

JPRS-EER-91-033

18 MARCH 1991

Foreign
Broadcast
Information
Service



A N N I V E R S A R Y

1941 - 1991

JPRS Report

East Europe

19980515 207

REPRODUCED BY
U.S. DEPARTMENT OF COMMERCE
NATIONAL TECHNICAL INFORMATION SERVICE
SPRINGFIELD, VA. 22161

DISTRIBUTION STATEMENT A

Approved for public release;
Distribution Unlimited

DTIC QUALITY INSPECTED 5

East Europe

JPRS-EER-91-033

CONTENTS

18 March 1991

POLITICAL

INTERNATIONAL AFFAIRS

- Soviet Colonel Alksnis Explains, Defends Views [*Prague RESPEKT 17 Feb*] 1
Macedonian Emigres Allegedly Aid Ilinden [*Sofia DUMA 16 Feb*] 3

BULGARIA

- Political Parties Within SDS Analyzed [*OTECHESTVEN VESTNIK 26 Jan*] 3
Analysis of Background, Future of SDS [*OTECHESTVEN VESTNIK 29 Jan*] 5
BNDP Official Discusses Ethnic Problems [*ZORA 29 Jan*] 9
Akhdmed Dogan on Ethnic Relations [*168 CHASA 29 Jan*] 10

HUNGARY

- SZDSZ To Seek Socialists' Help With Program [*NEPSZABADSAG 23 Jan*] 12
Smallholders, Agrarian Alliance Join Forces [*NEPSZABADSAG 24 Jan*] 13
Hankiss on MTV's Political Orientation [*TALLOZO 25 Jan*] 13
High Court Permits Legal Suits Against State [*NEPSZABADSAG 24 Jan*] 14

POLAND

- Party Strengths in Parliamentary Elections Viewed [*KONFRONTACJE Jan*] 15
Breakaway 'Solidarity 80' Differences Reviewed [*WPROST 20 Jan*] 16
Sociologist Views Threats to Democracy [*WPROST 20 Jan*] 18
Accelerated Evolution of Political Life Noted [*ZYCIE WARSZAWY 2-3 Feb*] 19
Call for Local Government Administration Reform [*LAD 3 Feb*] 21
Eastern Border: Consequences of Possible Exodus [*LAD 3 Feb*] 23

ROMANIA

- Ex-King Michael Queried on Possible 2d Visit [*ROMANIA LIBERA 6 Feb*] 24
Former Monarch's Popularity Said To Be Growing [*BARICADA 19 Feb*] 25
Geza Domokos Addresses Constitutional Convention [*ROMANIAI MAGYAR SZO 19 Feb*] 26
Importance of RMDSZ Ties in Hungary Viewed [*ROMANIAI MAGYAR SZO 20 Feb*] 27

MILITARY

POLAND

- Conversion of Military Industry to Civilian Use [*POLSKA ZBROJNA 10 Jan*] 30

ECONOMIC

CZECHOSLOVAKIA

- Lack of Foreign Investment Explained [*HOSPODARSKE NOVINY 4 Feb*] 32
Quick Look at Price Regulations Offered [*SVET HOSPODARSTVI 25 Jan*] 32

HUNGARY

Official Discusses Telecommunications Prospects [VILAG 23 Jan]	33
Proposed Compensation Law Explained, Criticized	34
Compromise Solution [NEPSZAVA 23 Jan]	34
Negative Effects [MAGYAR HIRLAP 24 Jan]	35
Wave of Mining Industry Bankruptcies Expected [NEPSZABADSAG 8 Feb]	35

POLAND

CEMA Reformation Leads to Dilemmas for Poland [ZYCIE GOSPODARCZE 27 Jan]	36
Fall in Livestock Numbers, Milk Production [ZYCIE GOSPODARCZE 13 Jan]	38
Law Needed To Combat Computer Program Pirating [GAZETA BANKOWA 27 Jan]	40
Growth of Video Casette Pirating Noted [GAZETA BANKOWA 3-9 Feb]	42

INTERNATIONAL AFFAIRS

Soviet Colonel Alksnis Explains, Defends Views

91CH0372A Prague RESPEKT in Czech 17 Feb 91
p 11

[Interview with Colonel Viktor Alksnis, deputy of the USSR Supreme Soviet, by Igor Urmantsev in Moscow; date not given: "I Am a Hawk"—first paragraph is RESPEKT introduction]

[Text] With those words Colonel Viktor Alksnis, a deputy of the USSR Supreme Soviet, described himself at a meeting of the Supreme Soviet. That set off a flood of conjectures about his person, his statements concerning former satellites, and his views on the solution of the current crisis in the USSR. We asked him to explain his views in greater detail.

[Urmantsev] Colonel, sir, what do you think about the departure of Soviet forces from East Europe?

[Alksnis] I take it as it comes—what's done is done. However, our security system did suffer a great blow; even though our former allies are not hostile to us, their attitude to us is at best neutral. Some of them even expressed their intention to cross over to the other camp; for instance, Hungary has applied for admission to NATO.

[Urmantsev] Some people contend that the Soviet Union may pay dearly for the withdrawal of our armies from Czechoslovakia. Also, there are allegations that if a military coup takes place in the USSR, our army would seize power in Czechoslovakia as well, and for that reason, the CSFR has refused to transfer Soviet troops from Germany over its territory. It is not tempted even by a very sizable financial compensation: one billion marks. How do you see this problem?

[Alksnis] Anything can happen. Of course, I reject the view that our troops would interfere with Czechoslovakia's internal affairs; nevertheless, I think that the retreat of our armies has not been thoroughly planned.

[Urmantsev] Is it reasonable for the USSR to give up its position in East Europe?

[Alksnis] This question must be very carefully considered. We shall learn more about that several years, and possibly decades, from now. From the standpoint of military strategy we must admit that we have impaired our country's military security considerably by that step. Let us not forget that if Hungary joins NATO, we shall have NATO right at our borders! The enemy is not asleep and I am fully aware how the people whom we trust are now treating our diplomats. We are convinced that these people are friendly—and then they tie our hands! I have reliable information, and I can tell you with absolute certainty that this is no new thinking and no balance of interests. This is a case of brute pressure of force, declared ultimatums, and attempts to bring us to

our knees. I am not referring to the countries of East Europe, although they are doing the same thing: For example, Poland has prohibited transfer of our troops over its territory.... I beg your pardon, but this is not a proper way to act; after all, we are former allies! Anyway, if the Republic of Germany wants the Soviet armies to leave its territory, it is its own problem to figure out how to get that done. It may use airplanes, but in that case we would not be able to take out all our technology. I know that the following suggestion was offered: That we leave behind without any compensation all that materiel in the value of many billion rubles, and only use the airplanes for transport of our troops.

[Urmantsev] As far as I know, the command of our Western Military District will get guaranteed income in German hard currency for four more years. Are those four years of vital importance?

[Alksnis] Even in four years we will not manage to withdraw our troops from the German Republic. To be sure, Belgium has been withdrawing its brigade (five thousand troops) from there over the past five years. Well, in 1814 when the triumphal Russian army returned from its victorious expedition against Napoleon, it introduced in Russia the idea of the December uprising; thus, today the Soviet army, driven out with shame from the East European countries, could bring very different ideas to the USSR. That is not to say that I mean to threaten anyone.... But whatever happened in East Europe is but the first stage because those countries are faced with upheavals that seem totally unpredictable for us at this moment. In Czechoslovakia no one knows, for instance, how the crisis between the Czech lands and Slovakia may end. The same goes for Yugoslavia. Or take the conflict between Hungary and Romania about the Hungarians living in Romania; the same thing awaits Slovakia....

[Urmantsev] Nevertheless, that cannot compare with our Central Asia, Caucasus and the Baltic area: Czechoslovakia's population is only 15 million.

[Alksnis] Well, neither are the Republics of Armenia and Azerbaijan very populous; I think they have even less than 15 million. Of course, it may be said that they have different living and political standards and quite dissimilar interhuman relations. What is now happening in East Europe, that is but the first step on a very long staircase; of course, God only knows where that staircase leads, whether up or down.

[Urmantsev] You graduated from high school in Riga, and then you studied at the air force military academy that bears the name of your grandfather, Iakov Alksnis. As far as I know, he was the commander of the USSR Air Force before the war. Can you tell me something about his death?

[Alksnis] My grandfather was the commander of the Red Army's military air force, a member of the Revolutionary Military Council, and one of the organizers of Chkalov's and Gromov's celebrated flights. He was one

of the twenty most prominent personages of his time. On 23 November 1937 he was arrested; next day his wife, my grandmother, also was arrested, and their son (my father), at that time ten years old, was sent to a children's home. He wound up in Siberia and there I was later born.

I feel a particular bond with my grandfather: In addition to his varied skills, he was a member of a special commission of the Supreme Court that tried Tukhachevskii. It was not until last year that I learned the truth about his death: He was shot to death in July 1938.

[Urmantsev] What do you say about the recent order by the ministers of the interior and of defense on patrolling the streets?

[Alksnis] I was opposed to it from the beginning. In fact, even before that order was issued there were patrols, for instance, in the vicinity of Moscow's railroad stations and airports, and nobody paid any attention to them. If the number of patrols were increased a hundred times without that provocative order, no one would pay attention to that.

[Urmantsev] But they would....

[Alksnis] Maybe so, but as for myself, I see no need for patrols armed with automats to march all around Moscow. Patrols belong to towns like Tskhinvali where it is warranted by specific circumstances; however, there the will of the independent republics rejects this order. Moreover, I think that the army should not be deployed against criminal elements.

[Urmantsev] The economist Piyashevova declared that the patrols were deployed in preparation for the possibility that the population may react against price increases. Price increases, strikes, armed transports, forced return to factories... Another version has it that the patrols are here to get our population accustomed to the presence of soldiers and military technology in the streets, so that the military dictatorship does not come as a complete surprise.

[Alksnis] I would like to show you the flood of letters I am receiving: In every other I read the question: "When at long last will the military take power into its own hands?" That surprises me, although I realize that to some extent this reflects the views of our population; evidently, people are losing confidence in constitutional procedures. I personally am opposed to the notion that the army should act as the head of a coalition process; that job should be done by civilians—but of course, with the aid of the army. I would like to mention that all kinds of things may be done with the army, except one: It is not possible to sit comfortably on its bayonets.

[Urmantsev] What position does the Shield group hold in the political life of the USSR?

[Alksnis] The Shield group can organize at most a couple of hysterical scenes at the Ministry of Defense in Moscow. Otherwise it is inefficient. Nobody in the Baltic area has ever heard of it. Early on the Shield had some

good ideas, but then it slid into politicking. I am a politician myself, so I can see that. They have forgotten why in fact they had founded that organization; they are no longer interested in social security for professional soldiers, and yet this is the only military organization.

[Urmantsev] And the Soyuz group?

[Alksnis] That is an official group of deputies whose influence in the parliament is rather strong. Our current policymaking in the congress of deputies and in the USSR Supreme Soviet is determined primarily by two groups of deputies: the interregional one and the Soyuz. Of course, even there much of the talk is gibberish and the situation gets frequently out of the hands of the Supreme Soviet. The Soyuz group has 600 members, 38 of them military men. Therefore, we are not a military group, as it is occasionally alleged; simply, two officers, Petrusenko and I, happen to participate in the leadership of this group, which naturally does not mean that the Soyuz enforces militant policies and interests of the military-industrial complex.

[Urmantsev] It is rumored that on President Gorbachev's desk is a moratorium for the Law on Press. What do you think, which newspapers will be among the first to be closed?

[Alksnis] KOMMERSANT, DEMOKRATICHESKAIA ROSSIIA, MEGAPOLIS-EXPRESS, MOSKOVSKIIE NOVOSTI, KURANTY, STOLITSA, and KOMSOMOLSKAIA PRAVDA. But I am only guessing; all channels of information from the Kremlin have been closed to me. I think that after all, the current leadership will not dare introduce censorship.

[Urmantsev] How long will it last?

[Alksnis] A short time, approximately until March. Everything depends on our economic situation. If the gloomy prophesies of economists come true and if in the first three months the level of our industrial production drops down to 20 or 30 percent, that will set off an economic catastrophe. Millions of people will march to Red Square, this time not with slogans "Down with the dictatorship!" but demanding "Give us bread!" and the result will be the so-called Romanian variant.

[Urmantsev] But that was an extremely bloody event.

[Alksnis] I wouldn't say that.

[Urmantsev] Do you support neo-Malthusianism?

[Alksnis] Not at all. Thus far one thousand persons have been killed in ethnic clashes in the USSR, and yet not a single murderer has been convicted. Today the Ossetians in Tskhinvali are being killed by Georgian security forces dispatched there by the democratically elected government of Georgia. Of course, our democratic press keeps silent about that. There are no protest meetings in Moscow; no one demands that the president stop the bloodshed in Georgia; nobody is writing petitions to the United Nations.

[Urmantsev] Do you think that the Soviet Union will survive?

[Alksnis] I certainly do. What does a period of 73 years mean in the history of a state that has existed one thousand years? Remember Czar Peter's reforms: He introduced them for 30 years, then there was a period of reaction and next, of stagnation, and reforms again. From the point of view of history, those are negligible and meaningless moments. Anyway, I am certain that if Comrade Kravchenko, the director general of Soviet radio and television, would more intensively influence public opinion, in a couple of months even Lithuania would say: "Boys, we'll do things in a different way." Our leading party authorities are all confused about what to do to hold the state together. If that continues, it is obvious that we shall help ourselves in some other way. Our idea of statehood is extremely attractive to everyone. So it could come to pass that such a committed monarchist as Alexander Nevzorov might find a common language with the communist Viktor Alksnis, while the communist Alksnis cannot come to any agreement whatsoever with the communist Alexander Yakovlev.... So people whose top priority is not this or that ideology but the idea of statehood are getting together. The emblem of our state will appear on our banner. I think that the army also will stand on the side of the state.

[Urmantsev] Do you have any proof that the USSR embassies, the CPSU Central Committee and the KGB had their fingers in the coups in the former socialist countries?

[Alksnis] They did not organize the coups, but I am sure that they were involved in them. I am pressing for a parliamentary investigation of those matters. It will suffice to set up a commission of the USSR Supreme Soviet with an access to the archives of three organizations: the Ministry of Foreign Affairs, the KGB and the CPSU Central Committee. I maintain that the USSR was inevitably involved in all those processes.

[Urmantsev] Was that participation inevitable for the USSR, or for the above-mentioned processes?

[Alksnis] It was inevitable for us, that is the truth. At this point I will not let you take a closer look in the cards.

Macedonian Emigres Allegedly Aid Ilinden

*91BA0357A Sofia DUMA in Bulgarian 16 Feb 91
pp 1-2*

[Unattributed article: "Skopje Is Sending Help to the Illegal Ilinden Organization"]

[Text] Sofia, 15 February (Sofiya Pres-Novini)—Radio Skopje reported that humanitarian aid to Bulgaria has been collected from Macedonian emigres living in Australia, Canada, and other countries to be passed on to Ilinden through Skopje and distributed among its supporters. It is expected that very soon six TIR trucks,

hauling such aid, will enter the country. It is well known in Skopje that Ilinden is illegal, for which reason such assistance can neither be passed on nor distributed by it. That organization, which was founded in November 1989 and whose current name is the United Macedonian Organization (OMO), is not registered as a political party, and its organizational principles and activities violate the Law on Political Parties. It has proclaimed as its final political objective the creation of a united and independent Macedonian state within the ethnic boundaries it claims: Pirin, Vardar, and Aegean Macedonia. The Ilinden programmatic documents distinguish between Pirin Macedonia and Bulgaria, and between Bulgarians and "Macedonians." This means that the founders of the organization consider the Pirin area not a structural part of Bulgaria but a part of Macedonia. In that sense, Ilinden's activities and political objectives are targeted against the territorial integrity of our country and the unity of the nation and are strictly prohibited as per Article 52, paragraph 4 of the Constitution.

Those in Skopje know very well that, after Ilinden was renamed [JOMO] last April, its leadership, financing, and moral backing were assumed by Macedonian parties. MAAK [Committee for All-Macedonian Action], whose leadership actually acts as a screen for state institutions and organs, became most directly involved with OMO.

Starting at the end of 1989, nationalistic trends intensified in the political life of the Macedonian Socialist Republic, and the aspiration toward self-assertion and consolidation of the Republic increased. Once again, claims against neighboring countries where "Macedonian minorities" live—Bulgaria, Greece, and Albania—were heard in the course of the electoral campaign. The opportunities that were created for a lasting investment of Yugoslav capital in the area and for a dominant role to be played by Macedonian companies in their relations with Bulgarian partners are the prerequisites for the economic substantiation of political claims.

The concentration of weapons clandestinely transferred to Yugoslav territory are also a major threat to Bulgarian national security. The weapons that were imported from Hungary and Italy (and from Romania before the fall of the Ceausescu regime), which went to Croatia and Slovenia and terrorist nationalist organizations in Kosovo and Metokhiya, reopened the channels for importing arms from said Yugoslav republics. According to unspecified data, some 100,000 individuals currently bear arms in Kosovo and Metokhiya. In connection with these revelations, Ibrakhim Rutov, the Albanian leader, openly stated that he has two armed divisions. Such weapons are a commodity that could easily find a market in our country.

