

author's five brief visits to the Soviet Union. The book is also seriously lacking in balance. The entire history of Russia from earliest times to 1917 is dismissed in twenty-nine pages (!) that abound not only in oversimplifications but in glaring errors. The reader is informed, for example, that Kiev was "the first center of Christianity among the Slavs" (p. 57); that Baty was "the nephew of Genghis Khan" (p. 66); that after he built a fleet, Peter the Great "sailed from St. Petersburg to the Black Sea and attacked Azov Fortress from the sea" (p. 74); and that during the reign of Nicholas II "Russian influence in European power circles was limited to France and Albania" (p. 87).

Information on the postrevolutionary period is not much better. Soviet history from 1917 to 1973 is surveyed in thirty-five pages. In contrast, photographs and biographical sketches of members of the Politburo and of the Secretariat receive twenty-nine pages of attention. The book has a few charts indicating the growth of selected sectors of Soviet economy. It also lists all members of the Council of Ministers, courses that are taught in Soviet schools (from first through tenth grade), and has an eight-page enumeration of the departments of the Academy of Sciences. The treatment of these and such other topics as agriculture, industry, transport, living conditions, family relations, and so forth is elementary as well as pedestrian. In short, this book should never have been published in its present form.

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JUSTICE IN MEDIEVAL RUSSIA: MUSCOVITE JUDGMENT CHARTERS (*PRAVYE GRAMOTY*) OF THE FIFTEENTH AND SIXTEENTH CENTURIES. By *Ann M. Kleimola*. Transactions of the American Philosophical Society, new series, vol. 65, part 6, October 1975. Philadelphia: American Philosophical Society, 1975. 93 pp. \$5.00, paper.

Professor Kleimola has written a most interesting study based on the trial records and court judgments of the middle Muscovite period. Countering the traditional view that Muscovite justice was venal, arbitrary, and class-ridden, she employs the available documentation to demonstrate that the quality of evidence most frequently determined the decisions. Her conclusion flows from a painstaking analysis of the published records of the surviving judgment charters. These records are complete for the fifteenth century, but not yet for the sixteenth. The footnotes reveal an extensive knowledge of the monographic and periodical literature, at least for that written in English and Russian.

This study stands as the most comprehensive examination of Muscovite trial procedures and the ways in which decisions were reached. Included are such topics as the composition of the courts, the nature of complaints, the reliance upon long-time residents as witnesses, the examination of pertinent documents, and the referral of the trial record to the grand prince's court for review and final judgment. Space limitations do not permit a discussion of the variety of procedures analyzed by Professor Kleimola. Certainly the skillful utilization of documentation drives the reader onward to the inexorable conclusion. The data revealed in these documents suggest that Muscovite justice was judicious and impartial, that judges were mostly unbribable, and that those in the right were vindicated. What

the author has found in these narrowly-based judgment charters, however, is not mirrored in other descriptions of contemporaneous legal behavior.

Foreign observers in the sixteenth century condemned the venality of Russian justice and lamented the corruption of Muscovite officials. The admonitions against accepting bribes found in the law codes of the fifteenth and sixteenth centuries would not have been necessary were the practice uncommon. The unwillingness of some litigants to surrender documents to the trial judges may have indicated contempt for the low rank of these Moscow-dispatched servitors. On the other hand, the litigants may have doubted the judges' honesty and preferred to place their hopes in the court of the grand prince. There is considerable evidence that the law was selectively applied. The constant admonition found in immunity documents, *prohibiting court functionaries from seeking shelter, food, and transport from protected estates*, suggests that those on official missions considered themselves members of the senior service aristocracy, while the plaintiffs or defendants listed in the trial records would suggest at least a two-tiered system of justice, in which the powerful could squash complaints against themselves or frighten off would-be litigants. The preoccupation with proper procedure and judicious decisions found in the judgment charters does not coincide with a disrespect for life and rights displayed on numerous occasions by Ivan III, Vasili III, and, above all, by Ivan IV. Ivan III fleeced the Novgorodian merchants of their wealth and then forcibly relocated them in the Muscovite interior. The same grand prince decreed the death penalty for two foreign physicians when their illustrious patients died. The physicians never even appeared in the docket to hear the judgments. The tales of horror dating from Ivan IV's reign need no repeating here. Finally, what justice was available via the courts was expensive and full costs were levied upon the losers.

Did Kleimola rely upon an aberrational sample? She admits that three-quarters of the surviving judgment charters involved churchmen and church properties and were found in ecclesiastical archives. This alone would suggest a skewed sample.

The implied conclusion would, however, be erroneous. I would suggest that the seeming contradictions can be reconciled. The trial procedures were indeed correct and the secretaries assigned to record the testimony faithfully recorded the testimony. The grand princes, beginning with Ivan III, desired to demonstrate that their justice was superior and equitable. What they did not know or chose not to know could also benefit the crown. In an age of constant and rapid expansion the crown had to find a vehicle to encourage loyalty. And what better means was there, aside from religious teaching, than to publicize the view that the Muscovite lord was righteous—that whoever succeeded in reaching the attention of the ruler would have his case fairly heard and decided. The submission of trial records to the royal court in Moscow appears to have encouraged this belief. The ruler, his designated sons, or councillors made final judgment, and all were committed to building the ruler's reputation for fairness. In a sea of venality and corruption, the trial system for land litigation remained substantially unsullied, at least as far as procedures were concerned. The pity is that this rectitude and the safeguards did not apply to the more serious crimes. Professor Kleimola has written a most valuable study, one which allows us an additional insight into the history of Muscovite development.

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