

NYLS Journal of International and **Comparative Law**

Volume 7 Number 1 Volume 7, Number 1, Summer 1986

Article 9

1986

BOOKS RECEIVED

Follow this and additional works at: https://digitalcommons.nyls.edu/ journal_of_international_and_comparative_law



Part of the Law Commons

Recommended Citation

(1986) "BOOKS RECEIVED," NYLS Journal of International and Comparative Law: Vol. 7: No. 1, Article 9. Available at: https://digitalcommons.nyls.edu/journal_of_international_and_comparative_law/vol7/iss1/9

This Books Received is brought to you for free and open access by DigitalCommons@NYLS. It has been accepted for inclusion in NYLS Journal of International and Comparative Law by an authorized editor of DigitalCommons@NYLS.

BOOKS RECEIVED

Soviet Law and Soviet Reality. By Olimpiad S. Ioffe. Dordrecht, Boston and Lancaster: Martinus Nijhoff Publishers, 1985. Pp. 252. \$45.50.

This work, through a thorough juxtasposition of Soviet statutory law and contemporary Soviet society, postulates that Marxist political theory has given way to a society of "rulers and subordinates, oppressors and oppressed, exploiters and exploited." Emphasis is placed on the omniferous contradictions in the statutory scheme itself, and a full annotation is provided. In addition, sections of the text concerned with the realities of life in the Soviet Union are punctuated with sociological observations which pit the Marxist insight against itself. Fully indexed, the work provides an excellent overview of relevant Soviet statutes while rigorously asserting that Soviet law is, by Western standards, an oxymoron.

COPYRIGHT IN RUSSIA AND THE USSR. By Serge L. Levitsky and William B. Simons. Vienna: Manzsche Verlags-und Universitätsbuchhandlung, 1985. Pp. 268.

This work exists primarily as a reference tool for the study of Soviet copyright law. It consists of a bibliography of sources on Russian and Soviet copyright law for the period 1827-1983 which have been published in English, French, German and Russian. Within each grouping of sources by language, the publications are listed by year. Preceding the bibliographic section, the authors provide a general outline of Soviet copyright law in each of the four languages. This outline includes discussion of the basic principles, in addition to a brief comment on the scope of the 1961-1964 reforms and pre-1973 developments in international copyright relations.

THE NEW KGB ENGINE OF SOVIET POWER. By William R. Corson and Robert T. Crowley. New York: William Morrow and Company, Inc., 1985. Pp. 560. \$19.95.

This work reviews the history of the KGB and its predecessors, and analyzes the KGB's position in the Soviet Union today along with its current operations and strategies. The authors examine the birth of the modern day KGB and the changes it has undergone from its original role as the shield and sword of the Communist Party to its current

dominance of the Soviet hierarchy and mastery of the Communist Party.

The authors examine the formation of the Cheka, the Extraordinary Commission to Combat Counterrevolution, and follows the history of Soviet internal security through the GPU-OGPU era up to the present day KGB. At the same time the authors examine the inner workings of the security agencies and the world-wide intelligence operations conducted within the Soviet Union and abroad in Hungary, Czecgoslovia, Cuba and the United States. Emphasis in the work is placed on the KGB's effect on the inner-workings of the Soviet political system and the rise in power of the organiztion from an arm of Soviet policy to the policy maker itself. The authors argue that the rise of the KGB, culminating in the ascention to power of Yuri Andropov and the later naming of Mikhail Gorbachev to lead the Soviet Union, and the effects this rise has had on the Soviet Union is so unusual in history and so alien to Western concepts that foreigners will not be able to comprehend the workings of the Soviet Union without an understanding of the KGB.

Included in this work is an extensive bibliography and a series of appendices covering such areas as operations of the Amtorg Corporation, a partial listing of cases involving official and quasi-official Soviet organizations, and the organization of Soviet State Security operations.

Scientific Discoveries and Soviet Law: A Sociohistorical Analysis. By James M. Swanson. Gainesville, Fla.: University of Florida Press, 1985. Pp. viii, 150. \$11.

Swanson, a history professor at the University of South Florida, analyzes the evolution of the concept of scientific property under Soviet patent law and highlights the theoretical and practical problems and successes pertinent to the operation of that nation's system. He then explores the issue of whether the Soviet approach would be suited to the Western patent system.

The major distinction between Western and Soviet patent law, the author observes, is that the Soviet Union affords protection for mere "discoveries," intellectual ideas that have not yet manifested themselves in the form of "inventions." He notes that international patent law as well as American jurisprudence only protects "inventions." Swanson then suggests that at a time when more and more research serves as a prelude to actual invention, the Soviet system might be best suited to protecting this research. The author observes that research has a monetary worth heretofore unrecognized, and thus is now a proper candidate for protection.

East-West Trade: Comecon Law, American-Soviet Trade. By Thomas W. Hoya. New York, London and Rome: Oceana Publications, Inc., 1984. Pp. v, 501. \$60.00.

The analysis of American-Soviet trade in this book begins with an account of the types of trade agreements used withi the Council of Mutual Economic Assistance (Comecon), the European communist counterpart to the Common Market, whose members are the Soviet Union, Bulgaria, Czechoslovakia, the German Democratic Republic. Hungary, Poland, Romania, Cuba, Mongolia and Vietnam. Trade among the Comecon nations, determined primarily by their centrally planning governments, is contrasted with the Western type of market economy governments which establish a general framework allowing private firms to determine the details of their trade transactions. The author continues to focus attention on Comecon's unrivaled unification of international sales law, which is effective in every Comecon nation possessing a significant trading area. Various unification of law problems are also examined. The businessperson and attorney will find guidance on how contracting is done in United States-Soviet trade, and how best to obtain contract terms at least comparable to those provided by the international sales law within Comecon. Finally, the author speculates on future changes in the way terms of trade within Comecon are determined; looks to the future role of intergovernmental trade determination in East-West relations, and predicts the future development of the Comecon international sales law. A translation of the Comecon international sales law for 1979 is provided in an appendix.