BULGARIA

Political Parties Within SDS Analyzed

*91BA0293A Sofia OTECHESTVEN VESTNIK
in Bulgarian 26 Jan 91 p 8*

[Article by Ruen Krumov: "The Political Palette of the SDS [Union of Democratic Forces]"]

[Text] Any doubt that may have existed that a clear polarization is taking place within the Union of Democratic Forces [SDS] between the right, on the one hand, and the united center and the left, on the other, disappeared after the elections for a new chairman of the SDS parliamentary caucus.

As we know, the SDS was created on 7 December 1989 as a coalition of the two restored "historical" parties, the BSDP [Bulgarian Social Democratic Party] and the BZNS-NP [Nikola Petkov Bulgarian National Agrarian Union] and eight independent societies and clubs: the Independent Association for the Defense of Human Rights in Bulgaria; the Ecoglasnost Independent Association; the Club for Glasnost and Democracy; the Podkrepa Independent Labor Federation; the Committee for the Defense of Religious Rights, Freedom of Conscience, and Spiritual Values; the Club of the Victims of Post-1945 Repressions; the Federation of Independent Student Associations; and the Civic Initiative Movement. Subsequently, the SDS accepted the Radical Democratic Party, the Democratic Party, the Green Party, the New Social Democratic Party, the Alternate Socialist Party, the United Democratic Center, and the Democratic Front, thus making a coalition of 17 parties, societies, and clubs. Being a trade union organization, Podkrepa left the SDS but retained its ties to it. The applications of many other parties and organizations were rejected either because their ideology was inconsistent with the SDS platform or because they were not of nationwide importance. Parties with an extreme-right orientation, the ideology of some of which is quite close to fascism, were not accepted.

In the elections for the Grand National Assembly, the SDS parties and organizations presented common candidates in the single-mandate majority districts and in the multiple-mandate proportional representation districts. This was with an eye to the difficult struggle remaining against the BSP [Bulgarian Socialist Party], which, unlike the former communist parties of Central and Eastern Europe, had adequately maintained its organizational structures after 10 November 1989. Heated battles broke out within the Coordination Council and the Central Electoral Club of the SDS on the subject of how many candidates any party or movement would be allowed to run. The result was that the true importance of each one of the organizations within the SDS was not established according to the number of votes. Some parties and movements with insignificant memberships were assigned an undeservedly large number of deputies....

As we know, the SDS garnered 144 deputy seats (75 of them based on the proportional system and the rest on the majoritarian) in the 400-member VNS [Grand National Assembly]. Subsequently, in a partial election in the 92d Velingrad Electoral District, a representative of the SDS was elected to replace Atanas Semerdzhiev, who became vice president. However, the overall number of people's representatives of the SDS remained 144 because, meanwhile, Rumen Vodenicharov, the

former chairman of the Independent Society for Human Rights, withdrew from the coalition.

Today people's representatives from the SDS are registered in eight parliamentary groups that form the Parliamentary Union of Democratic Forces (the union itself does not exist as a single parliamentary group). Very roughly, from left to right, they could be classified as follows:

BSDP: 28 people's representatives (meanwhile, Ivan Pushkarov, minister of industry and trade and services, was removed from the BSDP Executive Committee and from the party for disobeying the policy adopted by the BSDP National Conference in Shumen on nonparticipation of the party in the cabinet).

BZNS-NP: 32 (meanwhile, Khristo Markov and Georgi Bunov, the young people's representatives, switched to the parliamentary group of the Democratic Party so that it might total 10 members, as required by the Regulation on VNS organization and activities).

Ecoglasnost: 17

Democratic Party: 11

Federation of Clubs for Glasnost and Democracy: 16

Green Party: 15

United Democratic Center: 11

Radical Democratic Party: 13

Two deputies belonging to the New Social Democratic Party were elected. One of them, however, Petur Markov, switched to the BSDP; the other, Ira Antonova, switched to the United Democratic Center. Initially, the Federation of Clubs for Glasnost and Democracy had 24 deputies. However, some of them subsequently joined the parliamentary groups of the political parties.

The SDS right wing consists of former communists and komsomols and members of the Radical Democratic Party. The former communists and komsomols are today fierce anticommunists (it would be no exaggeration to describe them as "cavemen" anticommunists) and are concentrated mainly within the parliamentary groups of the Federation of Clubs for Glasnost and Democracy, the United Democratic Center, and, partially, the Green Party. Their leader appears to be Stoyan Ganev, former komsomol secretary at the Juridical Department and former teacher at the State Security School in Simeonovo. However, former communists may be found even within the "historical" parties, people such as Georgi Spasov in the Democratic Party, Ivan Pushkarov, before he was removed, in the BSDP, and others.

The united left wing and center within the SDS consists of the two largest parliamentary groups of the "historical" parties, the BSDP and the BZNS-NP.

There was a fight within the SDS between the right, on the one hand, and the united left and center, on the other, in the elections for chairman of the Parliamentary Union of Democratic Forces, a position that had remained vacant after Petur Beron's resignation in December of last year. The election was held in two rounds, on 8 and 10 January. In the first round, there were 11 candidacies, four of which were withdrawn—those of P. Dertliev, St. Savov, Y. Vasilev and Al. Yanchulev. The withdrawal of the candidacy of Dertliev (whose nomination was based on a resolution adopted by the BSDP Executive Committee and the BZNS-NP standing committee) was a major tactical error that almost allowed this important position to fall into the hands of the right wing. In the first round, with 107 ballots, the results were as follows: St. Ganev (ODTs [United Democratic Center]), 38; M. Drenchev (BZNS-NP), 23; Al. Yordanov (RDP [Radical Democratic Party]), 14; St. Gaytandzhiev (Ecoglasnost), 14; P. Kornazhev (BSDP), 7; O. Georgiev (FKGD [Federation of Clubs for Glasnost and Democracy]), 5; and P. Beron (Ecoglasnost), 4. Because no one obtained the required majority of three-quarters of the ballots and the ballots were greatly split, a motion was made to postpone the second round in order to hold consultations on a mutually acceptable candidacy. The right wing rejected the motion, at which point the deputies from the BSDP and the BZNS-NP left the hall. In the second round, in which only 71 deputies voted, there were 46 ballots cast for St. Ganev, which was only two votes short (although to be elected with 48 votes by the Parliamentary Union of 144 people's representatives would have been truly ridiculous...).

On 10 January, the results of the first two rounds were annulled (because new candidacies were submitted), and everything had to be started from scratch. Now the joint candidate of the BSDP and the BZNS-NP was Dertliev. In addition, the candidacies of the following were submitted: St. Ganev, Al. Yordanov, G. Mishev (FKGD), and St. Savov (DP [Democratic Party]). The voting was in three rounds, and Dr. Dertliev was ahead at all times. The results of the three rounds were as follows: P. Dertliev, 53, 57, 59; St. Ganev, 27, 55, 54; G. Mishev, 20, withdrawn; Al. Yordanov, 18, withdrawn; St. Savov, 3, withdrawn; invalid, 2, 2, 9. In the first round, the right wing came out with three candidates, but the withdrawal of G. Mishev and Al. Yordanov did not help St. Ganev to take the lead. However, with nine persons abstaining in the third round, Dr. Dertliev was three votes short of being elected....

In the final account, the result was a clear polarization, as I mentioned at the beginning of this article, with a slight predominance of the united left and center (59 versus 54 ballots). A variety of suggestions were made for coming out of the impasse: immediately acknowledge a right wing and a left wing within the SDS; make Dertliev chairman, as the winner of the highest number of votes, and St. Ganev first deputy chairman; and so forth. Eventually, after proper changes in the status, a compromise was reached: Both were made cochairmen. It seems

to me, however, that this is only a temporary solution, the duration of which is as yet unknown. The appeal made by Y. Vasilev in the SDS to eliminate the eight separate parliamentary groups and for all of them to join within a single parliamentary group is simply unattainable....

The Radical Democratic Party has already called for the formation of a Radical Union of Free Democrats, which would rally the United Democratic Center, the Green Party, the Alternate Socialist Party (which has no representatives), and, naturally, the Radical Democratic Party (it was reported that the Democratic Party, as well, would join this alliance, although this was denied by St. Savov, the party leader). On the other hand, reasserting their alliance of 45 years ago, the BSDP and the BZNS-NP have held joint sessions for quite some time and coordinated their policies. For the time being, however, no one wants to leave the SDS....

Analysis of Background, Future of SDS

*91BA0297A Sofia OTECHESTVEN VESTNIK
in Bulgarian 29 Jan 91 p 4*

[Interview with Professor Nikolay Genchev by Rumyana Georgieva and Karmelita Deneva; place and date not given: "Could One Engage in Politics Without Making History?"]

[Text] Very little or almost no effort has been made to study the development of the opposition in Bulgaria. Unquestionably, however, this topic deserves much greater attention than simple exercises in eloquence, be they coated in blue or in red. Who would undertake it, considering that, on the basis of long tradition, polemics and discussions in our press are manifested in polarized views, consisting of either praises or annihilating criticism. For quite some time, Professor Nikolay Genchev has had his own view on a number of events related to our historical development. Whether this pleased people or not, he has always expressed his views, for which reason we asked him to discuss his experience in characterizing the contemporary Bulgarian opposition.

[Genchev] As a historian, my weakness is to look for the roots of events and phenomena. At the same time, I clearly realize that these roots, which precede both events and phenomena, should not be absolutized as explanations. Nonetheless, let me briefly note that, for more than the one century of existence of a free Bulgarian state, democracy has been very weak in our political history. It was only during the first three decades after the liberation and until the start of the Balkan wars that the brittle newly created mechanism of Bulgarian political democracy functioned normally under the conditions of a constitutional monarchy. It was also then that the historical steps that proved decisive to our development in subsequent decades were made.

After the wars, and after the personal regime instituted by Ferdinand made possible by the fact that democracy

was insufficiently protected or defensible, a series of trends appeared. On the one hand, they stemmed from the growing influence of the left-wing trend and communism, and, on the other, the birth of fascism and the efforts to establish a strong military or royal rule in Bulgaria, which definitively eliminated the recently established Bulgarian political democracy.

It was no accident that, between the two world wars, there were no politicians in Bulgaria of the caliber that existed at the peak of our national history at the end of the 19th century, such as Petko Karavelov, Stefan Stambolov, Konstantin Stoilov, and others. Petty political personalities, manipulated by subversive movements or by the monarchy, replaced each other. In the final account, they sought steadily to improve Bulgarian society through totalitarian and authoritarian rule. The constant tempests in social life and the two coups d'etat, followed by a third on 9 September 1944, created, in some 20 years, an atmosphere that in no case could stimulate political or parliamentary democracy. Under those circumstances, communism took hold in Bulgaria. Communism shared the features of all other communist regimes, the elimination of which, in Europe at least, is being called for by history. However, Bulgarian communism also had its own specific features, which must be taken into account when we study the origins and development of the Bulgarian opposition. This was a communism put in power by a foreign military force and paralyzed by Stalinist repressions (since all leaders, naturally, with the exception of Todor Zhivkov, lived constantly with their memories and nightmares of the Stalinist camps). Having mastered the perversions of Balkan politics, such communism is represented by thieves, hypocrites, and arrogant people, and, unfortunately, faced no serious opposition. This was because a few crumbs were thrown at the intelligentsia, and because communism succeeded, through moral and other manipulations, in eliminating the best part of the intelligentsia. I shall not mention names because we know quite well how many talented people, who could have been in the ranks of the best creators of our culture, were simply corrupted because they were poor, or else who acted as spokesmen for individuals who, in general, could not inspire us. It was in that kind of situation, which I have depicted in most general terms, that the Bulgarian political opposition had to act.

[OTECHSTVEN VESTNIK] Nonetheless, the Bulgarian intelligentsia tried somehow to oppose the regime. What means of resistance did it have?

[Genchev] In Bulgaria, communism had three permanent counteractions: patriarchal defense, manifested in tribal, rural and other cohesion; the Aesopian language used by the intelligentsia; and the silent and passive indifference and resistance, which was so typical of our national history. In the 1970's, Angel Solakov, the minister of internal affairs, drafted a report according to which 96 percent of the intelligentsia opposed the communist regime, 2 percent supported it out of conviction, and 2 percent supported it secretly. Altogether, this

report reflected the real situation. Nonetheless, no opposition movement was created in Bulgaria. Dissidence consisted of isolated actions, and friendships and mutual support circles were of greater importance. If you are familiar with the case of Zhelyu Zhelev, you realize the tremendous role friendship played in the 1960's in protecting those who, directly or indirectly, were being persecuted by the authorities. Naturally, there also were individual displays of personal and civic courage and daring, as was the case with Georgi Markov. However, these cases were few and far between. There was, in general, a lack of organization by the Bulgarian opposition, for which reason events such as those of 1956, 1968, and 1980 did not take place in Bulgaria.

The founding of the Club for Glasnost and Restructuring by the end of 1988 marked the rebirth of the Bulgarian intelligentsia. From whatever viewpoint we look at the club, it was a perfectly accurate manifestation of the awakening, of the properly charted course. It indicated that the intelligentsia (albeit a small group), among which, luckily, could be found some of the most noted Bulgarian intellectuals, had openly taken up the struggle against totalitarianism and the communist regime. The course of events led to the creation of the SDS [Union of Democratic Forces].

[OTECHSTVEN VESTNIK] Historically viewed, the SDS is a very young political force. However, this is no reason not to gauge and assess its qualities, views, and actions. What are they, in your opinion?

[Genchev] It is still too early to make a historical or even an overall political assessment of the SDS. Allow me to express a few personal impressions and feelings about this group. It appeared on the crest of historical events that followed 10 November 1989, events that marked the end of European communism in the Central and Eastern parts of the continent. Rallied within the SDS were different groups that, all in all, acted quite spontaneously and successfully at the time of their upsurge, and quite helplessly in daily political affairs. As contemporaries of the SDS, a realistic assessment of it would be that this union was the force that dealt an irreparable blow at the durable and perfidious Bulgarian communism. If this were to be its only historical merit, I would say that it played its role in Bulgarian history well.

This is a merit that history will not credit to anyone else, to use the words of Vasil Levski. While we acknowledge it, however, we should abstain from inflating, exaggerating, and lauding it because the end result is that Bulgarian communism was maimed but not eliminated. It has retained a very strong position in society. The historical objective of the Bulgarian opposition, the first, the basic, the most important one, is not to bring back into the country from Madrid Simeon Saxe-Coburg-Gotha but to eliminate the political domination of Bulgarian communism. If this double characterization of the historical merit of the SDS at the halfway point of its progress is accurate, we should become more critical

in our sharp assessment of the weaknesses of the opposition movement in Bulgaria.

I speak bluntly, without caveats. I am not a politician who has to worry about how his words may affect various social circles. I would be satisfied if I could contribute even a little to our understanding of the real situation. The Bulgarian political opposition lacks outstanding, established, and recognized political groups unreservedly loyal to the ideas of democracy. In my view, this is its basic trait. We find within the opposition an entire set of groups, some of them archaic parties with no future. It also includes petty political groups that, all in all, keep repeating the obsolete formulas of a democratic or liberal ideology.

As a whole, the organization of the Bulgarian opposition suffers from programmatic and conceptual insufficiency. Unfortunately, it has adopted foreign formulas, combined with a strong, inherited Marxist superstition concerning the automatic effect of the law. It has no concept of the nature of the times at the end of the 20th century. It has not made a scientific or functional analysis of the situation. Finally, it lacks accurate and proven ideas that would act as guidelines and would be understood by the people. Let me not dwell on some of them that are being rehashed daily. A real study of the insufficiency of the opposition in this area is the perversion we have noticed of late in its attraction to the monarchy. Some members of the democratic republican opposition have proclaimed themselves, both covertly and overtly, in favor of having a monarchy.

[OTECHESTVEN VESTNIK] How can this be explained?

[Genchev] The answer lies in the fact that the opposition, loyal to the spirit of the Bulgarian national intelligentsia, is dealing, above all, with the question of power. Any fictitious, immediate, or more distant prospect that offers it such an opportunity becomes, at least to some of its representatives, a capital idea. I do not wish to insult anyone. The leaders of the opposition include many daring people with proven intellectual qualities who subordinated their personal interests to those interests that favored democracy. However, these are isolated cases. It is weak personalities, burdened by their servility to the old regime, individuals who are either personally or, through their families, related to it who prevail. We do not have outstanding political leaders or experienced and inspiring speakers. With such a leading team, naturally, all the opposition can do, in most cases, is follow at the tail end of events. Another shortcoming, in my view, is the lack of a democratic style of behavior, of political action, and, hence, the lengthy absence of a new political language. A democratic policy presumes standards, refinement, practical contacts, and the establishment of ties to the people rapidly, and an intelligent way of presenting ideas and views. Instead, what we note more frequently is shouting, attacks, and arrogance, as well as the use of communist and left-wing methods, crowd action, underestimating the influence of high standards

and strict dialogue. The latter is more typical of a significant part of the leaders of small political groups within the SDS, who are not seeking to develop a true style of democratic action and behavior.

[OTECHESTVEN VESTNIK] We are noting a withdrawal of the intelligentsia from the opposition. What is the reason for this?

[Genchev] One of the main shortcomings of the SDS is that it was unable to develop contacts and to establish a close spiritual alliance with a significant part of the Bulgarian intelligentsia. Why was it unable to win it over? Why is the gap between them widening? Because the SDS displayed many of the qualities that were inherent, in general, in Bulgarian politics: cunning, malice, and the pursuit of power. These were qualities of the Bulgarian politicians during the bourgeois and communist periods. On the other hand, many intellectuals want to do real work. They fail to understand that, at a moment of transition, such work is in the public field: to help to eliminate the political hegemony of the Communist Party. Meanwhile, they kept to their offices, laboratories, and writing studios. If the opposition had adequate strength and style of political behavior, it could have pulled them out of their lethargy and successfully resolved its problems.

