

LETTERS TO THE EDITOR

To The Editor-in-Chief of International Journal of Legal Information.

In connection with the review by Professor John Hazard, which has appeared in your journal, I would like to ask you to publish in the same journal the following.

In June 1984 the conference "Ruling Communist Parties and their Status under Law" took place in the German Federal Republic. The conference has been already finished, when one of its participants, Professor John N. Hazard, published a review (*International Journal of Legal Information*, Vol. 12, 1 and 2 (1984) p. 34-36) on the book "Soviet Law in Theory and Practice" that dealt, to the great extent, with the same topic and was written by two other participants of the same conference: Professor Peter B. Maggs and the author of these lines, Professor Olimpiad S. Ioffe (London/Rome/New York: Oceana Publications, Inc., 1983). The mentioned review seems astonishing not only by deviations from the united attitude of the conference, but also because it violates the most elementary rules universally known and generally binding. The book belongs to two authors—Ioffe and Maggs, while the reviewer criticizes it as if it were written only by one author—Ioffe without Maggs' participation. The authors speak about the Abkhazian Autonomous republic and the request of its pressure group to be transferred from Georgian Union Republic to the RSFSR, while the reviewer ascribes to them creation of the similar group of Armenians in order to press for secession from the USSR. The authors point out impossibility to leave collective farms owing to peculiarities of passports in the countryside, while the reviewer, paying no attention to these peculiarities, affirms that the collective farmers can leave their farms with ease, since "the Party has been emphasizing the need to improve farmers' income so as to keep farm youths on the farms." However, if only these, by the way, very strange, things have appeared in the discussed review, they could be left without attention, as even "Westerns [including Professor John N. Hazard] who have followed Soviet legal literature and supplemented reading by visits to the USSR and attendance at round tables," are not immune to mistakes—sometimes gross and sometimes not very significant.

The conduct, that must not be disregarded on every account, relates to the fact that the reviewer tries to explain authors' inducements, when they have been writing their book, although these inducements cannot be found in any line of the work reviewed. He says, referring only to Ioffe, that "his book, written after emigrating from the USSR as an angry man. . . , suffers in some measure from this angry posture." Because of this unsubstantiated assertion I would like to ask Professor John N. Hazard at least the following questions.

Has the reviewer the right to speak not only about the book reviewed but also about inducements to write it known to nobody but to the authors? If Ioffe, on reviewer's assumption, was angry as an emigrant from the USSR, why the book was written also by Maggs, a citizen of the USA born in this country? In case, when such an assumption has been based on the syllogism, that only people angry with the USSR can write critical books about the Soviet society, which kind of syllogism can the reviewer construct about the works that are favorable for the USSR—mostly or even entirely?

Are you ready, Professor John N. Hazard, to give satisfactory answers? I am waiting for them.

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REPLY TO THE EDITOR

Thank you for informing me of Prof. Ioffe's criticism of my review of the book by himself and Maggs. I recall that you questioned my omission of Maggs. I leave it to you to decide whether to print his letter and whether a reply is desirable. Generally, when a review has been published I let it stand, but I have prepared a brief reply which you may publish if you think it desirable. Here it is.

Professor Ioffe's criticism of my review of a book in which he plays a major part will serve a useful purpose if it induces Western readers to read the book, for it presents, as I said, an insider's view of Soviet law, and such a view is hard to find. I leave it to readers to determine for themselves the tone of the book. I have given my estimate, and readers may test it against the text. Since the book's content reflects in the main Professor Ioffe's earlier article in the *Harvard Law Review*, and since the insider's view can only be Professor Ioffe's, I had assumed that his co-author, being an American scholar concerned with placing the book before an American readership, had shared more in the formulation of the study than in composition of the content. Professor Ioffe says I have erred in my assumption. I am happy to apologize to Professor Maggs for slighting his contribution. Of course I plead guilty to misreading my pencilled notes so that "Abkhazia" came out "Armenia."

JOHN HAZARD