

tions on group expression. Lesage finds that most writers exercise self-censorship publicly, preferring to argue behind closed doors to neutralize the censor's office. Only a few like Solzhenitsyn speak out.

As for law enforcement, Lesage finds that the party, in principle, refrains from intervention in individual cases, but it guides the judges and procurators through directives. Lesage sees the Ministry of Justice, re-created in 1970 after a ten-year gap, restoring centralized administrative influence through its power to nominate and transfer higher level judges.

The great question, in Lesage's view, is whether today's Soviet leaders have the capacity to adapt sufficiently to the evolution of technology and of Soviet man, or whether they are to fall behind the public's social and political aspirations. He cites Soviet and Western commentary on this subject and concludes that there is evidence of a modification in attitudes created by public desires for better living and by technological necessity, although the institutional framework can be expected to be permanent.

This book will not shock the North American reader, for it adopts the cautious view of traditional Western scholars. No behavioral techniques are used to produce new insights, although the author knows the current literature of the West. His work is based primarily on what has been done statistically both within the USSR and abroad, supplemented by his participation in various round table discussions in the USSR between French scholars and their Soviet counterparts. Consequently, the book is primarily valuable to North Americans for what it confirms of their own conclusions through French eyes. It is the more remarkable because it encompasses so much in so few pages.

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THEORY OF INTERNATIONAL LAW. By *G. I. Tunkin*. Translated with an introduction by *William E. Butler*. Cambridge, Mass.: Harvard University Press, 1974. xxv, 497 pp. \$20.00.

The English translation of *G. I. Tunkin's Teoriia mezhdunarodnogo prava* (Moscow, 1970) is a most welcome addition to the growing Western literature on the socialist doctrine of international law. Except, perhaps, for an earlier six-volume Soviet treatise on the general theory of international law (*Chkhikvadze*, ed., *Kurs mezhdunarodnogo prava*, Moscow, 1967), Professor Tunkin's book is the most authoritative and comprehensive restatement of the contemporary Soviet doctrine of international law. In a twenty-chapter study the author discusses such issues as: the impact of the Great October Socialist Revolution of 1917 on the development of general international law; the nature and essence of contemporary general international law; the international law of peaceful coexistence; international norm-creating processes; the interaction of international law, foreign policy, and diplomacy; the law of general international organizations; state responsibility under contemporary international law; and the essence and nature of the evolving socialist international law.

Many noteworthy points are made by the author, but four are of particular interest. First, contemporary general international law, as a qualitative negation of the old international law, began to take shape under the direct impact of the political and legal ideas and principles of the Great October Socialist Revolution

of 1917. This new international law is more democratic, more broad-based, more humane, and more condemnatory of the uses of force in the settlement of international disputes. The thrust of the impact of the Great October Socialist Revolution can be summarized in three fundamental principles of contemporary Law of Nations—the principles of socialist internationalism in relations between socialist states *inter se*; the principles of equality and self-determination of nations and peoples; and the principles of peaceful coexistence which are aimed first and foremost at the relations between states with different social systems.

Second, contemporary general international law is the law of peaceful coexistence. It is the law of international cooperation as well as the law of peaceful competition between the socialist and capitalist states. It is in essence the law of transition from capitalism to socialism. Peaceful coexistence is both a principle of general international law, as well as the essence of that law. It is also a principle of foreign policy. As the latter, “peaceful coexistence serves as the basis of peaceful competition between socialism and capitalism on an international scale and is a specific form of class struggle between them. . . . [I]t does not and cannot mean cessation of the ideological struggle between them. . . . A specific feature of this form of struggle is the fact that compromises and agreements here are impossible” (pp. 36, 38).