A severe shortcoming of the opposition is its impudent effort to monopolize political life. It rejected the small parties and knowledgeable individuals in its striving for power. At the initial stage of its organization, it was as though many of the SDS leaders had no role other than to declare that it was impossible to share the power and the glory with other political groups. Yet such political groups were quite numerous, although some of them may have had insufficiently clear social and ideological concepts. However, they are a strong reserve of political democracy. Such organizations, big or small, were not only rejected but also mistreated in the same way in which the communists mistreated totally ignorant social and political groups.

[OTECHESTVEN VESTNIK] How does the opposition behave in specific situations? What are its actions? Does it sometimes have to catch up with events instead of anticipating them?

[Genchev] A major weakness of the opposition, outside of its organization, is its lack of anticipatory initiative. Let me mention just two things that, in my view, are of exceptional importance. In addition to everything else, the Communists in Bulgaria won the elections by dealing two exceptional forestalling blows: The first involved the retired and the second the Turks. Due to a lack of political experience, the opposition was unable to realize that, in our country, almost one-half of the voters are retired and, second, it was unable to show to society the national treason committed by the Communists, who registered the DPS [Movement for Rights and Freedoms] as a party. These two moves deprived the SDS of 40 mandates in mixed districts for this reason alone.

Was it possible for the opposition to exist, bearing on its banners the great ideas of democracy and humanism, while its representatives were not admitted in over a third of the country's territory? If the opposition is as farsighted as it claims to be and is looking at the end of the 20th and the start of the 21st century, tactically speaking, how can it be absolutely helpless? I think that another major shortcoming was its inability to compromise. This was manifested most clearly in its behavior in parliament and, particularly, in its participation in the latest Cabinet. How far removed this is from the laws of parliamentary democracy is indicated by the following: The first leaders of the opposition believed that the clamor of the street will dictate the decisions being made in parliament, instead of realistically assessing the usefulness of a well-considered compromise aimed at strengthening its influence in parliament. Joining the Cabinet, in my view, proved that there were people in the political opposition (not all of them) who wanted to become ministers, even if for no more than a couple of days. How could one lead one-half of Bulgarian society and tell it that one will not become part of the government and, at the last moment, form a coalition cabinet, qualifying it with all sorts of adjectives, as though the people did not understand what it was all about? How could members of the opposition become part of the local municipal authorities and postpone the elections so that not one of them would be elected and thus would not be held responsible for this entire cold and hungry winter.

Does this constitute political action or skill to compromise? I asked one of the leaders of the opposition: "Where is the analysis that led you to decide to postpone municipal elections?" He answered: "There was no analysis whatsoever." The political opposition is headed by people who are very keen to make social and sociological studies. However, after the scientific group had studied the situation before the elections and provided accurate information on expected results, it rejected them. Emotions are good on the stage but not in political life.

[OTECHESTVEN VESTNIK] Nonetheless, in your view, what is the opposition's most vulnerable feature? What is the thing its opponents could turn to their own political advantage?

[Genchev] In my view, the Achilles' heel of the opposition is the lack of a program concerning the national problem and the historical irresponsibility displayed by many of its leaders about the treachery committed by the Communists. When on 29 December 1989 the BCP [Bulgarian Communist Party] Central Committee decided to correct the insane errors made by Todor Zhivkov concerning the Turks in Bulgaria, that same day the opposition hastened to proclaim its agreement with the decision. What opposition elsewhere in the world would allow such a step on such a basic question? This was followed by a rush toward the Turks. This was a shameful race in Bulgarian political life. People familiar with history will agree with me. Petur Mladenov caught the opposition unaware and registered the movement

headed by Akhmed Dogan—that is, it registered an organization that openly acknowledged having engaged in terrorist acts in Bulgaria. This was not followed by any analysis of the situation, of international relations, or of Islam.

Who believes himself able to work in politics without making history? Politics without history is possible only in the North Pole because it is uninhabited by people. Considering that on this land there have lived one, two, three hundreds of generations, who have carried in them the entire spirit of national history and who will carry it through the ages, no one could ignore it. Hence, we have worthless semi-Marxist formulations of rushing ahead and making policy on the national problem, which, however, is of exceptional importance. This path that is being followed will play a decisive role in the development of the processes surrounding the elections. Any subsequent political retreat leads to gambling with Bulgaria's national interests. There is no more beautiful land than this one. We live on this land, and we shall have to defend its history and traditions, the democratic style and the understanding of what humaneness means at the end of the 20th century.

It is true that no one can deny the rights of the Turks. The opposition must defend them, but it has no right to grant concessions that directly affect Bulgarian interests. I do not know whether there will be sufficiently intelligent people to realize the entire senselessness of the national program of the Bulgarian opposition. Here are a few other remarks: Last year the people from the mixed districts came to Sofia. Perhaps they were brought here by the *nomenklatura*. However, the people remained here for a period of 20 days in 22° cold. The opposition had no right to behave so arrogantly toward them. This was not a democratic position but a Communist policy of arrogance. If you do not like a movement, you spit on it. No, one should go to those people and, even if only a single Bulgarian were to be found among them, he should be studied and guided.

[OTECHESTVEN VESTNIK] What are your recommendations?

[Genchev] The preservation and strengthening of the SDS. The blue idea—although at this point it is rather pale blue—is attractive, strong, and full of life. It is the great idea of a turn toward democracy. It must be rescued from all kinds of separatist plans, personal ambitions, subversive actions, and intrigues. However, I do not know whether the SDS itself would be able to reach the 51-percent mark it would like. This means that we need a new political opposition, new opposition detachments, with the SDS or within the SDS, something that is a separate problem. These new groups must be pulled out of the lethargy of the indifferent strata of the Bulgarian intelligentsia, and we must instill in them once again the desire to assume their historical responsibility. We must energize opposition forces within the people. By following the parliamentary way, victory is

bound to come. If the opposition were once again to allow a stalemate, God help mother Bulgaria.

BNDP Official Discusses Ethnic Problems

91BA0324A Sofia ZORA in Bulgarian 29 Jan 91 p 7

[Interview with Boyan Angelov, chief party organizer for the BNDP [Bulgarian National Democratic Party], by ZORA; place and date not given: "We Are Fed Up With Questionable Ideologies Serving Foreign Interests"]

[Text] [ZORA] Mr. Angelov, what principles would you emphasize in order to eliminate the tension created by the problem of Bulgarian citizens who have declared a Turkish ethnocultural awareness, a tension that became aggravated after 1984 and in 1989?

[Angelov] I believe that this is one of the gravest crises of identity of the Bulgarian statehood and nation in its 13 centuries of history. It is related to the European aspect of Bulgaria, which was created as a nation-state of the Bulgarians and not as some kind of dualistic formation. It is the Bulgarian nation that represents our national sovereignty, and any attempt to counter this basic truth with abstract "humanistic" ideals is nothing other than cheap political speculation. After 45 years, we Bulgarians have had enough of lofty ideals and questionable ideologies serving foreign interests.

[ZORA] What about European practical experience? The European aspect you mention also presumes a civilized attitude toward citizens who have a different ethnic awareness.

[Angelov] Unquestionably. So far, we have not had such a civilized attitude toward our compatriots with a Turkish ethnic self-awareness. For decades after 1944, they enjoyed unprecedented privileges, which were degrading for Bulgaria and which essentially were the equivalent of cultural autonomy. Even the Turkicizing of Bulgarian Muslims was allowed. Afterwards, all of a sudden, all of them were declared Bulgarians. The policy was totally inconsistent. This has nothing in common with the practice of West European countries we claim to be adopting. The Europeans have always considered ethnic problems as problems of the integration of the respective community within society. Such integration is not a burden but a prerequisite for the normal life of the members of the individual ethnic communities. It is the only one that can guarantee true equality in the eyes of the law. In that sense, the creation of ethnoreligious formations such as the DPS [Movement for Rights and Freedoms] takes us back to the organizations of the Sudeten Germans and their formula for solving the ethnic problem.

[ZORA] To the best of my understanding, you share the view that providing conditions for the integration of the so-called ethnic Turks within Bulgarian society is the practical guarantee of their equality.

[Angelov] Naturally. At the end of the 20th century, we cannot support views concerning some kind of "pure nation" without the involvement of other ethnic elements and isolated from surrounding nations. This is, to put it mildly, racism. Actually, what the DPS is calling for today, with its demand for Turkish schools and so on, is nothing more than imposing its own type of self-apartheid. What is there in common between this and the rights of the so-called ethnic Turks?

In the course of history, the European countries developed as nation-states, and it is obvious to all that the individual is not interested in constituting a "foreign body"—that is, an irritant in the country to which he has decided to link his future. It is no accident that, in most West European countries, the concepts of "citizenship" and "nationality" are equivalent. No one believes that this violates anyone's religious or cultural rights.

[ZORA] You frequently speak of the "mechanics of separatism" that exist in world practices, which we should not crush by making concessions to Islamic-Turkish extremism. What precisely do you have in mind?

[Angelov] The constantly growing alienation from society of a given group under the pretext of some kind of "ethnocultural identity" but essentially pitting this group against the environment in which it lives. The corresponding reaction of the environment is natural. Regardless of the laws, it generates a certain pressure that de facto limits the rights of the individuals who have rallied within the corresponding group. This automatically leads to demands for additional specific rights, which alienates even more the respective category of such people from society. In other words, the more "ethnic rights" are granted to an individual group, the more the group puts itself outside society, and the greater becomes the need to grant it new special rights to "compensate" for the responsive reaction of society. This turns into a vicious circle that is difficult to break. This is what leads most frequently to open separatism and to corresponding measures that widen the breach within society.

[ZORA] Do you believe that such "mechanics of separatism" are the objective of the Turkish Party in Bulgaria, regardless of the statements made by Mr. Dogan to the effect that the DPS has no separatist aspirations?

[Angelov] Yes. These statements are also part of the scenario. What is more important is that they have nothing in common with the actions of our own "gray wolves." Mr. Dogan is an intelligent politician and knows that there are things that should better be done than spoken about.

[ZORA] Your conclusion?

[Angelov] It is obvious that granting specific rights cannot solve the ethnic problem or the problem of our national security. In my view, the question is reduced to the right of making a choice without such a choice being

imposed by some kind of institutionalized minority group. The question is reduced to the right not to be branded by virtue of one's birth or origin. That is precisely why international law guarantees individual rather than collective rights and freedoms—that is, the rights and freedoms of minorities or communities. That is why I share the view that the spokesmen for Akhmed Dogan, who claim that they are concerned with the so-called ethnic Turks, are their worst enemies. They systematically direct the legitimate hurt of Muslims caused by the past Zhivkov scandals down the channel of instructions issued in Ankara. The Muslims in Bulgaria will gain nothing by opposing the Bulgarian national interest. Their present triumph will be their tragedy tomorrow. This is a historical law.

Akhmed Dogan on Ethnic Relations

91BA0304A Sofia 168 CHASA in Bulgarian 29 Jan 91
p 20

[Interview with Akhmed Dogan by Zina Sokolova on 26 March 1990; place not given: "Eight Million Compatriots and 80 Million Fellow Countrymen"—first paragraph is 168 CHASA introduction]

[Text] According to Akhmed Dogan, the Movement for Rights and Freedoms is a unique Bulgarian phenomenon.

[Sokolova] Mr. Dogan, in the interview you gave to POGLED on 26 March 1990, you said: "There are two basic forces that could erode the security of society and the state: the Movement for Rights and Freedoms and the National Committee for the Defense of National Interests. No one should have any illusions. They are an organized mass, and we, too, are an organized mass." Do you still hold on to this opinion?

[Dogan] At that time, the situation was one of confrontation. On 1 March 1990, a declaration was signed by the OKZNI [National Committee for the Defense of National Interests] and the DPS [Movement for Rights and Freedoms] on the nonuse of force and for peaceful struggle within the framework of the Constitution to achieve the implementation of our programs. At that time, we were also faced with an electoral struggle, which made the ethnic problem topical. After the election of the Grand National Assembly, a parliamentary form of struggle has been waged, which, to a certain extent, has reduced the level of tension.

[Sokolova] What is your attitude toward the OKZNI?

[Dogan] From the point of view of the present political realities, I am firmly convinced that differences between the DPS and the OKZNI are extremely vast but not absolutely opposite.

Nonetheless, the pluralism of social life grants the right to life to any needed party or organization. According to the concept of the OKZNI, our national interests are threatened. What is puzzling is that its influence was

greater at the start and that it has now abated. It was able to gain only one deputy seat in parliament. To us, it is already clear that a high percentage of the OKZNI membership consists of members of the former *nomenklatura* who took part in the so-called revival process or managed to obtain some benefits from the deportation in 1989 of part of the Turkish population—in excess of 310,000 persons—to the Republic of Turkey.

Some official and unofficial political structures in the country are questioning the existence of the DPS along with that of the OKZNI. Is it possible to ban our movement by imposing a ban on the OKZNI? I believe that this would be absurd. Those who have such a general idea have no concept of the realities. The DPS has done nothing to indicate that it is a destructive force. The fact that some people fear the movement is an entirely different matter. Prohibiting it, however, or preventing it from participating in the elections would, in any case, have a detrimental impact on Bulgarian democracy itself. We should not nurture the illusion that this would have no consequences. You can also write that we also have some experience in waging a clandestine struggle.

[Sokolova] At the meeting at which the Bulgarian-Turkish Friendship Society was founded, you said that its activities would duplicate those of the DPS. In the course of its establishment, in the fall of 1990, you contributed 1,000 leva to it on behalf of the DPS. Why?

[Dogan] In its initial variant, no one asked any questions of the DPS leadership. According to its program, the society was quite similar to the DPS. At that time I opposed it because, although the very idea of the society was positive, to organize it at a time of electoral psychosis was an entirely different matter. My condition was for the society to be created with the support of the DPS but not with unsuitable people.

Naturally, the society is entirely independent. We are satisfied that it is already a fact in our social life. However, it is still displaying a somewhat passive attitude. It should not wait to be prompted about what it should do.

[Sokolova] While the initial draft of the Law on Names was being written, some people accused you of having reached an agreement with the OKZNI and accepted the judicial procedure.

[Dogan] I have not made any agreement with anyone on this matter. At that time, the government wanted to shift the burden of the problem to some organizations. Our main demand was that there should be no difference among procedures for restoring the names that had been changed in the 1960's, the 1970's, and the 1980's, and that this should take place through administrative channels.

Let me tell you something else, something I have not said before. The 16 January 1990 Declaration of the Public Council on the National Problem was not adopted on the

basis of a consensus. If you were to look for a written document, I am sure you would not find one.

[Sokolova] For the period up to 1984, did our records contain names with endings other than "oglu" on the lists of members of the Turkish ethnic community? To the best of my knowledge, the endings "ov" or "ev" were introduced in all cases in the 1930's. What tradition is being followed in the current endings of names?

[Dogan] It is true that in the 1930's a partial campaign was mounted to add the suffixes "ov" and "ev." This process was accelerated after 1944. Now, with the Law on Names, anyone can choose a name, including the suffix. The law does not require that anyone add or refrain from adding such a suffix. At the same time, the DPS pledged to the parliament that it would not accept the suffixes "oglu" and "kuzu," which were typical of Turkey, but would leave them unchanged.

[Sokolova] What is your comment on the statement that Petur Beron made in an interview granted to our newspaper: "I cannot forgive the DPS for trying to apply a great deal of pressure to Turkicize the Pomaks, those who have always spoken nothing but Bulgarian"?

[Dogan] Here I wish to make a distinction. Many people are confusing the power of religious feelings with ethnic self-awareness. In this case, we have in the Western Rodopi manifestations of a strong religious self-awareness. The people themselves organize various groups, particularly under the mosque boards of trustees, for the study of the Koran. This, however, is not within the area of competence of the DPS. We are not familiar with cases of coerced "Turkicizing."

[Sokolova] Some months ago, the DPS made public its negative attitude toward the Ilinden organization. What is your current view of this matter?

[Dogan] For some time now we have wanted to establish contact with this organization. Its leaders have informed us that it is not a nationalistic-chauvinistic organization. Naturally, we must determine its precise nature. At first, we had one-sided information, according to which Ilinden was a separatist organization. If such is the case, we do not agree with its objectives. The main values of the DPS are the sovereignty and the territorial integrity of our country.

[Sokolova] On 17 December 1990, the Tajik Parliament declared the Party of Islamic Rebirth outside the law, after having refused to register it. What is your view on this subject?

[Dogan] It is very difficult to determine whether an organization is based on ethnic or on religious grounds. To begin with, we should know what it means for an organization to be based on ethnic grounds....

[Sokolova] In this case on Islamic grounds...

[Dogan] Even if it is on an Islamic foundation. I would indicate the membership as a criterion: If most of its

members profess Islam, does that mean that an organization has Islamic foundations? In my view, no. If such an organization is based on the fundamental principles of the Koran and religious law as being the exclusive human values, it could qualify as religious. However, the Muftiship is such a religious organization, and this is an entirely different matter. The nature of an organization is determined by its program and bylaws and not by the membership. If most of the people working on your newspaper are English, does that mean the paper is promoting English interests, or, if they are Christian, that it is founded on a religious basis?!

[Sokolova] You said at the press conference that the DPS is a unique Bulgarian phenomenon. Why is this?

