

Quo Vadis Iustitia? Stan i perspektywy wymiaru sprawiedliwości w Polsce
[Quo Vadis Iustitia? Present State and Perspectives of the Administration of
Justice in Poland], Collective work edited by Andrzej Siemaszko, Warszawa
1996, published by Instytut Wymiaru Sprawiedliwości, 182 pp.

The reviewed book contains a 180-pages long report on the situation of institutions connected with the Polish administration of justice, prepared by a group of workers and collaborators of the Institute of the Administration of Justice (J. Broi, B. Gruszczyńska, J. Jasiński, E. Holewińska-Łapińska, M. Jankowski, M. Safjan, A. Siemaszko, J. Szumski, E. Warzocha, and D. Wojcik). The report is based on materials prepared by organizational units of the Ministry of Justice and IAJ's own analyses.

The introduction states that the report is merely an attempt at a diagnosis of the present condition of the administration of justice. It reveals the weak areas of the administration of justice and their causes, and points out to the need for concrete measures in order to improve the effectiveness of applying law in those very areas.

Owing to the fact that the report concerns only the area which lies within the competence of the Minister of Justice, it does not cover the activities of the Constitutional Tribunal, the Supreme Court, the National Council of the Judiciary and the Chief Administrative Court.

The report covers a very wide range of topics, including courts, prosecutors' offices, legal professions and subsidiary personnel, as well as the budget and investments. It closes with extensive conclusions and annexes containing observations on those amendments in Polish legislation in the years 1989-1994, which resulted in increasing the burden on courts, on the reasons for judges' resignations and the scale of this phenomenon, on certain types of criminality and the posed threat, as well as on complaints and proposals concerning the department of justice.

The dark image of the Polish judicial system, as presented in the report, should not surprise anybody who has any, even rudimentary, knowledge of how this system functions.

However, a vast majority of symptoms of the present crisis, gathered in one well prepared, matter-of-fact and competent study, creates a strong impression, almost a shock. Mercilessly, since they are using figures, the authors present the current situation, striving consistently to provide a rational justification for the very formulation of the title of this publication.

Let us take just one example. At the end of 1995 in Poland there were 6 900 judges and assistant judges of common courts. 1 300 more judges would have to be employed in order to make it possible to take control of the currently incoming cases. The received financial means were sufficient to create 215 new jobs. In that very year, the average duration of proceedings in district courts was the longest in the whole period from 1989 to 1995; in comparison to 1992 it was longer by half as regards civil and criminal cases, while in economic non-proceedings cases it was more than twice as long. It goes without saying that there inevitably arises the question: where do we go on from here?

The authors propose a thorough and in-depth analysis of the causes behind this and many other similar symptoms. They write about financial problems, and purely professional or socio-demographic ones, about investments and infrastructure, but they also remember to add a lot of

apt and critical observations concerning the shortcomings of legal education at the university level and during postgraduate vocational training. It is just as important that they discuss the situation of the administration of justice in the context of changes made in the existing legal state.

In their conclusions, both those presented in detailed studies and the final ones, the authors indicate many possible therapies. It is worth noting that they are not limited to expectations of greater financial means from the State budget.

This book can be recommended to all readers who are not entirely indifferent towards the problems of our judiciary. It should be read not only by lawyers, but also by students, journalists and persons who are active on the political, social or economic scene. Non-professionals are spared all obstacles, since the publication is written in an accessible manner, and offers a clear and concise presentation of facts and ideas.

The only problem seems to be that the book has probably not been designated for public distribution (the price is not given, and the number of copies is not mentioned, since for a long time now this kind of information has been carefully omitted in most publications). We would like to encourage the Institute of the Administration of Justice to quickly prepare a second edition of this valuable report, this time designed for a wider circle of readers. Such an opportunity could be used to change the size of the book into a more handy one, and possibly to leave out the extremely numerous and meticulously prepared colourful illustrations, which could well be replaced with tables, in this way saving some space.

Jan Skupiński