

THE INSTITUTE OF LEGAL SCIENCES OF THE POLISH ACADEMY OF SCIENCES

1. The Institute of Legal Sciences has adopted the idea of complex research that includes problems of several branches of law, and sometimes even goes beyond the scope of legal sciences (e.g. research in criminology which refers also to sociology, statistics, or psychology — see Chronicle of Scientific Activity, “Droit Polonais Contemporain” 1968, No. 9). Within the period reported such method was employed by all the 11 research groups which are now active at the Institute. The idea is fully employed as regards new works recently started.

The research group dealing with problems of management of national economy has started the works on a new subject, namely on the problem of control of management in socialized economy. The versatility of approach to the problem is well illustrated by separate elaborations. These are: *Arbitral Control of Management of Socialized Economy in Poland*; *Control of Industrial Enterprises and Their Unions by State Banks*; *Control exercised by Supreme Branch Organs of Administration on the State Establishments and Their Unions*, and *Control of Enterprises and Their Unions in Key Industry by the Supreme Chamber of Control*.

The group working on problems of the labour law carries on complex research on the activity of trade unions. The objective of works undertaken by applying the empirical method is the nature and kinds of the rights of trade unions, contribution of trade unions in the activity of the state administration, and the role of trade unions in securing the rule of law in the labour relations.

Within the period reported there are to be noted quite considerable achievements of the group working on the problems or reconstruction of agriculture. In effect of the research performed there appeared three monographs on the following subjects: legal protection of arable lands, management of agriculture by people's councils, problems of management in agriculture by state, cooperative and trade-union organs and autonomy of cooperative farms.

The group doing research on people's councils, after having finished the works on praesidia of people's councils (the results of this research have been reported in the journal published by the Institute of Legal Sciences, “Problemy Rad Narodowych,” Vol. 8, 9, 10, 1966 -1967), has started research on the institution of a department of a praesidium of people's council. In these works carried on with the contribution of sociologists, economists, and representatives of other disciplines, there is employed the investigational method, i.e., questionnaires, enquiry, and direct observation.

The research group dealing with problems of peaceful coexistence of states has started works on legal problems of the Baltic Sea. Research on international relations in the field of air transport has been continued as well as the works on the international relations in the field of civil law.

Research works on legal problems of economic criminality are concentrated chiefly on problems of criminality in industry. In the course of preparation there is an extensive empirical research in factories with simultaneous usage of materials collected by the organs of state control and examination of certain group of the court's records.

The group handling the problems of participation of representatives of the community in the administration of justice carries on research on the activity of organs for application

of administrative penalties (*kolegia*) as well as on the activity of social commissions of conciliation. There have been elaborated problems of structural assumptions of the institution of people's assessors (*lawnik ludowy*), and courts' of justice and procuracy in the constitutions of European socialist countries. The results of empirical research on the activity of organs for application administrative penalties (*kolegia*), and social commissions of conciliations are in the course of elaboration.

Another group has started its works on the development of the socialist constitutionalism. The results of research performed so far, which are of comparative nature, are presented in the collection of studies (now in print) entitled, *Studia z zakresu konstytucjonalizmu socjalistycznego* [Studies on the Socialist Constitutionalism]. The group prepared also a selection of constitutions of the European socialist countries, supplied with comments, which was published by the Institute in 1967.

Within works of the group handling comparative studies in the administrative law, there are to be published two monographs: *Podstawy prawa administracyjnego państw socjalistycznych* [Fundamentals of the Administrative Law of Socialist Countries], and *Podstawowe kierunki współczesnej nauki prawa administracyjnego na Zachodzie Europy* [Main Trends in the Modern Science of Administrative Law in Western Europe].

Out of research works carried on by the Institute's Department of Criminology there are to be mentioned the works (finished by now) concerning a group of recidivists serving their terms of imprisonment; there was made an analysis of recidivism dynamics, and analysis of crimes committed and penalties imposed. There also came to an end the works on evaluation of a number of repeated convictions of recidivists. Besides, the Department has approached the problem of youth socially maladjusted, the works being in an initial stage.

Before ending the review of research being carried on, there should be pointed out the systematic progress in preparatory works on elaboration of textbooks of several fields of law. The second fascicle of the textbook of public international law prepared by prof. dr C. Berezowski— is now in print. There are finished the substantial works on the volume treating on family law in the system of the private international law. The works on the textbook of family and guardian law are quite advanced.