[Dogan] It is a phenomenon in recent European history because we are defending not only the individual rights of man but also community, minority rights. There is no other specialized organization in the world that deals with both individual and communal human rights. The fact that we are a phenomenon was not said by us but by people holding high social and political positions, let us say in Moscow. They come here to study our experience on site.

[Sokolova] How do you assess the fact that the Turkish minister of state stopped giving aid to Bulgarian Turks?

[Dogan] Until last month, their state was paying their rent, and this may have caused some stress among the people, who hoped that the aid they were receiving would continue for years. However, after conditions in Bulgaria improved, after 10 November, the Turkish Government ended its assistance.

[Sokolova] On 5 November 1990, Viron Polydoros, the spokesman for the Greek Government, said that there is no Turkish minority in Greece. What is your opinion?

[Dogan] We have frequently categorically stated, before determining whether there is a minority that, above all, requires a definition of the concept itself, that it is not a question for the government or for any given individual representing certain political interests. It is a question for the people who consider themselves members of such a minority. If 50,000 persons believe that they are a Bulgarian minority in Banat, why should they not be considered such? They have the right to study the language and publish their own newspaper. Why raise the question of Turks here or in Greece but not raise it about our own Bulgarians in Banat and Bessarabia?

[Sokolova] An international congress on Turkistan was held on 6 December 1990 in Ankara, at which Konukman spoke of the future nucleus of the Turkish world and of Turks living abroad. What is your attitude toward this congress? What is your view on the so-called expatriate Turks?

[Dogan] The concept of "expatriate Turks," like the concept of "expatriate Bulgarians" or "expatriate Englishmen," is a historical product. If someone had

expressed somewhere an idea that more or less borders on Pan-Turkism—Turanism, in this case—this is his own personal matter. The DPS categorically opposes nationalism, national chauvinism, Islamic fundamentalism, or any megalomaniacal ideas about the restoration of the imperial form of existence of nations because this is inconsistent with the realities of life.

[Sokolova] At the press conference, you said that Muslims in Greece are your fellow countrymen? Are you and I not fellow countrymen, also?

[Dogan] The term fellow countrymen stems from the word "country."

[Sokolova] Different interpretations have been given to such concepts.

[Dogan] This is a prerequisite for a productive discussion. To begin with, we must determine the meaning one invests in a given concept. Nationality, Turk; nationality, Bulgarian. This makes clear the meaning of the word fellow countryman. I have fellow countrymen in Australia, New Zealand, and America. However, this does not mean that we are within the same national state. You and I are compatriots; we have the same fatherland.

[Sokolova] Ziad Gamsakhurdia, the chairman of the Georgian Supreme Soviet, said that Turkey is the homeland of the Meskhet Turks. What is your attitude on this matter?

[Dogan] In 1989, the Soviet press published very interesting material on the fate of the Meskhet Turks. They number some 200,000 in the Soviet Union. At the very beginning of the war, in 1941, all of them were deported to the Caucasus. This was done for the sake of security because they had almost direct access to Turkey. Stalin very frequently made such transfers of minorities. This was his strategy.

In this specific case, whether or not someone called Ziad has adopted such a categorical stand becomes mainly a matter of history. The homeland is the place where one was born. If we look at it historically, this is a serious cognitive matter. In reality, they are entirely different things. In the Turkish language, there is the specific term "anavatan" meaning "motherland"—that is, the place from which we started.

[Sokolova] What general solution do you conceive for all the social problems of the people who have returned from Turkey?

[Dogan] We would like for a single resolution to provide a general solution to the problem because a large part of these people's housing is now the property of the former *nomenklatura*. Very few among them were needy. Therefore, this becomes a political matter, and, when the state allows the commission of a crime, it should bear the responsibility for its own actions or inactions.

[Sokolova] However, a general agreement would affect innocent people, as well. Should such cases, nonetheless, be resolved, again on an exceptional basis, with payment of damages?

[Dogan] An eventual compensation is a solution to such a situation, but it should be of equivalent value.

[Sokolova] At present, intensive discussions are being held on the idea of introducing the study of the Turkish language into the schools.

[Dogan] This is beyond question. Article 45, Point 7, of the Constitution, like some international documents, gives anyone the right to study his maternal language. We have the verbal promise of the Ministry of National Education to the effect that this question will be resolved. The 1968 primer was updated and reprinted. People with Turkish ethnic self-awareness account for 10 percent of the population and, as taxpayers, have made a certain contribution to the shaping of the national income, which gives them the right to demand that they be instructed in the Turkish language in state schools. We are convinced that it is better for this to take place in the schools than in reading rooms and mosques because the study of the language within a system of clubs could lead to real separatism.

[Sokolova] You mentioned that you would accept a coalition for the elections. Who would be involved?

[Dogan] Naturally, we have sympathy for some parties but, in all cases, it is time that will indicate the optimal variant. You must agree that a politician should not show his cards in advance because, if he does, relatively peripheral political forces could become central ones.

HUNGARY

SZDSZ To Seek Socialists' Help With Program

91CH0325B Budapest NEPSZABADSAG in Hungarian
23 Jan 91 p 5

[Article by T.J.K.: "MSZP [Hungarian Socialist Party]: We Must Ease the Tensions. Compensation Based on a Consensus"]

[Text] In the social situation facing us, it is the joint responsibility of the opposing parties to negotiate a crisis management program. Imre Szekeres, vice chairman of the MSZP [Hungarian Socialist Party], announced at Tuesday's press conference that "we are glad to see that our ideas have appreciated in value, and that the SZDSZ [Alliance of Free Democrats] is also counting on our expert involvement in preparing its crisis management program."

However, the Socialists are thinking in terms of alternatives, in which in addition to democratic and liberal value systems, social considerations would also be asserted. According to Szekeres, if we are going to resolve our social tensions, it will be vitally important

that we tone down the demagoguery that has been directed at parliament. It would help if the government pushed to abandon its policy of delay on the land issue, but the vice chairman did consider it to be a promising sign that at Monday's session of parliament, the parliamentary parties, as well as Jozsef Antall, had distanced themselves from the "visions of Jozsef Torgyan." Simultaneously, with the reservations that it expressed earlier, the Socialist Party supported the idea of adopting a law on partial compensation, but only if the old injustices are not compounded by new ones. Hence, they consider it desirable to draft a compensation law based on a general consensus.

Journalists were informed that on the initiative of the MSZP, economic policy consultations were scheduled to be held in Budapest with a delegation of the CPSU. Also announced was the finalization of a comprehensive socialist higher education program which has already been submitted to the competent ministry. In response to NEPSZABADSAG's question, it was further stated that the decision to fill the party's three vacant parliamentary seats would not be made by the appropriate party bodies until February.

Smallholders, Agrarian Alliance Join Forces

*91CH0325E Budapest NEPSZABADSAG in Hungarian
24 Jan 91 p 5*

[Article by T.J.K.: "There Must Be No More Unlawful Seizures of Land"]

[Text] "A meeting of historic importance" was the phrase used by leaders of the Smallholders Party to describe their deliberations on Wednesday with the presidium of the Agrarian Alliance. At the meeting the delegates of the two parties discussed their ideas concerning the draft compensation law. "Looking back, we can only express our regret about all of the impetuous and negative insults that we have so undeservedly hurled at each other until now," said Jozsef Ferenc Nagy at yesterday's press conference of the FKGP [Independent Smallholders Party].

The meeting ended with the release of a joint communique. In it, the parties make it clear that their primary aim is to guarantee the future of Hungarian agriculture and the tranquility of the villages. To this end, they consider it essential to bring about the rehabilitation of dispossessed small land owners. However, as it stands they cannot accept the proposed content of the draft compensation law. In the case of expropriated, redeemed, and extorted land offerings, they consider it essential to grant 100 percent rehabilitation of land owners' rights to all of those who wish to be involved in agriculture. In their opinion, the digression concept is a serious mistake, as it would obviously promote the creation of inviable dwarf estates. Parallel with proprietary rehabilitation, they are also calling for the drafting of a new land law and a new cooperative law. They have made it clear that the principles of association can only

be based on private property. The negotiating parties have also clearly stated that "despite our differing political views, we have found points of linkage, which in these difficult times can become bases for further development."

Also announced was the two parties' intention to ensure that any settlement of proprietary issues would be based on a genuine consensus. Hence, they have also begun similar political and expert negotiations with the Free Democrats, the Socialists and FIDESZ [Federation of Young Democrats]. Arbitrary land seizures are not political methods which can accomplish anything today, said Jozsef Ferenc Nagy, although from a certain point of view, the party chairman understands those who are justifiably impatient. What he does not think is worth emulating in areas where it is still forbidden by the statutes, is the attempt in some places to arbitrarily reclaim the land. This is what he had in mind when he said: "Ten million Hungarians cannot afford to sow the seeds of discord or look for enemies amongst themselves."

Also present at the briefing was actor Ferenc Bessenyei, who, as an independent candidate, is running with the backing of the FKGP in the upcoming interim elections in Budapest's 7th district. In his brief but fiery speech, the famous actor outlined his intentions. As part of the enormous historical task facing society he would like to promote the aspirations of the Smallholders Party.

Hankiss on MTV's Political Orientation

*91CH0381A Budapest TALLOZO in Hungarian No 4,
25 Jan 91 p 159*

[Interview with MTV [Hungarian Television] president Elemer Hankiss by Zoltan Lovas; place and date not given: "Two Newscasts: A School for Society"—first paragraph is TALLOZO introduction]

[Text] The Hungarian Television is struggling in the net of duress, political, and economic tensions. We asked MTV [Hungarian Television] President Elemer Hankiss whether he and his staff are hopeful about "Europeanizing" the national media.

[Lovas] Not only the politicians, but also the experts are dissatisfied with both the television and personally with you....

[Hankiss] That is possible.

[Lovas] For instance, because of disallowing the broadcasting of Jozsef Antall's speech before the local elections, or the interruption of broadcasting during the debate on the budget, the MDF [Hungarian Democratic Forum] accuses you of not managing the institution well, of overstepping your authority, and of not "sweeping out" the staff that was here.

[Hankiss] Yes, I am aware of such news.

[Lovas] Can you respond in this fashion to all of this?

[Hankiss] Yes, I can because that is what I think. There is not only simply news, there are also facts. The government coalition voted against our budget request, signifying its dissatisfaction with our work.

[Lovas] This is a financially manifest pressure. Are there any other pressures, such as letters from significant places, or phone calls?

[Hankiss] The real blow was the result of the debate on the budget. The fact that there are telephone calls from time to time from various places is entirely normal. All television executives in the world are under government pressure. From the BBC to the German or Austrian television, politicians use tough means in trying to influence public television. Their means are: appointments, budget subsidies, or raising or lowering television subscription fees; and, of course, telephone calls. Indeed, presently this pressure is greater in Austria and Germany than in Hungary. Here in Hungary, we live in a relatively tranquil world and we are independent. I do not know of any such drastic decrease in budget subsidy as the MTV now has suffered.

[Lovas] Not only the government parties but also the liberal circles frown on your activity.

[Hankiss] I think they have a mistaken assessment of the situation.

[Lovas] Possibly. But, then, what do you think the situation is? In coming to the MTV as an outsider, the atmosphere seems to be rather disillusioning, as if the present staff were fragmented, and the condition of the technical equipment is tragicomical.

[Hankiss] I do not think things are like that at all. During the past five months, I first familiarized myself with the MTV, and then I had to work out a plan of reorganization. This was done by the end of November, and the changes are now being implemented at full speed. Of course, many people are anxious and feel insecure. Every rented space will be eliminated at the MTV; I wish this would happen throughout the entire country. The Kadar regime's feudal power structure has been abolished. Obviously, many people are screaming at the prospect of losing their power. This was a rigid, wasteful, and corrupt power of cadres.

[Lovas] Indeed, it may seem that a few older feudal domains have been shaken, but new ones have also developed. For instance, Hirado, A Het, Reflektor, and in certain respects, Panorama.... The MDF considers these its own strongholds.

[Hankiss] This is nonsense. If you listen to them, they will tell you the exact opposite. I suppose that they think that I shattered their position, limited their possibilities, and that I am threatening their existence.

[Lovas] Is this true?

[Hankiss] Possibly, they may think that I am passing the MTV into the hands of the opposition. If I can believe

you, both big political groups are conducting a campaign against my actions. Why, this is not a bad report card. This may also mean that the MTV is politically in the middle road, which I think is the proper one for a national television.

[Lovas] The competitions that you have initiated reveal that the present official programs that seem to be fossilized are, almost without exception, insensitive to news, poorly made, and distorted in comparison with the submitted proposals.

[Hankiss] I will not accept that. Especially not from you, because you are working for a news agency that is among the competitors. As a journalist, you may not raise this criticism in the present interview. I would accept the question if it were raised by someone else. I assess the situation differently. I am not saying that every newscast is sensational and that we have reached a good West European level of quality, but I must say that Hirado 1 has improved immensely in the past two or three months. On the other hand, in the last five to seven years Panorama has been one of the best programs, although some of its shows have created political problems. These must be avoided, I agree. Fossilized? Hirado's present editor in chief would be justified to say that I initiated alternate newscasts for a competition. There was only one newscast, and now, within weeks, there will be two newscasts. What is true is the exact opposite of fossilization. Incidentally, the tensions that are present here at the MTV are precisely the same as in the rest of the country. The same enmities and passions are flaring up again and again from several sides. I wish that these passions would slowly abate, and sensible thinking and normal dialogues would gain strength. This is precisely why I am organizing two newscasts. If there were only one newscast, the other party would be forced to air his criticisms in a medium other than the MTV. When there are two newscasts, they will teach one another. This will be an excellent educational opportunity that will teach society. If I succeed, then my coming here was worthwhile....

High Court Permits Legal Suits Against State

*91CH0325C Budapest NEPSZABADSAG in Hungarian
24 Jan 91 p 6*

[Unattributed article: "You Can Sue the State; 20,000 Compensation Cases Are Expected"]

[Text] Last December, the Constitutional Court annulled a 1981 government decree according to which only certain government decisions could be challenged before a court.

However, implementation of the annulment has been put on hold by the constitutional judges until 31 March 1991, with the proviso that the government must submit a draft law on public administration to the parliament by the end of January. What all of this means, is that

starting 1 April, citizens may begin to take the authorities to court, regardless of whether or not there is a new law.

The ruling on the unconstitutionality of the decree has forced both the legislative and the judicial branches into a lockstep mode. On the one hand, parliament must within a short time lay down the necessary legal parameters for administrative litigation, while on the other, the Ministry of Justice must establish the personnel and material conditions which will be required because of the new challenges.

As far as the constitutional code is concerned, there is a good chance that it can be completed by the target date. The draft law has already been prepared, and is scheduled to be taken up at today's congressional session. If the Antall cabinet gives its blessing, the regular session of parliament is expected to move with great haste to include it in its agenda. Complicating matters is the fact that debate on the draft law is not the only thing before the lawmakers; they must also amend this year's budget. Coming up with one and a half billion forints in this recession-ridden world appears to be a virtually impossible task. The biggest problem is not the vast size of the case load, but the incredibly, and often unnecessarily extensive work involved in reviewing each case.

Dr. Tibor Bogdan stated that if we want to change and improve the situation, we need to adopt a new philosophy. The essence of this philosophy is that the job of the judge is not to uncover the objective truth and to pass judgement accordingly, but to resolve a legal dispute between two litigants, and do so within the boundaries of the law. In other words, once it becomes clear that it is not his job to expose the truth, but rather it is in the interest of the litigants to prove their case, then it will soon become evident that it is not the volume of cases that have been overburdening our judicial system. The implementation of such a "system change" would naturally enhance the role of legal counsels.

The state secretary pointed out that in California, where civil proceedings are governed by this same kind of procedural philosophy, only three percent of all cases end with a verdict. Never mind that only truly complex and landmark cases are protracted for extensive periods of time. The rest of the cases are resolved rather quickly, either because the plaintiff decides to drop his action, the defendant concedes, or they both agree to settle out of court.

According to Dr. Bogdan, another reason why it would be desirable to adopt a procedural system based on this new philosophy is that we can expect new types of legal actions to arise in civil cases. In the near future, for example, we can expect a multitude of compensation cases to reach the courts; at least 20,000 within the next two years.

POLAND

Party Strengths in Parliamentary Elections Viewed

91EP0283A Warsaw KONFRONTACJE in Polish
No 1/36, Jan 91 p 15

[Article by Andrzej Witold Halicki: "Before the Bomb Goes Off"]

[Text] One consequence of the process begun by the general presidential elections is the furthering of democracy in political life and thus the dissolution of the contract Sejm and the announcement of free parliamentary elections. If it was relatively easy to elect one of six candidates, then active participation in parliamentary elections requires considerable awareness and discernment, while on the current political scene rather great disorder and chaos prevail. During nearly a year and a half of government by Mazowiecki's group, no strong system of political parties has emerged. Rather, everything has been done to ridicule these structures. Why can the Hungarians do it while the Poles cannot? It appears that the one requirement is simply consistency and we have lacked that. From the entire movement of citizens committees, tactical groups and coalitions have been launched, but ultimately the role of the Solidarity union has not been completely defined. In this confusion, only a minute percentage of the public is seeking its ideological identification. The majority simply support what the chief is currently showing them.

So do parliamentary elections make sense if in the next few or few dozen weeks there is supposed to emerge that which was not formed in a year and a half? Emphatically yes, but for the voters to be able to manufacture an opinion on the subject of their preferences, the rules of the game must be observed; only political parties, even if they are anemic, should stand for election.

