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THE INSTITUTE OF LEGAL SCIENCES OF THE POLISH ACADEMY OF SCIENCES

I. The experience of the Institute of Legal Sciences of the Polish Academy of Sciences over the last two years has shown that a system in which the research group is the basic cell is the most efficient system for an institution of that kind. The main difference between the structure of the Institute and the traditional university structure, where the basic cell is the university department or centre, engaged in teaching and research in a single field, is that in the Institute the research group includes people from several allied disciplines, as well as people with practical experience, such as civil servants, members of the judiciary, and officials of other bodies and organizations, depending in type on the kind of subject being studied. This system of organizing research ensures that everything possible is done in the existing circumstances to integrate the social sciences, and to prevent the increasing isolation which is their lot owing to advancing specialization. The system makes it easier for specialists in various fields to find a common language, and closer links are established between theory and practice. Since the research team includes men of practical experience, theory is brought into closer contact with life, and the empirical instead of the dogmatic approach is becoming increasingly possible.

The principal research trends laid down for research two years ago (see "Droit Polonais Contemporain", 1965, No. 4, p. 59) are still the framework for the work of the Institute. These main subjects are as follows:

— A continuation of research already being done on the running of the national economy. This is focused on the legal aspects of planning, on problems involved in the structure of the State enterprises, on legal relations between the ministries, the combines and the enterprises, the running of local (non-centralised) enterprises, legal problems involved in investment, and legal problems in trade. An account of this research was given at the scientific session which took place in Warsaw on 27th September, 1965. Jurists as well as practical lawyers worked in groups to prepare the 22 papers given at this session.

— Research is being continued on the key problems of the labour law (labour legislation and legal problems arising from labour relations). Research was also begun on the position and functions of the trade-unions.

— Research on the legal problems arising from the reconstruction of agriculture is still focused on two subjects: legal problems concerned with the producer co-operatives, and legal problems concerned with the agricultural circles and other forms of co-operation. As a result of the labours of the groups engaged on those subjects, two monographs were published. One was on the effect of administrative acts on property relations in agriculture. The second dealt with the agricultural circles in the socialist reconstruction of agriculture in Poland. Current studies are concerned with the Agricultural Development Fund and agricultural self-government.

— A number of detailed subjects connected with the development of socialist democracy are being studied. The foremost of these concerns the legal position and the role of the People's Councils. The empirical method has found full application here. The results of this work were summed up at a meeting held on 22nd May, 1965, to

discuss the legislative activities of the People's Councils and their praesidia. For several years to come, this group will be working on the legal position of the People's Councils, the legal aspects and economic consequences of decentralization in the People's Council system, the effect of new legal regulations on the work of the permanent commissions of the People's Councils, and on particular features of the position of the village People's Councils and their agencies in constitutional law.

Another group working within this field is studying the participation of jurors in the execution of justice. The work at this stage is concerned with the role and the activeness of jurors in criminal proceedings, and with an analysis of the attitudes and views of jurors who have been chosen to do this job for the first time.

A third group is busy with the problem of summary jurisdiction. (Minor offences are usually dealt with by summary courts set up by the praesidia of the People's Councils). Work is proceeding on the following subjects: the legal character of the courts of summary jurisdiction, the part the members of such courts play in such jurisdiction, the pronouncement of sentences by such courts of summary jurisdiction, and the juridical principles and guarantees in proceedings that come before courts of summary jurisdiction.

Within the same field comparative studies are being continued on socialist institutions, as well as developmental studies of legal principles in the socialist countries.

Study of legal problems involved in the peaceful co-existence of countries with different political and social systems is chiefly concentrated on aspects of economic relations. Work is being done on the legal forms of economic relations between Poland and the non-socialist countries, as well as on international co-operation between the socialist countries in marine and air traffic. Groups are also working on selected problems involved in the unification of legal relations between the socialist countries, as well as on the legal structure and activities of the Council for Mutual Economic Assistance. Simultaneously, comparative studies are being made of some West European institutions.

In the field of criminal law, research is concentrated on the question of economic crime, while finally. In the field of criminology the following subjects are being studied: the structure of criminal offences in Poland, the effect of industrialization and urbanization on crime and recidivism among juvenile offenders of all ages.

Apart from the studies listed above, the Institute of Legal Sciences has set up groups which are drawing up elaborations of the diverse systems in various branches of the law. For example, work is well advanced on the systems of civil law (the general part of civil law, the family law, the law of contract, the law of things, and inheritance law), as well as on international public law. Work is likewise being continued on the systems of labour law, international private law, and civil proceedings.

