Dr. Chenoweth should be encouraged to undertake a more broadly conceived study in which he could expand the scope of inquiry so as to encompass such policy issues.

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THE NEW SOVIET CONSTITUTION OF 1977: ANALYSIS AND TEXT. By *Robert Sharlet*. Brunswick, Ohio: King's Court Communications, 1978. x, 132 pp. \$2.95, paper.

Professor Sharlet has provided the American student of Soviet law and politics with a compact and useful reference work on the "Brezhnev" constitution. The volume consists of two principal sections: a seventy-page analysis of the new constitution, followed by a translation of the document (included with the permission of the editors of the *Current Digest of the Soviet Press*). The appended bibliography of texts on Soviet politics does not add substantially to the value of the volume and misses many major works on Soviet politics and law, while including several textbooks of marginal utility.

The analytical essay charts the path of constitutional reform in the USSR, putting the present document into historical perspective. The author discusses thoroughly the various stages of drafting, public discussion, revision, and ratification, noting major changes from the earlier draft constitution to the document which was ratified in October 1977. The significance of the constitution is both political and legal. Sharlet identifies major changes and continuities in both areas, particularly in the realm of participatory rights of Soviet citizens and the duality of citizens' rights and duties.

As the author notes, many of the articles, especially those dealing with the economic sector, are statements of future aims rather than of present reality. In other areas, the new fundamental law underreaches its grasp. The author recognizes the tenuousness of the constitutional guarantees of inviolability of the home (article 55) and confidentiality of correspondence and telephone conversations (article 56) in cases of dissidents. Yet Sharlet fails to address two fundamental questions: Why a new constitution? And why a new constitution in 1977? If answers could be provided to these questions, we could have a much clearer picture of the significance of the 1977 constitution to the present leadership and its likely place in Soviet society in the years to come.

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