And contrary to appearances, there is something to choose from.

Among the post-Solidarity groups, one can clearly see two favorites—the Democratic Union [UD] and the Center Accord [PC]. The last elections were a defeat for Mazowiecki, but what would be a liability throughout the world may in Poland be...a trump card. Mazowiecki, as leader of the opposition, may raise the Union to the role of a large club in parliament, but even now one can assume with a large dose of probability that two units will stand for election: ROAD [Citizens Movement—Democratic Action] and UD with the Forum of the Democratic Right [FPD] merged into it. (FPD leaders Aleksander Hall, Tomasz Wolek, Tadeusz Syryjczyk, and Michal Wojtczak have, to a great extent, controlled the administration of the Union, which permits the presumption that the Forum itself could yet fulfill its task).

A much bigger mess prevails in the Center Accord. Reshaping the PC from a loose coalition into a unified

party structure is necessary, but this in turn requires the groups that cocreated the PC to slough off their own identity. At least one of these groups, the Liberal-Democratic Congress [KLD], will certainly not accept such a solution, and so at least two structures should stand for election, drifting in the Christian democratic direction: the Center (with leader Jaroslaw Kaczynski in the forefront) and perhaps its coalition partner, the Liberal-Democratic Congress.

In any event, the KLD may play the role of dark horse in these elections. It does not have a well developed structure, but it has young and dynamic leadership (Janusz Lewandowski, Jan Krzysztof Bielecki, Andrzej Arendarski, Andrzej Zarebski, and Donald Tusk) that comes from the managerial ranks and is supported by private enterprise clubs. Financial resources guarantee the emergence of a modern, ideology-free party.

It appears that the post-PZPR [Polish United Workers Party] Social Democracy of the Polish Republic [SdRP] has a guaranteed presence in the Sejm. Unexpectedly, Cimoszewicz, who outdistanced Kwasniewski, Miller, and Wiater, has become the leader of the left. At Cimoszewicz's side, another candidate is developing into a person significant to this movement—Tomasz Nalecz.

The strengthening of SdRP is accompanied by a decline in the popularity and importance of other leftist structures. Fiszbach's Polish Social Democratic Union [PUS] is dying a natural death, and the Polish Socialist Party [PPS], despite unification of its ranks, has not come off the couch. One can now talk about its leaders, Jan Jozef Lipski and Andrzej Malanowski, in historical terms.

The Polish Peasant Party [PSL] has also profited a good deal on the changing times. The old structure accepted into its ranks former Solidarity activists (led by Roman Bartoszcz) and today can calmly look forward to election results in the provinces. Alternative village forces (PSL Solidarity and ROLA [Peasant-Agrarian Option Movement]) do not pose a threat. But the Democratic Party [SD] did not take advantage of the opportunity for regeneration, and one can already see with the naked eye that SD's highest active membership is on a sinking ship.

The Confederation for an Independent Poland [KPN], battered in numerous skirmishes (and also beaten by divisions and quarrels) will also surely take off in the elections, as will Janusz Korwin-Mikke's Union for Real Politics [UPR] (crumbling as fast as it came into being), the Christian-National Union [ZChN] (it even has a good chance for a few percent), a variety of national parties (achieving one mandate would be their success) and the Conservative-Liberal Party (it exists only in Lodz and Warsaw). The general inclusion in electoral platforms of provisions regarding ecological matters limits the chances of the Polish Green Party [PPZ], while the Polish Communist Party "Proletariat," which emerged in Sosnowiec, will probably not have the nerve to start up. Could some other structure surprise us? Perhaps, because the staffs that participated in the

presidential campaign have not yet been completely dissolved. This applies especially to the staff of the winner, who clearly does not have his own political force. In no country does the president remain alone. He must have his political resources. Who will create them?

Breakaway 'Solidarity 80' Differences Reviewed

91EP0284A Poznan WPROST in Polish No 3,
20 Jan 91 pp 22-23

[Article by Wojciech Jurczak: "Impolite Solidarity: 'Solidarity 80'—The Third Force?"]

[Text] Will the president of the Polish Republic appear in Szczecin, the capital of Solidarity 80, where in the first round he lost the election disgracefully?

Animosities in the bosom of Solidarity's leadership between Gdansk and Szczecin were born at the moment when, on 30 August 1981, Marian Jurczyk signed a poststrike agreement with representatives of the then current government. He did this several hours before Walesa in Gdansk. In the years 1980-81 a few Solidarity and numerous government publicists tried to gloss over this discord. Now it is said officially that Szczecin's "acceleration" was...the result of chance or a misunderstanding during the telephone connections.

At the provisional headquarters of the Solidarity 80 National Committee [TKK] in Szczecin, they are saying something completely different about this. So from the start, Solidarity members from that region have tried to emphasize their separateness. They did not wish Gdansk's leading role on themselves. When one digs still deeper, it turns out that in many matters, Gdansk wanted and still wants to dominate Szczecin. This is especially true of the maritime economy and the significance of the ports.

In the years of Solidarity's beginnings and origins, its ethos was clearly outlined by the differences of opinion between Lech Walesa and Marian Jurczyk. The latter obstinately held to the union line. He was a stubborn formalist when it came to rules and more decisive in the struggle with the "Reds." But it also came to light that Jurczyk never talked about hanging communists and the entire so-called Trzebiatowski affair where, at a meeting with employees of a furniture factory he was supposed to have called for a rope and gallows for the communist leadership, proved to be a propaganda dud.

During the strike at the Szczecin port in 1989 when, after Kiszczak's pronouncement of the idea of the roundtable was outlined, M. Jurczyk, Stanislaw Wadolowski (deputy chairman of Solidarity's National Committee in Gdansk until the last congress), and Stanislaw Kocjan refused support for the strikers and organizers. They isolated themselves explicitly from the leadership of the "new activists," Andrzej Milczanowski, Jerzy Zimowski, and Mieczyslaw Ustasiak. In the years 1980-81, they were on the same team with Jurczyk, but their paths had already diverged in Solidarity's underground period.

This refusal of support for strikes in 1989 became a milestone in the division of Solidarity. Jurczyk and his coworkers were missing from the roundtable. As lawyer Wl[adyslaw] Sila-Nowicki commented at the end of the roundtable sessions, "No chair could be found at it for impolite Solidarity."

Today the main division between Solidarity in Gdansk and the TKK in Szczecin relates to a fundamental issue, the bylaws. Marian Jurczyk views the union registered in April 1989 as a totally new organization. Its newly drafted bylaws have nothing in common, he says, with the document ratified by the entire union in 1980. This is, to use Stanislaw Kocjan's words, a "neunion."

To this date, Solidarity 80 is operating illegally. The process of registration before the voivodship court in Warsaw has been postponed until amendment of the law on trade unions.

The democratic leadership of the Polish Republic has used a trick used repeatedly by its communist predecessors, say Solidarity 80 TKK members of the court's ruling. And how telling, they argue, is the solicitation of an opinion on this matter from the originator of the split himself, then chairman Walesa, who was against registration.

However, no one has yet decided to take away Marian Jurczyk's right to use Solidarity 80's symbol. Only a separate version of the weekly JEDNOSC, 1980's first union periodical, today bears the name SOLIDARNOSC SZCZECINSKA, with the footnote, "formerly JEDNOSC."

As was the case years ago, Solidarity 80 seeks support in the church. It has found it, although the diocesan printing house recently denied composition and printing services to SOLIDARNOSC SZCZECINSKA, pleading a lack of so-called authority. Is that the only point? The denial occurred after of M. Jurczyk's appearances, in which he referred critically to nationality issues in Poland. They did not like that in the Szczecin diocesan office.

In the columns of SOLIDARNOSC SZCZECINSKA a year ago, its then editor Krzysztof Salacinski printed a scathing caricature of Przemyslaw Fenrych, formerly spokesman for the diocese in Szczecin and named head of local television after the dismissal of Jacek Popiolek. On M. Jurczyk's recommendation, part of the edition was removed from the kiosks and Salacinski lost his post.

Solidarity 80 has most of its adherents at the A. Warski Shipyard in Szczecin. Three unions operate in parallel there: the Solidarity, as they say today, of Walesa, OPZZ [All-Polish Trade Unions Agreement] and Solidarity 80. The same is true in the Szczecin and Swinoujscie ports. Grzegorz Durski of Warski is almost as popular there as Jurczyk. The plant committees of both Solidarity factions try not to get in each other's way, but conflicts are unavoidable.

In mid-1990, Solidarity 80 encountered an unpleasant surprise. The bastion composed of the Police chemical works renounced obedience to M. Jurczyk and moved in its entirety under the wing of the national committee in Gdanski and L. Walesa.

Neither M. Jurczyk nor his successor S. Kocjan have yet revealed the number of members in that faction. Kocjan, questioned repeatedly about this, invariably replies, "The number is not important; action and strength are."

Solidarity 80 union organizations operate, in addition to Szczecin, in Radom and Ursus in Warsaw, and in some Silesian mines. There are subregions—in Swinoujscie, Stargard, and several other centers.

"We have been and will be a trade union, reclaiming and protecting working people," says Marian Jurczyk. In recent years he has been in the United States twice and each time he was treated abroad as a symbol of Solidarity.

That is how he is seen above all by the young emigrants who found themselves there after December 1981, and who do not want to distinguish between factions and their lines. Jurczyk's union, as he himself emphasizes in various cities in Poland, does not use any form of foreign aid.

Many times it has appeared that Solidarity 80 and OPZZ would find a common language and that there would be an agreement between Jurczyk and Miodowicz. Ultimately, both of them speak of "reclaiming trade unions," both try to stay away from political trends.

Stanislaw Kocjan has sharply protested against "playing Mendelssohn's wedding march for Solidarity 80 and OPZZ." He stresses that union members from Solidarity cannot forget about the position of OPZZ members during martial law. Yet Marian Jurczyk, talking about OPZZ unions in the workplace, stressed many times that there is no way not to notice a trade union that unites 7 million people.

During the railroad workers strike in Slupsk in the spring of 1990, among the hunger strikers were members of OPZZ and both sections of Solidarity. M. Jurczyk was the first to arrive in Slupsk, then A. Miodowicz, and third, Lech Walesa. But it was Walesa who brought about a break in the hunger strike.

At the Warski shipyard, one of the employees who belongs to none of the unions, says this of Mr. Jurczyk: "Let us take a scale and balance the weights of contributions and suffering in the name of the struggle with communism. Marian lost his health, and lives on a pension like a lot of us. He lives in an ordinary apartment, not a palace or a government villa. Marian's son and daughter-in-law died under circumstances that have still not been fully explained. Jurczyk is always himself (he has been saying the same thing for 10 years). He lacks the ability to lead a crowd and is unable to give speeches.

But maybe that is a virtue, not a fault. He was and is the symbol of the real Solidarity."

Currently the "fashion" of scorning the Szczecin Solidarity faction predominates. In the building housing both TKK leadership and the Solidarity 80 region on Malczewski Street in Szczecin, they treat this with forbearance. The people in Poland are contrary and this blowing into one trumpet may prove to be plaintive. They also say that in Szczecin the most numerous organizations of Gdansk's Solidarity unite no more than 18 percent of the personnel. Yet Solidarity 80, in many firms, covers 25 percent of employees.

Why, they ask, did Lech Walesa cancel his visit to Szczecin as a candidate for president while still president of Solidarity? Will he now, as president of the Polish Republic, appear here according to his earlier announcement? Here, where he lost the election disgracefully to Mazowiecki?

Sociologist Views Threats to Democracy

91EP0282A Poznan WPROST in Polish No 3,
20 Jan 91 pp 24-25

[Interview with Professor Jerzy Szacki, sociologist, Institute of Sociology, University of Warsaw, by Boguslaw Mazur; place and date not given: "Coalition or Catastrophe"]

[Text] [Mazur] Is it possible to build democracy in an environment of a deep economic crisis?

[Szacki] Let us begin by saying that the issue of democracy in Poland has been an open one from the very beginning. We are used to repeating that we are on the way toward democracy as if the direction had been determined once and for all. Meanwhile, building a democracy is only an opportunity and not a certainty. There is no tradition of democracy in Poland and no conditions favoring its full bloom. The period of the presidential campaign made us aware of how uncertain the ground is on which we tread and how unpleasant a surprise may be expected within Solidarity, or, even more interestingly outside it, where until recently only the imaginary bastions of the so-called nomenklatura were situated.

[Mazur] Solidarity has disintegrated, whereas the authority of Lech Walesa may turn out to be too weak to contain the growing wave of demands and populism.

[Szacki] It is debatable whether Solidarity has indeed come to an end. It has suffered severe injury, but I do not doubt that it still has a lot of potential which may yet be used through a joint effort of the Walesa and Mazowiecki camps. This, however, depends on whether the trend to mutually accuse each other, or the trend to cooperate and rebuild a broad-based front, will prevail. Unfortunately, at present I see a lot of implacability on both sides and little concern about articulating common tasks and interests.

As far as the authority of Walesa is concerned, I do not know whether his victory in the general elections will significantly delay the manifestation of emerging social conflicts. This delay is likely to occur but I do not believe that it will be a long one. We are looking at three, or maybe four months of quiet and, perhaps, no more.

[Mazur] However, would establishing cooperation by the two Solidarity factions indeed provide an opportunity to once again open a protective umbrella over economic reforms?

[Szacki] Of course, an umbrella such as existed a year ago is out of the question; this is a closed chapter and a lost opportunity. However, it is certainly possible to create the Solidarity camp as a dominant force capable of mobilizing segments of society with such numbers as to be able to oppose pay demands which are destructive of the economy. However, many more specific issues come up in this matter, for example, the issue of regulations on parliamentary elections. Unfortunately, many otherwise responsible individuals approach these regulations in such a manner as if the main issue were not to create a stable political system but rather to ensure space in the political arena for as many parties and factions as possible. It has already been generally prejudged that we are to have proportional representation, but it is not known whether a cutoff of three or five percent of the votes received will be introduced. The absence of such a barrier may bring about the political fragmentation of the parliament and a real paralysis of the system. The policy of a new government is another big unknown—will it slow down the reforms and earmark major funding for "pacifying" various social groups, or will it oppose pay demands which exceed our means and ensure the continuation of reforms?

[Mazur] Will failure to meet this task increase the threat of populism?

[Szacki] If we define populism as a tendency to yield to the current sentiments of our society regardless of the price which we will have to pay for this tomorrow and the day after tomorrow, this threat indeed exists; after all, these sentiments cannot be neglected endlessly, and the temptation to somehow use them politically may be strong. However, for now this is only a possibility. Fortunately, no organized and influential political force which may be classified as populist is seen in the political arena. If Walesa sometime said something that sounded populist, first, what it actually means is not known, and second, Solidarity in its present format is not such a force. If we encounter some populist motives in the OPZZ [All-Polish Trade Unions Agreement] this does not necessarily mean that the OPZZ is an organization which is capable of accomplishing a populist revolution. I do not doubt that populism has a potential support base in our country, but it is fragmented and not politically organized.

[Mazur] However, a different problem surfaces here. It is believed in the West that a strong middle class is the

social pillar of democracy. Meanwhile, in our country the classes of workers and peasants dominate. Is democracy possible in a society of workers, peasants, and a narrow stratum of the intelligentsia and entrepreneurs, and is it possible to create this desirable middle class under such conditions? After all, is the formation of this class not supposed to occur at the expense of the currently prevailing groups? If this is the case, will we not face a choice between consenting to authoritarian power and creating the middle class and a market economy, and developing democracy, despite the fact that it may be taken advantage of by populist and antireform movements?

[Szacki] You are correctly pointing out real dangers. Indeed, there is no precedent in history to indicate that under social conditions such as ours it is possible to introduce simultaneously an economy which will make the development of the middle class possible and a full array of democratic freedoms. If there are any precedents to be discussed, they rather involve the building of a decent market economy under authoritarian political power. The examples of the "little tigers" of Asia and South American countries indicate that this particular path is realistic. Our situation is doubly difficult both because the reforms implemented have entailed social costs and because of the very widespread social attitudes which have developed over many decades. The people have given used to the idea that they are entitled to certain things, and it is not easy to give up this conviction. However, I will go back to what I have said earlier: Not only are the sentiments a problem, but also the organization. I do not believe that essential changes in the balance of forces may occur without setting up new organizations which have an entire apparatus, press, and ways to get through to various corners of the country and groups of the population. On occasion, such organizations develop with lightning speed, but at present nothing of this kind is happening. Therefore, there is still time for endeavors which may remove the threat of populism. All that is needed is to agree as to the fact that we have a choice between a broad reform coalition or a catastrophe. Delusions that the society is ours forever have come to end. Everything comes down to the issue of the rate at which the vestiges of the past are going to be eliminated.

[Mazur] Let us go back again to the dispute about responsibility for the current situation because its resolution will make an impact on the future. Therefore, who is to blame?

[Szacki] I doubt that this is a dispute to be resolved. However, this dispute is certainly going to continue for a long time to come because the Solidarity camp has to come to terms with its conscience. The best way to end this dispute would be to admit, actually, in keeping with the truth, that both sides have contributed to approximately equal degrees to what has happened. The Mazowiecki camp is primarily guilty of making essential mistakes in its method of government and its information policy. On the other hand, the Walesa camp proceeded

from the principle that whatever is taken away from the government will become an achievement of its critics, despite the fact that in essence Solidarity as a whole lost out. On this occasion, customs which are typical of our political life manifested themselves: "If we disagree we go all the way." For example, a lady appeared on TV as a representative of the Walesa side and said that Mazowiecki had done nothing on the German issue, and so on. Using such tricks bodes ill for our democracy because democracy does not amount to merely the existence of many parties and saying whatever one likes, but also to the existence of a sphere of common values which no sane person questions. If there is no such commonality a discussion becomes impossible.