Generally speaking, in 1967 the Institute published 10 books and over 10 were prepared for print. Moreover, there appeared 6 successive issues of the Institute's periodical "Studia Prawnicze," including a special issue (Vol. 15) published on the occasion of the 50th anniversary of the October Revolution and 2 successive numbers of the "Problemy Rad Narodowych."

2. A particularly effective form of activity of the Institute are systematically organized scientific working meetings, the inland ones as well as those attended by foreign guests. Within the period reported a number of symposia were organized, and so:

— in March 1967 — a two-day Symposium was held, on the draft of the code of criminal procedure;

— on May 22 - 23 1967 — the group working on problems of the labour law organized a Symposium devoted to legal issues of trade unions;

— on June 2-3 1967 — the group working on problems of participation of people's assessors (*lawnik*) in a criminal trial organized a Symposium during which the results of research were discussed;

— also in June 1967 — the team carrying on research on problems of management in national economy organized a Symposium devoted to the problems of legal relations between an enterprise and a superior unit;

— in October 1967 there was held a three-day Symposium on the draft law on administrative offences and in November — a Symposium on the draft law of the executive penal

law. The organizers of these simposia were: the group dealing with problems of participation of representatives of general public in the administration of justice, the group working on legal problems of economic criminality, and the Department of Criminology.

— On 28-30 November 1967 there was held in the Institute a Symposium on legal problems of planning and management in national economy, and particularly on problems concerning legal forms of grouping state enterprises, and the role of a contract in a new system of management. The Symposium was attended by guests from the U.S.S.R., Hungary, Yugoslavia, and Bulgaria. The participants were acquainted with experiences in other socialist countries reported by foreign guests.

All the simposia evoked quite considerable interest in academic circles as well as amongst state officials dealing with practical problems of the topics discussed.

It is to be added that within the period reported the workers of the Institute attended similar simposia organized among others by the W. Ulbricht Academy and the Department of Law at the Leipzig University, the Institute of Legal Sciences of the Bulgarian Academy of Sciences, and the Austrian Institute of Eastern and Mid-Eastern Europe in Vienna. The simposia were devoted mainly to problems of management in national economy constituting an excellent forum for exchanging experiences.

3. As to the development of scientific cooperation with foreign academic centres, besides the mentioned simposia there is to be pointed out the increase of direct exchange of legal scholars. The Institute received a number of guests who delivered lectures and attended meetings in scientific centres. Visits were paid, among others, by: prof. Michel Lesage from the Lille University, head of the section at the Centre Française de Droit Comparé; prof. Edwin Melichar, head of the Institute of Administrative Law at the Vienna University; prof. Leon Gerskovic from the Higher School of Social Sciences in Belgrade; prof. V. Kapor from the Institute of Comparative Law in Belgrade. The group of guests from the U.S.S.R. was quite numerous; among them were the scientific workers of the Institute of State and Law of the U.S.S.R. Academy of Sciences: prof. W. W. Laptiev, prof. N. C. Salisceva, prof. R. V. Chalfina, prof. V. I. Smolarčuk, and the candidate of sciences, R. A. Safarov ; from the Lomonosov University in Moscow there was prof. K. F. Szeremeta. Among the guests from Hungary there were dr. L. Ficere, dr. A. Harmati, and dr. L. Török. From the Slovak Academy of Sciences: dr. F. Vasecka, and from the Institute of State and Law of the Bulgarian Academy of Sciences: prof. A. Angelov.

Quite a considerable increase in the number of scientific workers of the Institute going abroad is also to be noted. They stayed for a long-term scientific fellowships in the U.S.S.R., Great Britain, France, Switzerland, U.S.A., Canada, Austria and Czechoslovakia. Fourteen workers attended different short-term conferences organized by similar institutes in socialist countries as well as in Western Europe (Italy, France, Austria).

Such contacts prove continuous development of scientific cooperation with other countries, the cooperation which brings ever better effects.

Another form of cooperation has been undertaken since 1963 with the institutes of law of people's republics, namely quarterly exchange of bibliographical lists from all fields of law, and with Institut des Sciences Administratives, Bruxelles — bibliography of the Polish Administrative Law.

4. With regard to training in legal sciences there is to be noted that apart from the mentioned simposia, which were attended by scientific workers from all university centres, the Institute has organized post-graduate studies on labour law; the candidates were admitted by way of competition. Permanent post-graduate seminars are being continued in two other branches of legal science.