II. Within the last year the Institute has expanded again its contacts with abroad. During this time the Institute was visited "by:

— Professor Branimir Jankovic, Rector of Nis University (Yugoslavia), who came to Warsaw at the invitation of the Minister of Higher Education as a member of the Yugoslav Government delegation.

— Dr Vrleta Krulj, of the Institute of Comparative Law in Belgrade, who studied the running of Poland's national economy.

— Professor Harold J. Berman, from the Harvard School of Law (U.S.A.), who gave a lecture in the Institute of American Law and Policy with respect to trade with the socialist countries.

— Professor Guido Lucatello, from Padua University, who was the guest of

the Institute in a Government exchange between Poland and Italy. Professor Lucatello gave a lecture on *Caractères juridiques et institutions des communautés européennes*.

— Dr. I. A. Tanchuk and Dr. G. A. Haydas, from the State and Law Institute of the U.S.S.R. Academy of Sciences, who studied the Polish system of running the national economy, the question of arbitrage, and economic accounting.

— Professor F. P. Benoit, from the Law Faculty of Rennes University. Professor Benoit gave a lecture in the Institute on *La situation juridique des usagers des services publics en droit français*.

— Dr. M. I. Kozyr and Dr. V. A. Kikot, of the State and Law Institute of the U.S.S.R. Academy of Sciences, who studied the problem of agricultural law in Poland. They also visited the universities in Cracow and in Wrocław.

— Dr. L. F. McDonald, of the Department of Criminal Law and Criminology or Edinburgh University. Dr. McDonald spent six weeks in Poland on a scholarship granted by the Polish Academy of Sciences, and studied the work of the Criminology Centre of the Institute of Legal Sciences. He also visited a number of other centres throughout the country, and was received by the Minister of Justice.

— Professor Karl Bonninger, Director of the Institute of Constitutional Law at Leipzig University. During his stay in Warsaw, Dr. Bonninger gave a lecture in the Institute on *The People's Councils in the conditions produced by the new economic system in the German Democratic Republic*.

— Professor Alexander Rachev, of the State and Law Institute of the Bulgarian Academy of Sciences, an authority on civil law, who studied the work being done in the Institute, and also visited the Jagiellon University in Cracow.

— Professor S. Popovic, Dean of the Law Faculty of Nis University in Yugoslavia, who during a visit to Warsaw gave a lecture in the Institute on the development of the science of administration in Yugoslavia.

— Professor I. Ginzburg, of the State and Law Institute of the U.S.S.R. Academy of Sciences, an authority on labour legislation, who gave a lecture in the Institute on the codification of labour legislation in the U.S.S.R.

— Professor S. Pobyezhymov from Moscow, who was visiting Poland, also called at the Institute. At a gathering there he told his Polish colleagues about current problems of administrative law in the U.S.S.R.

From the 2nd to the 11th of September, the fifty-second session of the Institute of International Law was held in the Institute. The Institute of Legal Sciences was host and organizer of this session. It was attended by 55 members and associates of the International Law Institute, from 24 countries. At this session the Institute of International Law passed two new resolutions: one on the diplomatic immunity of individuals in international law, and another on companies in international private law. During the session, many commissions of the Institute of International Law held meetings. The inauguration of the session was attended by Mr. Franciszek Waniełka, Vice-Chairman of the Council of Ministers, who made a speech of welcome, and also by other ministers and by other dignitaries, including the President and the Scientific Secretary of the Polish Academy of Sciences. During the session the guests had an opportunity to have talks with Polish scholars. At a banquet in the Institute of Legal Sciences, a medal commemorating the seven hundredth anniversary of Warsaw was presented to the Institute of International Law by the City of Warsaw.

A group of those attending the session also saw round the Institute of Legal Sciences and were informed about its organization and research plans.

— Dr. C. W. Jenks, Deputy General Director of the International Labour Bureau

in Geneva, who was present at the session, gave a lecture in the Law Institute on *Universality, co-existence, and rules of law*.

As far as visits abroad by Polish jurists are concerned, during the past year fourteen Polish jurists visited law centres abroad or studied abroad on scholarships. The countries they visited were: Bulgaria, France, Yugoslavia, the German Democratic Republic, Switzerland, Hungary, Great Britain, the U.S.A., and the U.S.S.R.

Janusz Sach