However, the greatest mistake of the two Solidarity factions consisted of being transfixed by the patterns of the past and continuing to view the situation in the framework of "communism being over there, and we, the society, being here." The leaders of Solidarity should give a lot of thought to how moderate Tyminski's criticism of communism was and how sparingly he used national symbols. The people were beginning to long for something different, and he understood it. The entire sphere of criticism and symbolism exploited by Solidarity is important but, as many people see it, it cannot replace tangible accomplishments.

[Mazur] Therefore, what are you afraid of the most?

[Szacki] I am afraid that the victorious camp of Walesa will come to the conclusion that it was right in every detail, and that in conjunction with this the entire issue boils down to pushing through solutions worked out in the process of looking for arguments against the Mazowiecki government. These are very general solutions which augur ill.

Accelerated Evolution of Political Life Noted

91EP0276A Warsaw ZYCIE WARSZAWY in Polish
2-3 Feb 91 p 3

[Article by Janina Paradowska: "Acceleration"]

[Text] Anyone who thinks that things are happening too slowly should read closely the proposals coming in an endless flow from the various political groups. There is the polite proposal for elections to be held as soon as possible. Elections immediately—and this is proposed as well—is a more radical statement of the matter. However, official proposals are usually accompanied by lobbying, lobbying that shows that those who vote for elections "as soon as possible" and "immediately" are convinced deep down that elections should be held in the fall and also want them to be hastened so as not to have them put off until next year.

Some other interesting phenomena are attached to the proposals for immediate elections. It seems that the SdRP [Social Democracy of the Polish Republic] is also in a hurry for elections to be held. Meanwhile, it has the ideal parliamentary representation in terms of numbers.

Moreover, it is hard to imagine that the Center Accord [PC], whose primary goal is to get the SdRP out of the parliament, will be able to hold onto as many seats in the left side of the Sejm auditorium as it does at present.

Another interesting phenomenon is the attitude to the electoral law. Not very long ago, the vast majority of groups believed that only a proportionate electoral law without any upper limit is the best route to a true democracy. The Sejm even found it expedient to vote down a related motion, favoring a proportionate electoral law. Now I read more and more often in proposals that although a combination, proportionate-majority law will be better, there are also those "extremists" who favor a majority law. Not long ago, those who favored a majority law were thought to be desirous of a new monopoly, but today no one accuses them of having totalitarian inclinations.

Well, what of it? Polish political life is passing through a period of accelerated evolution and change both in views and alliances, which are becoming a normal thing. As a side note I must admit that I observe with great interest the accelerated evolution of views of recent supporters (so as not to say worshipers) of Tadeusz Mazowiecki. Just a short time ago they very logically told me that Mazowiecki as prime minister is the best of the best. Shortly thereafter they explained to me with great alacrity that while Mazowiecki is not a very good prime minister he will be an excellent president. Then, with great enthusiasm and acclaim, he was elected leader of a political party. Today, once again, I am firmly convinced that acclaim and democracy have nothing in common, and that Tadeusz Mazowiecki is not at all suited to be a party leader, for there is not a single instance in the history of the world in which a defeated politician has been able to stand at the head of a victorious party.

Thus, it is not true that there is no acceleration. Political life is accelerating, but one must examine more closely what is going on. It is only the parliament which is not hastening forward amid this general thrust ahead; it found the time to waste an entire day voting and refraining from voting on formal motions made concerning the law to protect the legal rights of the unborn, but was not able to cope with such a "minor detail" as the electoral law, which has been circulating in committees since September. We must point out, however, that there are some signs of acceleration in the Sejm. For example, during the now famous meeting on abortion, Deputy Sobierajski from the OKP [Citizens Parliamentary Club] made a motion to immediately dissolve the parliament. Fortunately for the Sejm, this motion could not be voted down due to lack of a quorum. And so, thanks to the absence of part of the body of deputies and the clear unwillingness of those present in the auditorium to button their buttons, acceleration did not enter the Sejm and the debate on the subject of the so-called political calendar, during the course of which we shall certainly learn of the approximate date of parliamentary elections, will take place at the end of February in a calmer atmosphere.

I would not venture to make any predictions here regarding when the election really will take place, on 26 May (which is what almost everyone wants) or in the fall, which is what the president (who is the only person who is not in a hurry on the matter of elections at present) is considering. I believe that the fall date is more probable, but perhaps even the Sejm will speed things up....

There is no electoral law, there is no date for elections, but preparations continue. Political parties and politicians are maneuvering. The temperature of statements has escalated and assessments have sharpened. Jaroslaw Kaczynski, leader of the PC, was kind enough to state in an interview for our paper that the previous government conducted an irresponsible policy and that the policy of Tadeusz Mazowiecki was geared primarily toward feeding his personality traits. Just a day later Bronislaw Geremek declared publicly that the camp that won the presidential elections (the camp of Kaczynski) is occupied exclusively with sharing the spoils and has nothing to propose to society in the sphere of values. Verbal dueling is taking place at various levels. The political battles at the top have descended, paralyzing the life of several cities, with the royal city of Krakow at the fore. There, in the heat of the battle, the representatives of both options have perished and the city is left without an executive authority.

Another interesting phenomenon is the appearance in political life of such words as option and pragmatism. These are key words for explaining our entire, quite complex, reality. Identity is also a very agreeable word. Option, identity, and pragmatism will clarify everything to a very befuddled public. The word "option" is used most often instead of the word "person." At the ROAD [Citizens Movement—Democratic Action] congress, Adam Michnik, desiring to hear out the opinions of all assembled on the idea of uniting with the Democratic Union [UD], cried out, "Please say which option in one sentence." Those who responded said, "Mazowiecki still has a great deal of authority and we must unite with him," or they said, "Mazowiecki and Nowina Konopka still do not have anything to propose to us."

"Pragmatism" is a quite complex word to decipher. It is used most often in opposition to the word "ideology," but not always, which makes it difficult to determine whether that is the intended connotation in a particular instance. If we investigate actual practice, it seems that "pragmatism" demands joining up with someone who has different or unknown views. At the same ROAD congress, Wladyslaw Frasyniuk said, "If pragmatic thinking, the will to build a real political scene and a strong democratic camp, does not prevail in ROAD, then President Lech Walesa will be dealing the cards for years and we will be meeting in the political council in Belvedere, for it will be more interesting there."

Frasyniuk is in favor of joining up with the UD. Others say that they do not know what sort of group the UD is because it has no program other than the program of

defending the government policy of Tadeusz Mazowiecki, i.e., of a government that no longer exists.

This, of course, leads us to draw the conclusion that pragmatism means the same thing as the lack of a program. Most of our political groups have not yet succeeded in formulating programs, but they say that they are pragmatic. Likewise, the ROAD congress put off this matter for two months and occupied themselves for two days with a pragmatic problem, i.e., whether to combine with another party (which does not have a program either).

And so we naturally arrive at the word "identity." Identity signifies everything that everyone wants to preserve and whatever it is that separates them from others. But since these groups do not have programs, it is not known what they want to preserve and what separates them. On the issue of identity, however, opinions are divided. Some say that they already have an identity while others maintain that they do not yet have one. Frasyniuk, quoted above, stated most emphatically at the ROAD congress that neither ROAD nor the UD has any sort of identity as yet, and that if these two groups aspire to an identity, it will be a centrist identity; therefore, pragmatically speaking, they should combine.

Zbigniew Bujak presented a completely different view. He related his experiences with a political scientist. Bujak conducted a certain experiment with this political scientist. First he told the political scientist what he thought of politics and the political scientist decided that Bujak was a Christian democrat. He subsequently related his biography to the man, who then requested meetings in the field so that he could hear how Bujak spoke in the factories. From Bujak's biography and the man's observations, the man found Bujak to be a social democrat, and a classical one at that. Zbigniew Bujak drew the only possible conclusion: that in his biography there was no reason to run away from the face European tradition lends him. Thus, Zbigniew Bujak has a markedly social democratic identity and he admits this publicly. This is a significant victory for Jaroslaw Kaczynski, who is so despised for calling a spade a spade.

In general, however, it should be noted that for the present, in this early stage of development of our political life, individuals rather than parties have an identity. Party identity, after all, consists of the grouping of persons who are mutually attracted and who feel good in each other's company, regardless of their views.

Once again I quote Zbigniew Bujak, who clarified this matter succinctly. Bujak said, "If currently existing personal animosities are eliminated from political structures, the king will immediately become castled and an enormous part of UD and Forum of the Democratic Right [FPD] activists will unite with Gdansk liberals and the Poznan Christian democrats. I believe that this is an inevitable process over the long term; thus, attempts to create some sort of other camp are doomed to fail." All current notions for building the political scene according

to some sort of new principles and muddled criteria are flashes in the pan. In this classical division of Christian democracy and social democracy, there is something of natural law, pushing the political scene to shape up in such a way.

It is not yet known whether we are moving toward this shape of the political scene at a clearly accelerated rate. Personal animosities are still dominating natural law for the present. However, the victory of natural law seems inevitable. This is extremely heartening in the election perspective—the election to be held four or perhaps five years from now. Right now, the acceleration itself is the most important thing.

Call for Local Government Administration Reform

91EP0281A Warsaw LAD in Polish No 5, 3 Feb 91 p 4

[Interview with Grzegorz Grzelak, deputy chairman, National Self-Government Assembly and Secretary for Self-Government Affairs in the Presidential Chancellery, by Zdzislaw Bradel; place and date not given: "A Strong and Modern State"]

[Text] [Bradel] Public interest in the activities of local governments is rather low. So is public awareness of the powers vested in these governments and the resources available to them for accomplishing their objectives. Hence also the sometimes excessive expectations that our local government will, after all, ultimately resolve many of our issues.

[Grzelak] I believe that the low social awareness of the role that can be played by local governments in the nation's life is due to our 40 years of experience in a centralized communist state.

Moreover, let me say that the local government reform conducted in the middle of the last year has not unlocked the prospects which should matter in my opinion. That reform has unfortunately introduced only one, the basic, gmina level of local government and defined very narrowly the scope of its activities. In contrast, it defined broadly the duties that local government may be instructed to perform by the national government. In this connection, the system for monitoring and funding these duties was so conceived as to result, in practice, in the government's becoming a sort of watchdog over the local governments receiving these duties.

Essentially, therefore, this system is inimical to local governments. It causes local authorities to operate within an extremely narrow scope of powers, and the public is indeed on the whole relatively unaware of this fact.

[Bradel] Your comments seem to imply that in reality the reform of local governments is impeding the development of a modern system of governance in this country.

[Grzelak] Yes, definitely. And to boot, for more than a year now we have been dealing with plainly regressive trends.

The first of these trends is toward the centralization of government, and it has been growing since the summer of 1989. For example, the voivodship level of administration is being chipped away. By now the situation is such that at the top there is the national government with its broad powers and at the bottom there is the gmina with an extremely narrow scope of powers, but in the middle there is a vacuum. Irrespective of the question of whether voivodship level administration is part of the national government or a local government, the fact is that as of 1991 both the voivodship sejmiks and the voivodship governor have had little say in formulating regional policies.

Another trend to which I wish to point is that of abandoning the territorial, vertical structure of power in favor of the ministry system. This trend manifests itself in that discrete ministries are trying to organize their own administrative branches in the voivodships, and even in the districts—branches independent of the voivodship governor. This has already been accomplished by the Ministry of National Education and the Ministry of Health. The Ministry of Culture and the Ministry of Environmental Protection are said to be discussing similar plans.

These are disturbing trends when one ponders the fate of not only local governments but also the future model of governance.

[Bradel] For local governments to govern, they must have the requisite funds. But the coffers of many gminas are simply bare.

[Grzelak] We have had considerable problems in working out a satisfactory 1991 law on gmina finances. That is because the empowerment law passed during the first half of 1990 affects appreciably gmina revenues. It grants only limited powers to the gminas, and at the same time it restricts the scope of their revenues.

Many gmina councils thus found themselves in a dramatic situation. For example, Gdansk needs 1 trillion zlotys just for the most urgent expenditures. But its revenues, as calculated by the procedure defined in the law on gmina finances, are at the level of 600 billion zlotys. Thus anyone who might have hoped that the advent of local government would bring in its wake fewer potholes in the city or, for example, the replacement of old, bursting water supply mains, will be sorely disappointed.

I do not mean to claim that the fatal financial situation of the gminas is due solely to bad laws. After all, a highly important cause is the economic recession in this country. However, we as the national representation of local governments, have a feeling that in 1990 the entire deficit of the State Budget has been shifted onto the shoulders of the gminas, and that this was done by means

of some adroit bookkeeping tricks. This is exemplified by the so-called share of voivodships and gminas in the State Budget—read: in the state deficit.

[Bradel] What else do you think should be changed for the local government system to operate efficiently?

[Grzelak] If we are to speak of any such system, local governments should also be created at the subregional and regional levels. I am deliberately employing the terms 'subregional' and 'regional' here rather than 'powiat' and 'voivodship,' because this reform should be accompanied by changes in the territorial structure of the state. The introduction of three levels of local government is indispensable, because many problems can be resolved only at the supragmina levels. Thus, each of the three local government levels would operate with a different scope of powers and be autonomous with respect to the other levels.

Of absolutely basic importance to the future of the local government movement is also the question of the legislative initiatives of local and regional authorities. It seems to me that we have a major chance for making the Senate representative of precisely such authorities.

But before this major institutional reform is accomplished, even now the situation of local authorities can be improved. All that needs to be done is to update the empowerment law from the standpoint of deciding which of the duties heretofore assignable by the national government to local governments can be considered to be the duties of local governments themselves. Here priority should be given to thus transforming the duties assigned under law by the national government to local governments. This would also be important from financial standpoint, because it would enable local governments to attain financial autonomy.

Certain duties can be exercised, however, only at the supragmina level, for example, those relating to environmental protection. Here too we face the problem of forming a higher level, regional, local government. I personally had linked some hopes to the work of Professor J. Regulski's Sejm committee. It was to present its recommendations to the Sejm as soon as last December, but so far it has held only one session, and that one [dealt] with the object of ordering its activities.

[Bradel] As a believer, do you think that the teachings of the Catholic Church may be of assistance in the work of local governments?

[Grzelak] The principle of helpfulness proclaimed by Catholic social teachings contains the idea of self-rule, that is, of local governance. Thus, the teachings of the church dovetail perfectly with the aspirations I am discussing. What is more, they lay the foundation on which these aspirations can be translated into reality.

[Bradel] Do you think that the local government movement can count on support from the new President?

[Grzelak] It seems to me that Lech Walesa supports us unequivocally. In his last message to the National Self-Government Assembly he declared that he considers us a partner in reforming governance in Poland. He has taken an affirmative stand on the idea of higher level local governments. He also acknowledges the need for local authorities to be represented in the upper chamber of the parliament. I therefore believe that he will support proposals offered by local governments.

After all, what it boils down to is that Poland should become a strong and modern state. I believe that this shall happen if we build Poland on the basis of two principles: that of a free market economy and that of a flexible local government at various levels.

[Bradel] Thank you for the interview.

Eastern Border: Consequences of Possible Exodus
91EP0281B Warsaw LAD in Polish No 5, 3 Feb 91 p 5

[Article by Stanislaw Brzeg-Wielunski: "The Leaky Eastern Border"]

[Text] News agency dispatches about the deployment of Soviet special forces around Vilno signalize an inevitable coup d'etat this coming spring in Moscow by the party conservatives. Gorbachev's threat that the stopping of Western aid and a collapse would result in the inundation of the EEC by 3 million Soviet citizens is becoming increasingly realistic. As in the case of other European conflicts, we shall be among the most affected spectators, watching the exodus of thousands of refugees across Poland, that historical rotating stage between the East and the West. Are we prepared for it? There are many reasons for answering no. The majority of the armed forces, located along the western border, can transfer within 24 hours to Poland's eastern frontier armored divisions which cannot be used against civilian refugees. The new Border Guard, replacing the disbanded WOP [Frontier Defense Troops], is as yet becoming organized, so that the 304 WOP stations, with their combined personnel of 500-600, have no chance for halting a wave of 1 million refugees. Yet we must halt that wave because, although the refugees will constitute "a permanent political element," as Colonel Zbigniew Skoczylas, whom the minister of internal affairs appointed in charge of refugee affairs, put it, Poland simply cannot afford to feed and shelter more than 100,000 refugees. By the end of 1990, 11 billion zlotys were spent on political refugees; that is 290 zlotys per taxpayer. According to preliminary estimates, maintaining just 100,000 Russians would cause a breach of 2.5 trillion zlotys in the State Budget! It appears certain that Mikhail Gorbachev will get rid of "the uncertain elements" by doing as Fidel Castro did in 1978 and giving passports to the malcontents. As for the remainder of Soviet citizens, if they cannot get Western visas, they will obtain illegal jobs in Poland, thus strengthening the criminal underworld and becoming major competitors of our street vendors. The pragmatic stance of Poland, which, owing

to its own poor economic condition, did not sign the 28 July 1951 Convention on Refugees, affords this country some latitude in warding off the flood from the East without incurring criticism by the West, on which we still are economically dependent. The scope of the food and housing assistance provided to refugees by Polish authorities so far has been positively assessed by the United Nations High Commissioner for Refugees. That is why we have no choice but to protect Poland's eastern flank by humanitarian methods. And that flank is becoming increasingly similar to the frontier between Mexico and the United States, so that we have no choice but to avail ourselves of the experience of the American National Guard [as published]. The future Polish Border Guard must be equipped with squadrons of helicopters and electronic infrared sensors (like those used in Vietnam), which can detect attempts to cross the Polish border faster than visual contact or patrols with dogs. This also is the objective of the armed forces of the Czech and Slovak Federal Republic, Austria, and Hungary, and their governments are appealing more adroitly than the Poles to the West for economic assistance in the event of inundation by refugees. Sealing the eastern frontier also can make us independent of any possible attempts by Moscow to utilize the refugee exodus in order to incite conflicts between the Polish population and the foreign and ethnic minorities living in our country.

