

Summaries

Justitiële verkenningen (Judicial explorations) is published nine times a year by the Research and Documentation Centre of the Dutch Ministry of Justice in co-operation with Boom Juridische uitgevers. Each issue focuses on a central theme related to criminal law, criminal policy and criminology. The section Summaries contains abstracts of the internationally most relevant articles of each issue. The central theme of this issue (vol. 29, nr. 4, 2003) is: *Poland*.

The state of Poland; a democracy without citizens

M. Król

The article shows that the introduction of the western democratic model in Poland is a difficult process. The largest part of the population has never had a contribution in the political decision making process. Democratic institutions were created and installed top down without any participation of the people. That way a isolated political elite came into existence – similar to the old nomenclatura – together with a democratic system without citizens. Citizens do not feel like real political subjects and turn away from politics, disappointed also by political and corruption scandals. The fact that democracy only exists in a formal sense, tragically enough leaves people quite indifferent as long as they are economically 'safe'. Those who have not fallen victim to cynicism, hope that the entry into the European Union will bring some political order and democratic consciousness to the Polish people.

Corruption 98in Poland; an everyday phenomenon

B. Gruszczyńska, I. Rzeplińska en A. Rzepliński

In this article the authors focuss on corruption, which is a everyday phenomenon in Poland. They present the results of a public opinion poll on corruption in Poland on the basis of country wide sample surveys. The interviewees indicated that corruption is most widespread in the medical care system. But also within the police, the judiciary and business life corruption is a normal phenomenon. According to the majority of the respondents, bribing someone and/or having connections are often indispensable in order to 'arrange' things. They

base their opinions on their own experiences and on the news coverage in the mass media. The majority of the respondents also holds the view that corruption has risen during the last few years. According to the authors widespread everyday corruption is typical for all post communist societies. It is also a social phenomenon that goes with the transformation process in a society like Poland. The authors think that with the entry of Poland into the European Union, more possibilities to combat corruption will come into existence.

The police in Poland; reforms and challenges

PP Mlicki

This article presents on the one hand the most important changes that have taken place in the Polish police since 1989. On the other hand it identifies main challenges this organisation faces in the years to come. To begin with the position the police have taken in the new democracy is discussed, and the way it is embedded in and perceived by the society is described. Then, key areas of reform are analysed. These involve issues such as pro-active approach to work ethics and moral standards, the introduction of quality management, the development of community-based policing, the necessity of international police co-operation, and the threats of organised trans-national crime rising in Poland. The reforms and challenges of the police are considered against general political, social and economic changes currently taking place in Poland.

Border protection in Poland

E.J. Meijer

After its accession to the European Union the Republic of Poland will have a very important responsibility for the protection of the new Eastern Border of Europe against illegal immigration, frontier running and other kinds of criminality related to border crossing. During the years of preparation to the accession Poland has invested largely in human resources as well as in professional equipment to improve the quality and the effectiveness of the Border Guard. Shortly after the end of the communist era this originally military organisation has been converted into a civil organisation. The further preparation has

been made possible by financial support of the European Committee and assistance of experts of Member States of the European Union. Two years after the entry of Poland into the European Union (2006), the internal borders between the old and new Member States will be completely open on the basis of the Schengen-Treaty.

Polish private law; indicator of political change in Poland

P. Meijknecht

In this article the development of private law against the background of the social and political changes is described. Attention is paid to the influence of the past: the Polish partitions which during one and half a century lead to the application of foreign law, the Interbellum (1918-1939) when Poland was again an independent state and had to fulfil the huge task of unifying private law. Above all, between 1949 and 1989 private law was affected by Sowjet rule, although to a lesser degree than in other 'peoples republics'. After 1989 the private law existing before 1949 could be restored, as a first step, but the necessary modernisation and adaptation vis-à-vis community law took more time. The adaptation of the written private law seems to have been successful, but the question remains whether the time has now come to reconsider basic principles and to consolidate the recent changes in a new civil code.

Present day migration from Poland to the Netherlands

C. Pool

Little is known about contemporary migration from Poland to the Netherlands and about the existing possibilities according to the Dutch migration rules and about how Polish people use these migration rules. Based on statistics, literature and interviews, this article gives a first draft. Contemporary migration from Poland has different faces: commuters, temporary and illegal migrants, Polish persons with a German passport who can work in the EU without any problem. There are self-employed Polish migrants, as well as employees, despite the limited possibilities to do so. Remarkable is the impressive number of women. No less than one third of the total migration exists of brides, coming to the Netherlands in order to marry a Dutch man. By using

the example of the Polish persons with a German passport, the author shortly looks at the possible effects of the accession of Poland to the EU on the migration from Poland to the Netherlands.

Polish gangs in the Netherlands

A.W. Weenink and S. Huisman

Criminality originating from Poland and taking place in the Netherlands can be characterised as modern banditry. An analysis of information coming from national databases and of nine regional police forces points out that Polish criminal groups are primarily engaged in car burglaries, ram raids, and to a lesser extent in car thefts. These groups come from one particular town or region in Poland and are composed of two to four persons, of which some are engaged through blackmail (i.e. unemployed men who have been tricked into the business). For the police modern banditry is difficult to counter, because these crimes are judged as either community crime (car burglary) or middle crime (ram raids) and therefore these have to be countered by local or regional police forces. However, these groups commit their crimes across local and regional borders, and therefore they should be dealt with at the national level, in close co-operation at the international level (primarily information exchange).