Book Review

Olga Khasova (ed.),
Chelovek i ego vremia: Zhizn’ i rabota Avgusta Rubanova (A Man and His Era: The Life and Work of Avgust Rubanov)
RUB 440, ISBN 5-466-00187-2

Avgust Rubanov is a well-known Soviet and Russian scholar who had a brilliant career in several fields of law. Born in 1925, Rubanov lived through all the abrupt changes in Soviet and Russian society over much of the past century.

Combining photos and documents from Rubanov’s family archives with writings by individuals who were instrumental in developing Soviet (and Russian) law, this eclectic collection provides a revealing account of the life of this charismatic figure.

The volume contains seven chapters plus annexes and an introduction written by Hugh Verrier, head of the Moscow office of White & Case. Verrier writes:

“[O]ne of the aims of this book is to do for Avgust Rubanov what I never managed to do for my own grandfather: to tell the story of his life, to collect the fragments before they were lost. […] The life of Professor Rubanov deserves much more attention. He has been a witness to many changes in Russian history and one of a few people who have gone through so much while being a lawyer. And I hope that the publication of this volume will inspire young lawyers the same way I was inspired by my grandfather.” (p.x)

The volume’s first contribution was written by Rubanov’s spouse and colleague, Ninel Krilova. Entitled “Odin chelovek na rubezhe dvukh epokh” (The Same Person on the Verge of Two Centuries) (pp.1-76), this chapter is essentially a condensed biography of Professor Rubanov. Krilova tells us, among other things, that when Rubanov was eighteen, he left secondary school for frontline service in World War II. In 1944, he fell ill with tuberculosis (which he recovered from only in 1956); in 1946, he entered the Faculty of Law at Moscow State University; in 1951, he entered graduate school and successfully defend his thesis in 1956 on “Poniatie sobstvennosti v sovetskom grazhdanskom prave” (The Concept of Ownership in Soviet Civil Law).

1 All translations by the author.
While still a graduate student, Rubanov began working at the Division for Foreign Cases (Kollegia po inostrannym delam, or Iniurkollegiiia) under the Moscow City Chamber of Legal Counselors. He dealt with hundreds of (mostly inheritance) cases and acted as a legal counselor in matters of Soviet law for foreign embassies. This, however, was not the only thing he was doing in this capacity. Once, the Union of Writers of the Soviet Union wanted to employ the services of Iniurkollegiiia in a very sensitive case concerning Boris Pasternak. The Union wanted to take legal measures to prevent the publication of Pasternak’s novel Doctor Zhivago in Italy (the manuscript had been secreted out of Moscow by the Italian publisher Feltrinelli), but Rubanov refused to act as legal counsel in this case (pp.22-23). (Pasternak’s novel was, nevertheless, published in Italy and brought the author a Nobel Prize.)

In 1963, the journal USSR. Soviet Life Today (published by the Soviet Embassy in the United States), devoted a special article to Rubanov, which said that he had “won a reputation for his brilliant defense of the interests of foreign citizens in Soviet courts of law”. In the same journal, Rubanov published a short article called “The Law Crosses National Boundaries”, the title of which reflected his way of thinking at the time (p.27).

Rubanov began working at the Soviet Academy of Sciences in 1958 and continues to work today at the renamed Institute of State and Law of the Russian Academy of Sciences. His scholarly interests include civil law, private international law, and comparative law; he is the author of nearly 200 books and articles on Russian, Soviet, and foreign civil law, as well as private and public international law.

In 1973, he defended his doctoral dissertation: Osnovnye problemy nasledovaniia v otnosheniiakh mezhdu stranami s razlichnym sotsial’nym stroem (The Main Issues Concerning Inheritance in Relations of Countries with Different Social Structures). Since then, he has been involved in drafting legislation, and an annex to this volume contains a list of projects that have involved his participation.

In 1993, Professor Rubanov received a Fulbright Scholarship to take part in a project on foreign investments in Russia and the Commonwealth of Independent States. Moreover, the same year, he also held the David

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2 This project resulted in a publication in two languages: (1) Shaping a Market-Economy Legal System: A Report of the EC/IS Joint Task Force on Law Reform in the Independent States in European Economy: Reports and Studies (1993) No.2; and (2) Formirovanie pravovykh osnov rynochnoi ekonomiki: Doklad Spetsial’noi problemnoi gruppoy po pravovoi reforme v Nezavisimykh Gosudarstvakh in Evropeiskaia ekonomika: Soobshcheniia i monografii (1993) No.2. This represented one of the first comprehensive reviews of ‘law in books and law in action’ of the former USSR, now the CIS, done on behalf of the European Commission.

This work was the result of the many efforts of a select group of legal thinkers from the CIS and the EU. These included, in addition to Professor Rubanov, Professor Aleksandre L.