

mine precisely our opinions about the author of „Wskazania polityczne“ (Political Directions).

KAROL MARIAN POSPIESZALSKI

#### THE MAIN TENDENCIES OF THE CONTEMPORARY ELECTORAL LAW IN GERMAN FEDERAL REPUBLIC

Since 1945 there has been in Western Germany a strong dispute about the electoral system that should be applied for parliamentary elections — the principle of proportional representation (SPD) or of plurality majority in one-candidate districts (CDU). The first electoral system to Bundestag of 1949 was intended as a compromise but in fact it was the principle of proportional representation that proved victorious. But the controversy lasted and that led to new electoral system Acts in 1953 and 1956 which, however, did not essentially change the situation.

The act of Elections for Bundestag of May 7th 1956 provides that candidates in single-member districts can be proposed either by political parties or by voters' groups while in many-candidates Lands only by political parties. Every voter has two votes — he casts one for the candidate of the district and the other for the Land list. A candidate may run for election in the district and in the Land at one time. In the district the candidate who tops the list in number of ballots is elected (the principle of plurality majority). In the Land it is the principle of proportional representation that is adopted. According to the amount of „second“ votes the number of representatives for different parties is computed. From these numbers the quantity of successful candidates from districts is deducted and the rest is completed from the Land list. Hence this system is based on proportional representation but the results of elections in districts may be decisive, at least as to the first places on party lists.

The candidate of the party for the district is chosen by local party members at a special meeting. The voter can vote in the district for the candidate of party X and in the Land for the list of party Z. This is intended as an idea of individual choice (*Persönlichkeitswahl*)

The political party which has neither received at least 5% of the entire amount of „second“ votes in the whole country nor won 3 successful candidates in districts cannot gain representatives from the country list. *Bayernpartei* and *Gesamtdeutsche Volkspartei* had raised the objection that this clause was not in accord with the constitution but it was rejected by the Federal Constitution Tribunal.

A stronger means has been applied against the Communist Party. The verdict of the above mentioned Tribunal stated that the party itself was unconstitutional and thus ordered to dissolve.

WACŁAW RADKIEWICZ

#### THE ECONOMIC SITUATION OF AGRICULTURE IN WESTERN GERMANY

The Author demonstrates that the agriculture of Western Germany does not develop as quickly as the industry of that country despite strong stimulants

of the interior market and the support of the state which has imposed high custom duties on imported agricultural products. As to the level of crop of 1 ha, Western Germany, in comparison with other highly industrialized European countries, occupies one of the last places.

The fact of increase of debts, specially short-term and medium-term ones, is a good evidence of these difficulties of Western Germany agriculture.

Investigating the reasons of this situation in Federal Germany the Author indicates the growing tendency of abandoning farms for industry jobs which are likely to secure higher wages. This phenomenon is caused also by a great number of small farms which do not guarantee a proper income and thus force the farmers to seek extra work. This fact is a characteristic feature of all highly industrialized capitalist countries and it results from the preponderance of industry over agriculture dependent on natural conditions of production. This preponderance is marked particularly in the efficiency of labour and in the difficulties in overcoming the obstacles to adapt the supply and the demand in agricultural products. The Author informs that at present various attempts are made to improve the conditions of agriculture in Western Germany.

STANISŁAW SCHWANN

#### THE ROLE OF THE BUDGET IN PRUSSIAN RAILWAY POLICY OF NINETEENTH CENTURY

The Author presents in his work the attitude of Prussian state to the development of railways from their very beginnings to the moment of overtaking by the state and the influence exercised through the budget.

The earliest period — from the establishment of the first railway lines up to 1842 — is distinguished by giving concessions (though with great difficulties) to private enterprises in industrialized western Prussia and rendering almost impossible the building of railway lines in the eastern part, in order to maintain cheap labour in Junkers' estates.

The Act of 1838 established the conditions of gaining concessions for private railway lines but, at the same time, it settled the terms of compulsory sale of private lines to the state.

In the second period — from 1842 to 1857 — the state tends to take possession of the private railways while they claim the financial help of the state. From the 40-ies Prussia had started giving private railway societies guarantees of their invested money profits and later even granted loans. At the same time a special fund is risen (enlarged by a railway tax passed in 1853) for buying private railways and state lines are being built in eastern parts of Prussia.

In 1856 already about 30% of all railway investments were met by the state budget funds.

In the third period — from 1857 to 1870 — the growth of economic importance of the bourgeoisie compels the state to quit buying private railroads and even to abandon for a certain time building state railroads, supporting with budget finances the private enterprises instead.