

[1971] N.Z.L.R. 859, and if the notion of fault is to completely disappear in proceedings under section 19(1)(a) of the Domestic Proceedings Act 1968, those involved in the family field will undoubtedly require an understanding of how similar problems are dealt with in other jurisdictions, not the least important of these being Australia with which we have a number of close ties in the legal field.

Although it is possibly somewhat insular to suggest so, it is perhaps to be regretted that the learned authors did not in the book consider some comparison with the relevant New Zealand legislation and that more reference was not made to some of the leading New Zealand cases which must clearly have at least a strong persuasive authority within Australia.

Notwithstanding this, the value of this new book to New Zealanders should not be underestimated and in addition to achieving its own basic purpose of providing a general text for Australian students it will be of particular relevance to all those in New Zealand, be they practitioners, students, legislators, public servants or others involved in the day to day contact with individuals experiencing problems in the family field, as this branch of law continues to develop.

With the basic emphasis being placed on the importance of people as individual human entities, this book with the enlightened and challenging approach adopted by the authors, is an important step forward in the literature on this subject in Australasia.

J. B. Robertson

AN INTRODUCTION TO THE SOVIET LEGAL SYSTEM, by E. L. Johnson. London. Methuen & Co. Ltd. 1969. xv plus 248 pp. (including index). New Zealand price \$8.25.

The late E. L. Johnson devoted many years of research to Soviet law and was particularly well qualified to write an introduction to the Soviet legal system. The present book is, according to the preface, intended for students of Soviet affairs who are not trained lawyers, but it can be recommended without hesitation for lawyers as well. The book deals at length with the sources of Soviet law, criminal law and procedure, family law, industrial law, economic organization and the legal profession; property, succession, contract and tort are only discussed briefly, because the author felt that they would be of less interest to the layman than to the lawyer.

Many aspects of Soviet law seem strange to Western readers. Indeed, whole areas of Soviet law, such as the rules governing collective farms and State-owned enterprises, have no counterpart in Western systems. But the peculiarities of Soviet law are not necessarily due to Communist influence; for instance, there is strict tortious liability for road accidents and insurance against such liability is impossible, but the purpose of these rules is the very un-ideological one of deterring road accidents. Similarly, the author shows how many apparently Communist features of Soviet law have roots stretching back for centuries into Russian history; rules of law are examined against their historical and ideological background, and an attempt is made to discover how they work in

practice. One of the conclusions which emerges is the way in which respect for the rule of law is slowly growing in a country where it was traditionally absent; for instance, the Stalinist practice of sentencing by analogy (e.g. a man who seduced another man's wife was convicted under a provision of the criminal code punishing hunting without a permit—which makes one think of all sorts of refinements about closed seasons, etc.) has now been abandoned in favour of respect for the principle *nulla poena sine lege*.

Inevitably there are some gaps—little is said about administrative law, and nothing about the recent practice of circumventing the safeguards of the criminal law and procedure by interning political dissidents in mental hospitals. The section on constitutional law is misleading because insufficient attention is paid to the Communist Party; the federal structure of Soviet government appears in a different light when one realizes that real power belongs to the Party, which is highly centralized. Similarly, although the author classifies Soviet law as a civil law system, he does not make clear the precise stage of Russian history during which Russian law borrowed from civil law. But, despite such gaps, this book is a most interesting and informative introduction to Soviet law.

In addition to an index, there is a glossary of Russian terms (including “chicken-hunting foxes” and “practisers of self-castration”).

Michael Akehurst