In response to those Western authors who contend that general international law cannot exist where there is no community of interests between the Western and socialist states, Professor Tynkin offers the following rebuttal: “The concept that the basis of law is community, particularly a common ideology, is completely unfounded. . . . Law, including international law, emerged not as a result of an increase in community among people, but as a result of the division of society into classes and the formation of new class contradictions unknown to tribal society. International law, just as municipal law, is a phenomenon peculiar to class society. . . . The contrast of ideologies and uncompromising ideological struggle are not an insuperable obstacle to creating norms of international law” (pp. 27, 48).

Third, international law is the result of the coordination of the wills of states and of other recognized subjects of international law. The process of norm-formation, which includes the process of creating, developing, and changing norms of international law, of necessity goes through two stages: the first stage involves the manifestation of the free and uncoerced consent of the participants concerning the creation of the norm in question, and the second stage involves the granting of general recognition to the binding nature of the norm. The completion of the first stage in this process does not per se result in a binding norm of international law. Thus, while the coordination-of-wills process results in the creation of a norm, the norm does not become binding until it is subsequently recognized as such by the parties (pp. 89–113). The creation of a customary norm of international law, *mutatis mutandis*, goes through the same norm-creating processes (pp. 113–33).

Although international treaties and international legal customs are the only recognized normative sources of international law, under the Soviet doctrine the treaty norm is hierarchically superior to and preferable to the international customary norm. International customary law regulates only those interstate relations where there is no applicable treaty law. In case of conflict between treaty law and international customary norm, priority shall be given to the former (pp. 133–42). However, this does not mean that a customary norm may never supersede or

modify a treaty norm. "In principle, it is possible to change a customary norm by means of treaty and a treaty norm by means of a custom" (p. 142).

Fourth, the creation and the subsequent consolidation of the socialist commonwealth of nations led to the quest for a new reality in the legal regulation of interstate relations. Having found that the law of peaceful coexistence is essentially designed to regulate relations between socialist and capitalist states, and since general international law does not preclude the establishment of a localized international legal system, the socialist states have consequently created a new type of international law—socialist international law—which is founded upon the principle of socialist internationalism. The principles of socialist international law are not only of a higher type, but go further than the principles of general international law in ensuring friendly relations among states (p. 445).

This book will surely remain the most reliable restatement of the Soviet doctrine of international law for many years, and we are all indebted to Dr. Butler for making it available in the English language. For anyone who is not already familiar with Soviet doctrine and its terminology, the nine-page introduction by the translator will prove most helpful in bridging the gap between the Western and Soviet theories of international law.

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SOVIET AGRICULTURAL POLICY: TOWARD THE ABOLITION OF COLLECTIVE FARMS. By *Stephen Osofsky*. Praeger Special Studies in International Economics and Development. New York: Praeger Publishers, 1974. xi, 300 pp. \$20.00.

The purpose of this book is "to probe for the major problem areas in the kolkhoz" and to do so largely in terms of political analysis. The book is divided into three major sections: the first deals with policies and problems of the immediate post-Khrushchev era; the second deals with present-day Soviet agriculture, especially the prospects for reform; and finally, section 3 provides conclusions and an update through 1973.

The author covers a wide range of problems such as labor force utilization, organizational issues (especially the "link"), the private sector, farm size, party influence, land rent, cost/price issues, and so on. Soviet policies are interpreted mainly in terms of the writings of Soviet and Western observers, rather than from the views of upper level policy makers in the state and party apparatus. Although substantial documentation is used to present varying views on each issue, weighing the alternate views to arrive at some (if any) consensus is a difficult task. In several instances, unfortunately, available data, which might have been used to strengthen the conclusions, were omitted. For example, the discussion of seasonality in labor utilization (pp. 118–23, 233) concludes that little improvement has been made in recent years. While not challenging the conclusion, it should be noted that an examination of monthly labor force data, available for most of the last twenty years, would have strengthened the author's argument. A similar case can be made for the discussion of managerial skill levels (p. 118), the whole matter of party influence in increasingly large farms (pp. 76–79), and cost/price analysis (chapter 11).