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INSTITUTES OF THE WESTERN TERRITORIES — THEIR ACTIVITIES AND
POSITION IN THE ORGANIZATION OF POLISH SCIENCE

The article is concerned with an analysis of the activities of a group of scientific institutes associated since 1959 in the Coordination Commission of the Western Territories' Institutes. To them belong the Institute for Western Affairs at Poznań, the Silesian Institute at Opole, the Silesian Scientific Institute at Katowice, the West-Pomeranian Institute at Szczecin, the Baltic Institute at Gdańsk and the W. Kętrzyński Research Centre at Olsztyn. These institutes differ from the various types of scientific institutions in Poland (colleges, institutes of the Polish Academy of Sciences, several forms of scientific societies etc.) both by their organizational structure and by their field of activities. In their organizational structure they represent scientific-research centres, belonging to appropriate scientific societies remaining under the auspices of the Polish Academy of Sciences; while their field of activities cover particular regions of the Western Territories (Silesia, Western Pomerania etc). The institutes in question carry out regional studies with their own scientific staff embracing experts in various branches of social sciences (economics, history, sociology, law etc). Scientific achievements of the Institutes for Western Territories are highly appraised by the author who arrives at a conclusion that these institutions, hitherto operative exclusively in the Western Territories, may serve as an organizational standard for future "regional institutes" established all over Poland.

KAROL MARIAN POSPIESZALSKI

THE PROBLEM OF EXPIRATION OF NAZI CRIMES IN THE GERMAN
FEDERAL REPUBLIC

The author has given a general outline of views on the prosecution of Nazi crimes held in Western Germany in the years 1964—1965, chief emphasis being laid on the notions on a possible amnesty on one hand and on the extended prosecution on the other. Furthermore, the author discusses legal bases for a pursuit of these crimes in GFR, and considers the proceedings of the Courts of Justice of the Allied Countries and Germany. There are given statistical data issued by the Bonn government, as well as results of investigations of the centre for pursuing Nazi crimes at Ludwigsburg, from which the extremely high number of persons (13 000) against which legal action is still being conducted stands out evidently. The article includes a brief survey of regulations on the expiration of legal prosecution entered in the German penal code, and a report of a discussion on the postponement of expiration held in the West-German parliament in 1960, when the 15-year period of legal prosecution of crimes was coming to an end. A detailed account is given of the evolving views of the West-German government and parliament in the years 1964—1965, during which the international opinion has been influencing them decisively. The author's commentary covers individual groups of concepts on which a debate has been held at the parliament, as well as the resolution of the parliamentary commission attempting to fix the limits of suing Nazi criminals by introducing a by-law permitting the prosecutions to be com-

menced solely on grounds of "persuasive evidence" of a perpetration of a crime (in lieu of the former "sufficient evidence"), and allowing a discontinuation of legal proceedings on permission issued by a higher Court of Justice or a Federal Court in cases when the accused of committing the crime had occupied a subordinate position, and had executed commands of his superiors, thus deserving a much more indulgent appraisal of his actions. This regulation however had never become legalized. Prolongation of the expiration by five years, until 1970, on grounds of the decree issued on April 18, 1965, yields but a partial solution of the problem and clearly offends the sense of justice of the international public opinion. The April decree is an outcome of political opportunism, a compromise on behalf of the none too small fraction of the West-German community, eager to cut itself off from the past as soon as possible. The alleged illegality of an extension of the period required for expiration is unfounded. As far back as in 1946, the sentence of the International Court Martial expressed the following: "the world's conscience would be more offended if perpetrators of such crimes were to be left unpunished, than if they suffer the death penalty". The principle "nulla poena sine lege" cannot eliminate punishability of an offense subject at the time of its perpetration to penalty according to legal principles generally accepted in civilized countries.

LONGIN PASTUSIAK

THE ATTITUDE OF USA TOWARD THE GERMAN PROBLEM AT THE POTSDAM CONFERENCE

The German problem, including: (a) frontiers and territorial partitioning, (b) occupation, represented one of the most important topics discussed at the Potsdam Conference.

President Roosevelt proposed to divide Germany into a few independent states. His successor, Harry S. Truman cherished the same idea. Antagonistic views of the Soviet Union supporting the idea of a united Germany, as well as the persuasion of American opposers of the notion of partitioning Germany, withheld Truman from putting forth at the Cecilienhof conference the idea of a permanent partitioning of Germany.

At Potsdam there was held a discussion on the problems providing grounds for the agreement, namely on the: "Political and economic principles furnishing the base for handling Germany during the early period of control". On some of the problems the victorious powers assumed concordant views, yet on others there arose important controversies (e. g. a denial on the part of USA to allow USSR an adequate indemnity; a refusal to pass over to USSR part of the conquered German navy; pushing aside USSR from a participation in the control over the area of Ruhr). Despite these difficulties a solution was endly found. The final communiqué announced that from an economic standpoint Germany will be regarded as a unity.

Attitude of the American delegation to the Potsdam Conference did not favour a mutual understanding followed by agreements which would satisfy all the participants. Nor did it foster any hopes of a friendly cooperation of the allies in future. The United States, represented by its delegation at the Potsdam Conference, was increasingly pervaded by ideas of a so-called "firm attitude" towards the Soviet Union.