Poland and Germany

In my reading of the countless Cassandra-like press commentaries warning the public opinion against the coming flood of Soviet refugees, I have not found a single mention of its consequences to Polish-German relations. A leaky Polish-Soviet boundary will be a bone of contention between Berlin and Warsaw. Under treaty provisions, after Red Army formations are withdrawn from eastern Germany, the area of the former GDR will become a demilitarized zone. Its defense is to be restricted to guarding the airspace with the aid of Soviet-made SAM missiles. The eastern laender will be devoid of major Bundeswehr troop concentrations, including armored divisions, and the frontier with Poland will be guarded by helicopter units of the Border Guard. But problems will arise once thousands of Russians wandering across Poland will begin to cross the rather illusory Polish-German frontier. The Germans will not just look on passively, and this may cause a return of tactical units of the Bundeswehr to eastern Germany, which would nullify the hopes of both sides for a return to the 600-year tradition of the quiet western border—the most secure border of the Polish Republic for centuries. Moreover, the immigration from the USSR may serve as a pretext for remilitarizing the eastern laender of the FRG. One does not need a big imagination to realize how soon the resulting fear of Germany will trigger a surge of irrational and emotional thinking among Poles. After all, the problem of good relations with Germany has also a strategic dimension, since they will color our relations with the EEC, with the European parliament,

etc. Defending Poland's eastern frontier against the refugee exodus has also this dimension, which has so far been largely overlooked by the shapers of this country's foreign policy.

ROMANIA

Ex-King Michael Queried on Possible 2d Visit

91BA0363A Bucharest ROMANIA LIBERA
in Romanian 6 Feb 91 p 8

[Interview with ex-King Michael I of Romania by Daniel Uncu in London in January 1991: "I Was and Always Will Be a Romanian"]

[Text] [Uncu] Your Majesty, in view of the complex situation created in Romania after 22 December 1989, the social instability, economic problems, and not least, the political confrontations that at times assumed a dramatic character, what role do you think the monarchy could play, should it be restored, as a moderating influence on the strife prevailing in our society?

[Michael I] The main task of the monarchy would be to ensure a favorable framework for the transition to a democratic society, which will necessarily have to bring if not immediate solutions, at least faith in the political system. The constitutional monarchy has been and will be an impartial arbiter and a moderating factor, as you correctly pointed out, that will be expected to bring social, economic, and political stability in our country.

The establishment of a genuine democracy must take into account the fact that, simultaneously with economic and political changes, substantial changes will occur, or better said, must occur in mentality, too. People's mentality is perhaps the thing most difficult to change. It is our duty to restore faith in people's hearts. We must free our people from the fear that consumed them for 45 years. From this viewpoint, we must also recall and stress that as a democratic political system, the constitutional monarchy represents much more than an alternative form of government. It is a new way of life.

[Uncu] Nevertheless, after close to half a century in which the communist propaganda planted in people's minds the idea that the monarchy contributed to Romania's ruin and was perhaps the worst period in the country's history, most of the people have more than conflicting feelings toward this system of government...

[Michael I] This is all very true, but Romania's history was written, or more correctly, rewritten by the communists. The people have a right to find out the truth about the nature of that political institutions in all its aspects. One problem, however, is the time factor. It will be a good while before the truth is known, and if we consider that the truth may be embarrassing, to say the least, to the current authorities installed in Bucharest after 22 December 1989, the situation becomes even more complex. The countless rejections and obstacles I ran into

when I wanted to come back to my homeland have only reinforced my belief that the present government is afraid of the truth.

[Uncu] After the last incident in December 1990 when Your Majesty was expelled from the country, the Romanian government offered you a passport...

[Michael I] As far as I am concerned, I have to tell you that I did not receive anything from the Romanian government. Indeed, I read in the press and I heard about the intentions of the authorities in Bucharest, but that was all. In this matter, however, there exists a sensitive point that we must stress. If I accepted a passport, let us say, that would be only a formality. Because it is the right of each Romanian citizen to have a Romanian passport. I never renounced my Romanian citizenship. I was and I will always be a Romanian!

[Uncu] As you know, a very large number of "voices" claimed that the Petre Roman government should not be given economic aid by the West until it is irreversibly engaged on the path of building a democratic society and encouraging a market economy. On the other hand, however, the people are suffering acute food shortages and unemployment, the economy is in full recession, inflation is assuming alarming proportions, and everything is exacerbated by the absence of financial aid from the West. What do you see as a solution to the impasse?

[Michael I] The problem is very delicate and complex. According to my information, it seems that Prime Minister Roman's team is capable and, what is more important, it seems to have good intentions. However, every time they tried to do something positive, they ran into insurmountable obstacles. In other words, they had "wrenches thrown in their spokes." I'm not accusing anyone, but it seems to me little probable that a left-wing administration and party can bring about important changes in the society and the economy.

There is also something else. Every time the West helped such regimes, the aid in question was viewed as an act of recognition of the qualities of the government in power. Which I don't think is the case for the time being. Romania's disastrous economic situation and the West's reluctance to invest in Romania are based primarily on the social and political instability prevailing in the country, and the instability is due to lack of faith both in the administration and in the government. The people will inevitably continue to suffer as long as the West does not trust and has no real reason to trust this administration and this government...

[Uncu] It seems that this lack of trust stems from apprehension that former communists in the state and administration apparatus are still influential and very numerous. From this viewpoint, were the monarchy to be installed, what is your view on the role of former communists or of communists in general in Romania's parliamentary life?

[Michael I] In a democratic society the legitimacy of a given political group can be decided only by the people, whatever its orientation. Naturally, we're not talking about extremist or terrorist groups. People must not think in terms of "whoever is not with us is against us," because that is the sure way to dictatorship. That's what the communists did in 1947.

[Uncu] Easter is coming up. Are you planning to come back on that occasion, and possibly address the country and the people?

[Michael I] We have not yet decided. We are considering such a possibility for Easter, but it is still premature to discuss the matter. As for the second part of your question, throughout the period since I was forced to leave the country to this date I addressed the people whenever I felt that the situation warranted it. The Western media always broadcast my messages to the country. If I come to the homeland for Easter it will be a good idea to once again address the people.

[Uncu] And a last question, Your Majesty. How is your health?

[Michael I] Very good, thank God.

Former Monarch's Popularity Said To Be Growing

*91BA0373A Bucharest BARICADA in Romanian
19 Feb 91 pp 4-5*

[Article by Liviu Valenas: "The Chances of the Monarchy in Romania"]

[Text] The monarchy, of course, was not legally abolished on 30 December 1947. The act forcibly wrested from the king by Petru Groza and Gheorghe Ghoerghiu Dej is legally null and void. Any clear-thinking person must realize that if the abdication act is legally null, that means that Romania is de jure a monarchy. So from the very start the idea of holding a referendum on the restoration of the monarchy is out of place, because Romania still has a monarchy. Such a referendum could at most raise the issue of renouncing the monarchy.

However we look at the matter, legally or in a national referendum, the people will have to say yes or no to the Romanian monarchy. What chances would the constitutional monarchy stand in a referendum? Immediately after the Revolution it became obvious that after 42 years of antimonarchy lies, the people did not feel any great enthusiasm about the king's return. Had a referendum been organized at that time, only a tiny percentage would have voted in favor of the monarchy.

Since then, however, the situation seems to have radically changed. The Romanian authorities' refusal to allow King Michael to enter the country in April 1990 on the occasion of the Easter holidays, immediately inspired a wave of sympathy for the king. The gesture of

the Romanian authorities was as rude as it was inopportune. That monumental blunder stood at the origin of the emergence of several monarchist parties and groups, as well as of the beginning of the University Square phenomenon. Given the political and social instability and the economic squalor, the king's popularity has been slowly but certainly growing. The Princesses Margareta, Sofia, and Elena contributed to it, too; through successive visits and charity missions to Romania they raised the prestige of the institution of the monarchy. An important role was played by the independent press, whose pertinent and informative articles dissipated some of the cloud of lies and calumnies that the communists diligently cultivated for 42 years. The king's brutal expulsion from Romania during the holy Christmas holidays was without a doubt the most enormous and monumental blunder of the Iliescu-Roman team since December 1989 to this day. That act, carried out in typical communist fashion, undoubtedly marked a turning point for the Romanian monarchy, because the huge wave of sympathy that washed over the figure of the expelled king today makes us believe that the restoration of the monarchy to its due place may not be impossible.

Nevertheless, what chances are there for the restoration of the monarchy? We must, of course, consider the idea of a referendum, too. In November 1990 the magazine EXPRES carried an interesting poll on various topics. One of the questions asked of the interviewees concerned the chances of the monarchy in Romania. The opinion poll was conducted in Hunedoara County, which has a large Romanian and working class majority. The monarchy received varying degrees of support among various professional and age categories, but the most interesting point was that 30 percent of those under 21 years of age accepted it. That was the highest percentage, higher even than the percentage of intellectuals, which came next. Note that the opinion poll was taken two months before the king's arrival in Romania, the date when the situation began to change. The fact that the youth is the category most interested in a return to the constitutional monarchy is both encouraging and constitutes an alarm signal for the current rulers. During the same period another poll taken for the entire population indicated a 16 percent acceptance rate, which was not so bad considering the fact that immediately after the Revolution the rate of acceptance could not have been higher than 5 percent.

The allies of the constitutional monarchy in Romania are the youth, especially under 21 years of age, the students, some of the intellectuals (especially in the humanities), national minorities, and some of the army and police. Ever since the UDMR [Democratic Union of Hungarians in Romania] congress of April 1990, the Hungarian minority began to seriously consider the alternative of a constitutional monarchy, having realized that an authoritarian presidential regime paved the way for human rights violations. Currently, the overwhelming majority of this community is probably in favor of a return to the monarchy.

Naturally, Romania's population is not yet ready for a national referendum on the monarchy. The veil of communist disinformation has not yet been completely lifted. It will take time to correctly inform the people about the fundamental historical role of the institution of the monarchy in Romania and about the beneficial aspects of a state of rule with a constitutional monarch. To have a referendum now would be undemocratic, because democracy does not mean pushing a bunch of uninformed citizens to the polls. The FSN [National Salvation Front] would probably have a good chance of being rid of the monarchy if it were to hastily organize a referendum now, since the people are still unprepared. However, fear of a possible failure at the polls, even a very small one, is what stops the Iliescu-Roman team from immediately consulting the population by vote. In the meantime, the king's person, surrounded by a halo of incontestable historical merits, is gathering popularity day by day. Sooner or later the government and Petre Roman's technocrats will have to consider the most efficient ways of returning to a constitutional monarchy, naturally if they wish to survive politically. And the day of settlement is not far off.

Geza Domokos Addresses Constitutional Convention

*91BA0337C Bucharest ROMANIAI MAGYAR SZO
in Hungarian 19 Feb 91 pp 1, 4*

["Text" of address delivered by Geza Domokos, chairman of the Democratic Association of Hungarians in Romania (RMDSZ), on 13 February 1991 in Bucharest, at the first session of the Constitutional Convention: "A Situation' Was, Is, Will Be?"]

[Text] Mr. Chairman! Respected Constitutional Convention!

I will use the Romanian language, of course,¹ not only because that is the official language of the state, but also because I like and respect that language in a manner that is similar to the way that I like and respect my native language. I cannot promise that my speech will have as much depth, and will be as coherent and refined from a stylistic viewpoint as was the speech delivered by Senator Gheorghe Dumitrascu, and for that I apologize. At the same time, however, I hope that my possible linguistic weaknesses or mistakes will not prompt Representative Ioan Gavra to propose amendments to the effect that "the official language in Romania shall be the properly spoken Romanian language." Such an amendment has been offered in some form or another from this lectern.

Ladies and Gentlemen!

Beginning today, by the expressed will of our electors, it is our mission, the mission of the members of the Constitutional Convention, to debate the theses to be contained in the future constitution. These principles constitute a coherent system of ideals, and will guide us in finalizing the constitution. The constitution will serve

as the foundation for Romania's endeavors to achieve a civil society and a constitutional state.

We view the draft thesis as an achievement of the drafting committee. This document also proposes the performance of a rather complex task. This task links the synthesis of the experience gained from Romania's statehood thus far, with the theoretical findings of contemporary legal and political sciences. The two are forged by the unmistakable reality of the present, a reality that is unique in every respect. This synthesis reflects not only our requirements, but also the unavoidable barriers present in our current political life. Moreover, on occasion, it also reflects the passions rooted in the contradictions of our distant or recent past, just as those of our present. It would be to our benefit to transcend these passions with a sober mind, and to the benefit of the present and future of this country.

I share the views of those who spoke before me: The ideals of the December 1989 revolution must be expressed in our basic law; and the ideal that securing and respecting fundamental human and civil rights must be clearly supported in the new constitution, just as the principles of the Romanian people's peaceful coexistence with national minorities must not be omitted. These were sanctioned by the Alba Julia Proclamation, that was so convincingly quoted in a speech delivered by our fellow representative, Ingmar Brandsch.

As a basic law, the constitution must represent the continuation of principles conceived within a constitutional democracy. It must rectify the illegalities of more than 50 years of a dictatorship, and it must also reflect the obligations subscribed to by Romania when it became a signatory to international agreements, conventions, and documents.

Further, I wish to make references only to two theses contained in Article I, which is now the subject of debate. I regard these as essential, particularly in light of what Senator Dumitrascu had to say. We will submit our objections and amendments to the rest of the theses at the appropriate time.

Article I, Section 1, defines Romania as a "sovereign, unified, and indivisible nation state."

Permit me to make a brief historical detour. The concept of nation state was used for the first time in reference to the First French Republic. At that time, the use of this concept had a well-defined purpose, notably to place all French persons under a single republic, to overthrow the monarchy, and to restrict the boundless power of the church. Pursuant to the example provided by the French, other European republics and monarchies also declared themselves to be nation states in the 19th century. In the middle of the 19th century, the establishment of nation states was no longer solely an endeavor; it became a reality. On the other hand, postwar constitutions did not assign a national character to their respective states. Thus, for example, the 1958 French Constitution or the 1948 Italian constitution abandoned this definition. In

this day and age, no European state declares itself to be a nation state. Not even Portugal, Denmark, or Holland make such declarations, even though only a small number of national minorities or ethnic groups reside in these countries. All states underscore other peculiar features. For instance, France declared itself to be an "indivisible, secular, democratic, and social republic"; Italy is a "democratic republic founded on labor"; Spain is a "social and democratic constitutional state, whose legal order protects freedom, justice, equality, and political pluralism as its supreme values"; Portugal is a "sovereign republic founded on the dignity of the individual and on the will of the people"; and Hungary is an "independent, democratic, constitutional state." My examples, to use a legal expression, sound *pro gratia*, but they are by no means exhaustive.

We believe that a designation of Romania as a nation state would not correspond with reality in this country. Thirteen national and ethnic minorities are present in parliament alone. These represent a large part of Romania. According to estimates, they represent some 5 million citizens.

Declaring Romania a nation state may amount to the failure to recognize the existence of national minorities. In contrast, point number seven among the theses recognizes as a fundamental principle the reality of the existence of national minorities. I raise the following question for your consideration: Would it not be a contradiction to say on the one hand that Romania was a nation state, and to announce on the other hand that the Romanian state recognized and guaranteed the right of each and every national minority to preserve, develop, and declare its national identity?

I wish to make it as clear as possible that in seeking to eliminate the term "nation," we are not asking that an example be set for a multinational state, and for everything that flows therefrom. In our view, the definitive elements of our state are sovereignty, unity, and indivisibility. These three words fully reflect the present concept of modern Romania; a Romania which is in the process of opening its doors toward Europe and to the realities of the contemporary world.

With respect to Section 10, we support the proposal advanced by Representative Brandsch, i.e., we accept the alternative Paragraph 3. In other words, we support the deletion of the wording "the establishment of parties and the recognition of the functioning of parties shall be based exclusively on a political criterion."

I will justify this position. No opportunity to infringe upon the rights of association (including political association) on grounds of nationality, religion, or language has been provided for in the International Agreement on Civil and Political Rights or in the proclamation concerning the elimination of all forms of discrimination based on one's religion and conviction, nor has there been such an opportunity included in the draft of the European Convention for the Protection of Minorities.

In Romania, establishment of a political party whose goal it is to preserve and develop the identity of a given national minority would mean the realization of principles contained in the second paragraph of Section 7 of the fundamental principles.

In a number of European countries where national minorities exist, minorities have their own political parties or political alliances, and their own organizations. Thus, in England there are three national political parties. In Belgium, the Flemish and the Walloons have their own national parties. In Spain, the Basque and the Catalan parties are rather strong, just as the Swedish People's Party is in Finland. The parties of the Dutch Frisians and of the Austrian Southern Tyrolians are also significant.

