

Ornea carries this reinterpretation a step further. If the 1921 reform was progressive, then the same should apply to the peasant political movement of the period, known as Peasantism (*Țărănismul*). Rehabilitating Peasantism, however, has proved to be a particularly sensitive issue, if only because for the quarter of a century after the land reform Peasantism became an explicit and major opponent of the Rumanian Communist Party. For example, the famous Grivița railroad workers' strike of 1933, in which the Communists were prominent, was crushed by a Peasantist government. As a result, the rehabilitation of Peasantism turns out to be only partial. On the whole, Ornea does not approve of the direction the movement took after 1926. For it was during that year that the Peasant Party united with the National Party of Transylvania (representing especially the Transylvanian bourgeoisie) to form the National Peasant Party. Only then did the movement become strong enough eventually to vote out of power the rival National Liberal Party and assume control of the government. Only after 1926, therefore, did Peasantism acquire the necessary political power to become actively anti-Communist. Even for the postfusion period, however, Ornea concentrates his opprobrium much more on the former leaders of the National Party than on those of the former Peasant Party (see, for example, pp. 15–17, 116, 305, 351).

Of special interest is the contrast the author makes between the policies of Peasantism and National Liberalism. Ornea has no great affection for the National Liberals, who, after all, were a party of the upper middle classes. On the other hand, he greatly favors (pp. 59–60, 124–25) the party's policy of economic autarchy and encouragement of heavy industry—a policy opposed by the National Peasant Party, and apparently also by each of its separate branches before 1926. After all, these economic policies of the National Liberals directly foreshadowed those which National Communism has pursued in the last fifteen years.

Of interest too is Ornea's brief reference (p. 43) to the fact that the rivalry between the old National Party and the National Liberal Party was really one between the bourgeoisie of Transylvania and that of the Old Kingdom, thus giving the conflict a regional dimension. It is a pity the author goes no further into the problem. For example, he describes the bourgeoisie of the National Party as anti-industrial, unlike its National Liberal counterpart; yet he does not explain the apparent paradox that Transylvania was far more developed industrially than the Old Kingdom.

In any case, now that Peasantism has been rehabilitated, however partially, it is possible that during the next few years the rehabilitation of National Liberalism will follow, and that this second rehabilitation will be considerably more far-reaching.

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REFORMEN IM RECHTS- UND JUSTIZWESEN RUMÄNIENS, 1965–1970. By *Michael Cismarescu*. Societas Academica Dacoromana. Munich: Sonderdruck aus *Acta Scientiarum Socialium*, vol. 3, 1970. 104 pp. DM 12, paper.

In 1965 the Ninth Congress of the Rumanian Communist Party set in motion a legislative reform to achieve a higher level of socialist legality. The theory on

which the congress based the reform was orthodox in terms of Marxist philosophy: Rumanian law, outmoded by social and economic changes, needed to be brought in line with social reality.

The reform resulted in a more precise determination of the powers of the government and stronger guarantees of civil rights and liberties. Central in the new legal regime is the Constitution of August 21, 1965, which declares as fundamental to Rumanian legal order several principles virtually unknown in the Soviet type of constitutionalism—such as the supremacy of the parliament and its legislation and the unity of the legal system. The principle of the rule of law is declared to reside in the government, the social organization, and individual citizens. The Constitution and administrative law have also returned to traditional Rumanian wording, removing from the legal terminology a number of words of Soviet origin (chap. 1).

The Criminal Code, rewritten in an effort to return to the traditional principles of Rumanian law, was made more humane, and the system of penalties was modernized—reaffirming the principle of *nulla poena sine lege* and the prohibition of the *ex post facto* legislation. Criminal procedure was also reshaped, with an important extension (contrary to the Soviet pattern) of the right to legal counsel during the entire criminal procedure, including the pretrial investigation (chap. 2). A new law was enacted to regulate the execution of penalties, as part of an elaborate system for rehabilitating prisoners by training them in trades and skills they can use after their release (chap. 3).

The court system was reformed and the principle of electing judges for all judicial positions was extended from the lowest to the highest levels of administration (chap. 4). New laws also dealt with establishing arbitration commissions to mediate the internal conflicts in enterprises, institutions, and labor organizations (chap. 5). Chapters 6–8 deal with new legislation regarding the *procuratura*, the legal profession, and military courts. The author also analyzes the law of economic contracts (December 29, 1969), which provides a new legal framework for contracts that implement the provisions of the economic plan (chap. 9). The enactment of this law reflects the tendency to do away with the fiction of the uniform civil code, and is in line with the legislation enacted in other socialist countries (e.g., Czechoslovakia). In an interesting appendix the author deals with the measures to promote population growth (which has been steadily falling in Rumania), including legislation on family authority, abortion, divorce, and related problems.

Rumania has a remarkable tradition of legal education and jurisprudential activity—largely influenced by France and Italy. The present work is a worthy continuation of that tradition.

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HRVATSKA KNJIŽEVNOST PREMA EVROPSKIM KNJIŽEVNOSTIMA  
OD NARODNOG PREPORODA K NAŠIM DANIMA. Edited by *Aleksandar Flaker* and *Krunoslav Pranjić*. Zagreb: Liber, 1970. 582 pp.

Because of its geopolitical position, Croatia for centuries was exposed to various cultural influences coming mainly from the West: at first from Italy, then from Germany, Bohemia, Russia, and Poland, next (at the turn of this century and thereafter) from France, and finally in this postwar period from the English-