

*CONFERENCE OF UNIVERSITY DEPARTMENTS OF ADMINISTRATIVE LAW
IN USTRONIE*

The Ministry of Higher Education, in conjunction with the Administrative Law Department of Wrocław University, organized a conference of the university departments of administrative law in Ustronie Wielkopolskie in 1965. It was attended by fifty people, including nearly all the staff of the university departments of administrative law, staff of the Law Institute of the Polish TVcademy of Sciences who were interested in this problem, and a representative of civil law studies.

Four papers were read at the conference. Owing to the briefness of this note, we shall only have space here to mention some of the main ideas put forward in these papers.

Professor Franciszek Longchamps of Wrocław University gave a paper on contemporary problems concerning the main concepts of administrative law. He outlined topical theoretical problems concerning what is usually called the general part of administrative law; he suggested that what was needed most at present was to modernize the fundamental concepts and adapt them to facts in the new political system, as well as to consolidate the basic values of humanism and the rule of law. He also pointed out that within this field the study of administrative law has immense research possibilities before it. The results of such research may be useful in the science of the socialist countries and an interesting subject for exchange of views with other countries.

The next two papers dealt with the teaching of administrative law.

The staff of the Administrative Law Department of Wrocław University produced a joint paper on "The administrative law curriculum," which was read by Dr. Tadeusz Kuta. A basic assumption of the paper was that the teaching of administrative law at the universities should give the students: the elements of a general university education; a knowledge of the administrative law in force; a knowledge of the legal and administrative apparatus and its functioning in our socio-political system; skill in interpreting and applying the administrative law; the foundations necessary for research work. These are the principles which the authors put forward in their postulates for the administrative law curriculum, giving prominence especially to the indivisibility and universality of legal education.

The next paper, given by Dr. Zbigniew Janowicz and Dr. Zbigniew L e o n s k i of the Adam Mickiewicz University in Poznań, dealt with the teaching of administrative law at external courses, that is, at law courses for working people (lasting five years) and at professional courses (lasting three years). Since at these courses administrative law is acquiring more and more importance in view of its professional usefulness and its close connection with practice, the methods of teaching it should above all take account of the fact that external student has to work on his own.

The final paper was given by Dr. Ludwik Bar, of the Law Institute, who spoke of the training of research workers in the field of administrative law. He began with the assertion that research work in this discipline is on a high level—a situation which should be encouraged and developed. The traits required of the research worker are initiative, courage, intelligence, endurance, and devotion to learning. The research worker may foster these traits in circles where he meets his fellow-workers in an atmosphere of learning, mutual confidence, and friendliness. Another necessary element in education is constant contact with practice.

The discussion on the papers lasted for a full three days. Nearly everyone present at the conference took part in the debates, the younger members taking a particularly

prominent part. The atmosphere was informal and the discussion to the point. Many basic problems were debated, and a number of important proposals put forward. At the end of the conference these found expression in motions which above all reflected the viewpoints put forward by the speakers, that were approved by the conference. The main ideas in these motions were the following:

The chief contemporary problems of the fundamental concepts of administrative law are as follows: the compass of the administrative law, and especially the boundaries between it and the civil law; the sources of administrative law, and particularly the new kinds of rules setting goals, such as the economic plans, technical norms, etc.; concepts of the legal organization of the administration and the legal position of administrative bodies; the legal aspect of administrative activity, and in particular the present-day usefulness of the classical administrative act as well as the legal forms of services given by the administration; the legal position of the citizen; the application of existing concepts to the management of the national economy, and finally legal means of control resulting from the simultaneous action of several control systems. The concepts should be modernized above all by rationalizing them, by suiting current concepts to the present-day situation. The aim here is to make legal concepts suit the new conditions of life in a socialist society. It is essential to have courage in seeking and revealing the truth. Political considerations should inspire the direction of research, but not interfere with the results. The need for integration calls for a definition of the concepts common to neighbouring disciplines and for a marked expansion of comparative research.

As far as teaching is concerned, it is not the task of the university to prepare a man directly for his chosen profession, but only to provide him with firm foundations on which he can build his further strictly professional training, or his work in research. The aims of teaching administrative law at the non-university courses are basically the same as the aims of the university departments, but the focus is different. The aim at such courses is to provide a man who already has practical experience of the law with the necessary theoretical basis for carrying out the business of the administration efficiently and in accordance with the law. In basic education a distinction should be drawn between what is expected from the textbook, the lectures, the practical exercises, and the examination requirements. In the subject-matter taught, the social role of the public administration should take a prominent place.

The academic staff should be expanded to meet as fully as possible present-day needs in the field of both research and teaching. The university department, or the research group of the scientific institute, is the main centre where staff can meet and discuss ideas. Close personal relationships between members of the academic staff are of the first importance if these centres are to flourish. It is essential to strengthen the bonds within our discipline. This may be brought about by the exchange of professors and assistants, by sending staff to gain experience abroad, by holding seminaria and symposia not only for administrative law centres, but for other disciplines as well.

The results at Ustronie showed that periodical conferences of this type are indispensable element of proper organization, and constitute a useful forum for the exchange of ideas. They should be repeated.

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