

Andrzej Bunda, *Polskie prawo państwowe* [Polish Constitutional Law], Warszawa 1962, PWN, 236 pages.

Andrzej Burda is the author of a number of studies on the history of political doctrines (e.g. Rousseau's idea as to the sovereignty of the people or Montesquieu's conceptions of the constitution etc.), as well as on the theory of the socialist State and on contemporary Polish constitutional law.

Professor Burda's book is divided into two parts, of which the first contains general information and a historical outline of Polish constitutional law, while the second contains an expose of Polish constitutional law at the present time.

The subjects dealt with in the first part are: constitutional law as a branch of learning, the sources of constitutional law, constitutional law in the period between the two world wars (1918-1939), and constitutional law in the early years of People's Poland, from 1944 up to the passing of the present Constitution of the Polish People's Republic on 22nd July 1952. Following the practice of the Marxist theory of law, the author describes the State system as an outcome of the balance of forces between the classes in society, while he looks on constitutional law as an expression of the will of that class which is economically dominant in a given society. It is characteristic, that for the author (as well as for other experts on constitutional law in Poland), the constitutional law consists of not only those laws that govern the foundations of the political system of the State but also those that govern the foundations of the socio-economic system. It should also be noted that the book is about not only the constitutional law that is in force in Poland at the present time, and not only the history of constitutional law in People's Poland, but also the history of constitutional law in bourgeois Poland, that is, between 1918 and 1939.

The author devotes a separate section to the democratic revolution in Poland. He reminds readers that the seizing of power in Poland in 1944 by the working people, led by the industrial proletariat, amounted to a revolution. He rightly points out that: "...the principal and creative factor in the break-through in the history of our nation..." (that is, in the democratic revolution) was the will of the Polish working masses, and that "the revolutionary struggle carried on by the working masses in other countries encouraged and supported the struggle of the working masses in Poland" (p. 79).

The second part of professor Burda's textbook is concerned with the various principles and institutions of the constitutional law which is in force in the Polish People's Republic today. This part of the book consists of twelve chapters which, as has been the tradition (recently criticized in Poland), more or less keep to the order adopted in the Constitution of the Polish People's Republic.

These twelve chapters, therefore, deal with the following subjects: I. The plan of the Constitution, II. Introduction to the Constitution, III. The political system of the Polish People's Republic, IV. The socio-economic system of the Polish People's Republic, V. The system of State bodies according to the Constitution of the Polish People's Republic, VI. The supreme organs of State power, VII. The Supreme Control

Chamber, VIII. The supreme administrative bodies of the State, IX. Local organs of the State authority, X. The courts and the Prosecutor General's office, XI. The fundamental rights and duties of citizens of the Polish People's Republic, XII. The principles governing the elective system of the Polish People's Republic.

Professor Burda states very clearly that in his opinion "legal-dogmatic study", as he calls it, is insufficient for an understanding of the functioning of the State mechanism. Therefore the author does not content himself with merely making a study of the legislation; he also (although still to an insufficient degree in the opinion of some reviewers) examines how constitutional law is applied in practice by the State authorities. The author does not hesitate to criticize the application of constitutional law in cases where he thinks criticism is deserved. This is particularly true of the period up to 1956. In consequence the reader is given not a dry analysis of the legislation as such, but a colourful picture of the (sometimes variable) application of the law. This is immensely instructive.

Neither does the author hesitate to encroach onto ground that does not belong to the law in the strict sense. Thus his book not only describes the law and its application, but also examines the political forces which determine the trend of the law. Another merit of the book is that the author discusses (although perhaps too briefly) the role of the political parties in our system, with particular reference to the leading role of the Polish United Workers Party, as well as the role of the United Nation Front, etc.

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