In almost every European country there exist political parties established exclusively on the basis of religious criteria. Christian democratic parties, for example, hold important, and on occasion, decisive power in a large part of West Europe. A restriction like the one being proposed, to declare unconstitutional political parties established exclusively on the basis of ethnic, religious, or language criteria, would fully contradict and violate the general political right of national minorities to preserve, develop, and declare their identity.

Ladies and Gentlemen, my dear fellow representatives!

We are convinced that you will receive these recommendations, as well as the ones we will bring to your attention in the future, with understanding and with a sense of objectivity, and that you will examine these proposals in the spirit of cooperation that befits this place and this moment.

The RMDSZ [Democratic Federation of Hungarians in Romania] parliamentary faction is prepared to contribute constructively to the work of the Constitutional Convention. We trust that nothing will hinder its realization from the first day to the last.

Footnote

1. The ironic remarks in this paragraph apply to comments made by the two speakers preceding Geza Domokos.

Importance of RMDSZ Ties in Hungary Viewed
91BA0337B Bucharest ROMANIAI MAGYAR SZO
in Hungarian 20 Feb 91 pp 1, 6

[Article by Istvan Gagy-Balla: "Beyond the Inside Track; Thoughts on the Foreign Relations of the Democratic Association of Hungarians in Romania (RMDSZ)" under the rubric "Viewpoint"]

[Text] In Romania, the phrase "Hungarian public opinion" spontaneously raises two questions. First: Considering the fact that Hungarians in Romania have been ceaselessly fighting a thankless war to preserve their identity, whom should they count on in their struggle for

survival? Second: In what way does the RMDSZ [Democratic Association of Hungarians in Romania] pave the road toward the House of Europe? The time has come to discuss these matters. By now, a reserved Western willingness to negotiate with the Romanian state administration concerning our vital issues and our financial support has been indicated. It would seem that in the not too distant future, not only state organizations, but consistent with their interests, parties, and organization, other institutions may also develop appropriate foreign relations without facing specific obstacles. In this framework, the RMDSZ will also have an opportunity to institutionalize its relations with the outside world.

One should not say that thus far, the RMDSZ has moved only on the inside track. As we have learned from the daily press and from other news reports, ever since its inception, representatives of a number of organizations have been seeking out the RMDSZ. These people have been able to thoroughly familiarize themselves, through RMDSZ headquarters and through local RMDSZ representatives, with the ways in which our lives have developed. In addition, thanks to modern mass communication media, any noteworthy event has become known to the world as it happened. As seen from abroad, our image has also been shaped by the fact that last year many foreigners, and not only people who speak Hungarian, took part in a number of functions that we organized. Accordingly, the closed organization character that we had prior to 1989 no longer exists. Romanian society has become substantially more open, at least as far as information is concerned. This fosters hope that the free flow of ideals and information will also "enlighten" those who still tend to discover some kind of diversion against the Romanian nation in every action that we initiate.

Recognizing the usefulness of all relationships that have developed thus far, as well as the anticipated advantages that may flow from such relations, I feel that the RMDSZ' foreign relations must be placed on new organizational foundations. The RMDSZ cannot exist without a well-defined, institutional system for foreign relations. Two basic documents provide legal foundations for such a system: the RMDSZ Program and its bylaws. The bylaws state that "...they wish to maintain relations with the whole of the Hungarian nation, and with the signatories of the Helsinki Accord." And later: "The National Presidium may enter into agreements with domestic and foreign institutions and organizations." The RMDSZ program clearly states that Hungarians residing in Romania are organic parts of the Hungarian nation, and that the organization has the authority "to determine the content and form of relations maintained with the parent nation and with democratic organizations of Hungarians residing in other countries." These relations must serve national goals. Joining the World Federation of Hungarians would greatly enhance the realization of the above goals. This organization seeks ways for renewal, evolution, and a more complete self-realization. During the past year and

a half, the organization has undergone fundamental changes, thanks to the "quiet" revolution that took place in Hungary. During the past decades, the grip of party dictatorship in Hungary had been fluctuating as a result of periodic tightening and loosening measures. Amid this fluctuation, and in part as a result of its "profile," the MVSZ [World Federation of Hungarians] has been the only organization to endeavor accomplishing something in the Western world for the preservation of the identity of Hungarians overseas. In its new bylaws, one finds the following: "... the MVSZ regards as its duty to unite and support Hungarians who live abroad in dispersion or as national minorities; takes positions on issues concerning their situation and development; and encourages the development and strengthening of their ties with Hungary consistent with the Universal Declaration on Human Rights. The MVSZ supports and intends to develop mutual respect and good relations between Hungarian national minorities and the respective nations in the majority. The MVSZ encourages and provides assistance to endeavors whose aim it is that Hungarians residing abroad become the connecting force between countries and nations in their efforts to enhance mutual understanding." These statements are clearly acceptable to the RMDSZ, as far as its goals as an interest group are concerned.

Considering the usefulness of joining the MVSZ (because in our reforming world we must also consider utility), we could mention the following anticipated benefits. We do not assert that our listing is complete:

1. Above all, we could expect moral and financial support from an organization that represents Hungarians throughout the world, to the extent that this organization is able to provide such support.
2. Through the MVSZ we could receive constant information on a regular basis concerning Hungarians in various regions of the world, and about their problems.
3. The same would also apply in the reverse. (The potential help Hungarians anywhere in the world could provide would be invaluable, provided that they possessed up-to-date information concerning our peculiar conditions).
4. The RMDSZ could join the pursuit of the MVSZ' diverse activities, such as participation in various professional and cultural meetings and conferences. This would provide an opportunity for our specialists to obtain professional and other information.
5. Awareness of belonging to a world federation organized on an ethnic basis would multiply our inner "spiritual" energies in the struggle that has been forced upon us.
6. The deepening of our foreign relations based on the spirit of the Helsinki Accord could be expected to awaken interest to be expressed not only by Hungarians residing in other countries of the world, but through them, also by the majority populations of the respective

countries. Used cleverly, such curiosity could produce no small profits for Romanian tourism interests.

The benefits enumerated above, and those not mentioned suggest that the leadership of our organization deal with the issues involved in joining the MVSZ, while taking into consideration expert opinions and the RMDSZ' situation as viewed from European vantage points.

Only a few Hungarians (15 million, 16 million?) live on this earth, which is inhabited by countless nations. Even this small number of Hungarians has been dispersed throughout the world. Dispersion means constant attrition. As long as the vicissitudes of history have placed us on a spot where "we cannot have 30 seconds of peace, because if we do, we will perish." Approaching the millennium, it is the most fundamental duty of Hungarians alive today to sustain themselves within the limits of opportunities provided by this age. This applies not only in biological terms, but also from an ethnic standpoint, and most importantly, with respect to our peculiar Hungarian civilization. This is so because we also represent a color on the great palette, and we also constitute a peculiar culture in the framework of European culture. Our culture is neither a lesser nor a greater culture than the rest of the cultures. We will be able to retain our

national existence only through joint cooperation, and our peculiar culture only as a result of repeatedly new intellectual efforts. The primary meaning of joint cooperation is to reach out toward those who speak the same language. The state of communications with our compatriots is worse than poor. "The Hungarian nation as a whole suffers from the misery of not having information," according to Hungarian writer Laszlo Dobos from Czechoslovakia. This connection, which can hardly be called a relationship, could be turned into a live relationship only within an institutional framework. In my view, in the present situation, the MVSZ is the most suitable "institution" for this purpose. Incidentally, Andras Suto has served as honorary chairman of the MVSZ since last summer.

I am well aware that this will sound utopian, but if we live long enough to witness an era in which there is no need for interest groups here or elsewhere, then, and only then, the time will have come when member organizations within the RMDSZ may independently shape appropriate foreign relations according to their taste and perception. However, at this time we are still far from being able to say that the time for such action has come.

11 February 1991

POLAND

Conversion of Military Industry to Civilian Use

91EP0264A Warsaw POLSKA ZBROJNA in Polish
10 Jan 91 p 3

[Article by Captain Dr. Janusz Placzek: "How Should the Defense Industry Be Converted?"]

[Text] For several years now, changes have been made in the defense industry which are aimed at the broader utilization of this industry's production potential to serve the needs of market production. The period during which defense enterprises were judged to be converting to market production quite rapidly and without major difficulties has been followed by a period in which the complexity of the problems with which economic organizational units of this type must battle has been noted. To a greater or lesser degree, this affects about 80 percent of the enterprises that carry the special status of defense enterprises subject to the Ministry of Industry [MP]. The primary task of such enterprises in the past had been to meet the needs of the state in the area of production serving state defense and security.

It was not so long ago that the state's requirement that the means of battle and military equipment be produced domestically, both for the needs of Poland's own armed forces and for export purposes (which includes obligations related to our allied status), was enough to spur the development of such enterprises.

These plants did not have to work to expand civilian production and to intensify such production. This emanated from the more favorable price ratio in the sale of this special type of production (particularly to the second payments [hard currency] zone) over civilian production. Hence, enterprises having a defense status gave insufficient attention to buffer production (i.e., market production that is related in terms of assortment and is technologically comparable).

Today, due to the East-West dialogue and to tendencies toward detente in the international situation, a further significant decline in the need for arms and military equipment has occurred among contractors. Likewise, a substantial reduction in the demand for this type of product has been shown on the world market. Hence the decline in orders, both from domestic customers and for export.

For example, at present we are unable to sell nearly 150 T-72 tanks which were manufactured in our plants. It should be stressed that the production capabilities of the domestic industry in this assortment alone are set at approximately 250 pieces per year according to official sources. On the other hand, the requirement for which there is financial backing to serve our own army from 1991-95 is estimated at approximately 30 pieces per year. The reason for this is simple: the relative decline of the MON [Ministry of National Defense] budget from year to year. Meanwhile, vegetative [as published] ends

(i.e., outlays for wages, food, lodging, uniforms, health care, and the like) are absorbing an increasingly greater portion in the structure of these outlays. For example, in 1987 and 1988 this was about 44-45 percent of the entire budget, and in 1989 it rose to 61 percent. This allows us to designate a smaller and smaller portion of funds to purchase arms for our own army and to reinforce the sphere of preparations for mobilization in the national economy.

Specialists maintain that we should make a shift, i.e., change our production assortment for the following hitherto existing areas:

- About 88 percent of our production capacity of armored equipment.
- About 66 percent of our production capacity of 85-to-122-mm artillery ammunition.
- About 75 percent of our production capacity of military vehicle radio stations.

The production capabilities freed up in this manner are to be designated for market production according to the following assortment:

- Various types of mobile hoists, mining extraction machinery, cranes, bulldozer-loaders, and farm machinery.
- Roller bearings, fire extinguishers for vehicles, gas cylinders, equipment for small butcher shops and the food industry, and concrete mixers.
- Portable and automobile receivers, radio telephones, SCR [expansion unknown] transformers and electrical equipment for general consumption.

Economic practice shows that it is easiest to restructure former defense production in plants where such production has played a minor role. In such economic organizational units there are essentially no problems regarding the quantitative and assortment reduction of military-type orders. In other words, this cutback takes place without significant organizational and technological disruptions. This applies in particular to plants of the light industry branch and to coproducers working in their own specialized areas.

With regard to the conversion of plants in which specialized machinery and equipment adapted solely to military production are installed, however, the situation is much more complex. For the most part, these are separate, highly specialized departments adapted to mass production. This applies, for example, to plants that produce ammunition, which have automatic production lines and material reserves amassed for this purpose. The rational management of this type of specialized machinery becomes greatly hindered. In many cases, this equipment cannot be utilized for civilian needs; nor can it be sold due to a lack of purchasers. This creates additional problems and it also impacts the financial condition of this type of enterprise. An additional complication for these organizational units is the need to maintain mobilization capabilities in the particular area of specialized production. I am of the opinion that in this

regard it would be advisable to bring our defense industry enterprises into coproduction with other countries in the area of defense production and the equipping of armies.

The enterprises which execute their production primarily for defense and state security (there are about 20 such enterprises) pose the greatest problems in the conversion. In these cases, the reduction in the volume of military production causes an increase in per-unit costs of manufactured products, thereby reducing competition on the world armaments market. Observations to date show that enterprises of this type are shifting over to broader civilian production with great difficulties over the longer term. Likewise, they are achieving lower financial results as a rule. The significant costs they are incurring which are related to the expansion of, or adaptation to, civilian production have a calculable impact on this phenomenon. These costs are made up of the purchase of new machinery and equipment and, sometimes, of technology, the retraining of the work force and the creation of a new network of coproducers and the like. To this must be added the need to repay bank credit (and interest) incurred in past years for capital spending projects which are not yielding the expected profit at present.

These enterprises also have substantial personnel problems. On the one hand, the requirements of defense impose upon this type of unit the duty to possess a highly qualified work force, while on the other hand, the economic situation of these enterprises forces them to reduce employment and wages. This is currently a crucial social problem which must be quickly resolved.

It should be noted that the existing situation in defense industry enterprises has not been caused solely by factors which depend upon them alone. At one time the government, attending to coalition obligations, determined the

character and volume of their production. And so, these enterprises cannot be left alone today with their problems, but they must be helped during this difficult period of converting and adapting to a new situation.

I believe that it is advisable to step up the substantial efforts made by the recently created SGPiS [Main School of Planning and Statistics] Center for Conversion and Disarmament Studies. Moreover, the MP should create mechanisms to facilitate this process related to such matters as ownership restructuring within the industrial framework, the current policy of state interventionism, and also the need for production flexibility in this type of plant.

It should be kept in mind that foreign experiences in the area of the conversion which took place in Western enterprises with varying intensity following World War II demonstrate that this is a complex, time-intensive process which is extremely costly (contrary to political opinion). We, too, must realize this.

The conversion process currently underway in the USSR is taking place with the aid of directives handed down from above. According to these directives, the directors of plants in the powerfully expanded USSR defense complex are being ordered to change their former production by a deadline of scarcely a few months.

In our opinion, now that we have shifted from a directives-distribution system to a market economy, such an approach would be contrary to the philosophy created on the basis of new economic-system principles. Hence, the management and work forces of defense industry enterprises should elaborate their own concept for converting to market production. This concept should be based upon demonstrated production efficiency and management initiative. That is what work forces and the market economy alike await.

CZECHOSLOVAKIA

Lack of Foreign Investment Explained

91CH0367B Prague HOSPODARSKE NOVINY
in Czech 4 Feb 91 p 1

[Article by Marcela Doleckova: "Why Foreign Investors Are Hesitant"]

[Text] Almost every Czechoslovak official who returns from any discussions in the developed world asserts that he or she met there with a high level of interest in working with Czechoslovakia, in the possibility of stepping onto the Czechoslovak economic scene. Reality, however, tells a different story.

By the end of last year some 1,300 firms with foreign capital participation had received permission to begin operations. This apparently large number, however, is backed up by very little capital. Three-quarters of these firms have base capital of less than 1 million Czech korunas [Kcs], only 10 percent have a government enterprise as a Czechoslovak partner, only 38 have base capital in excess of Kcs10 million, and 271 of them have 100 percent participation by the foreign partner. The conclusion is obvious. Foreign investors for the time being are not rushing into Czechoslovakia. This concise statistic, however, does not yet include the "marriage of the century," between Mlada Boleslav Skoda and the German firm Volkswagen.

Why are foreign investors so hesitant? We spoke about this with Eng. R. Kuklik of the much-in-demand British consulting firm Price Waterhouse. Price Waterhouse, indeed, was involved in the valuation of Mlada Boleslav Skoda and in the selection of its partner. In addition, Price Waterhouse serves as an external adviser to the Federal Presidium. Currently, various Czechoslovak enterprises are approaching the firm when they want to look for a foreign partner capable and interested in investing in them.

"There undoubtedly is a certain feeling of uncertainty," states R. Kuklik, in speaking about foreign investors. This uncertainty, in his opinion, is derived from several factors. They include the imbalance between costs and prices, which makes a potential investor unable to estimate the return on invested capital, which raises his potential risk on a Czechoslovak venture to an unacceptable level. "Moreover, legislation is not keeping pace with economic processes. This can perhaps be explained as Czechoslovak lack of experience, but from the outside it is just one more element of uncertainty," says Kuklik.

Thirdly, discussions on the transformation law, which was supposed to establish legal forms for denationalization and procedures for transferring stocks from government to private hands, have again been postponed. In addition, Kuklik points out, potential investors are waiting for ownership structures to become clear. Kuklik made a very careful statement about the law on extra-legal rehabilitation. On the one hand he was clearly

convinced that there should be some justice, but on the other hand he admitted that there is no ideal solution. The mere opening of discussions on the topic, in his view, was tantamount to opening Pandora's box. When the legislative bodies began to talk about them in good faith, they could not have imagined the number of intertwined problems they would encounter. Kuklik added with humor, that lawyers are the last people who should be afraid of losing work. "There is plenty to keep them busy for years to come. The question becomes whether or not the Czechoslovak economy can wait that long for foreign investors."

Quick Look at Price Regulations Offered

91CH0367A Prague SVET HOSPODARSTVI in Czech
25 Jan 91 pp 1-2

[Article by Karel Machala and Milos Kubanek: "One More Look at Price Regulations"]

[Text] On 1 January 1991 price deregulation was accompanied by the regulation of certain prices. This measure was implemented based on the price law and a decree of the Federal Ministry of Finance [FMF], and the Ministries of Finance of the Czech Republic [CR] and the Slovak Republic [SR] pursuant to this law.

Under a strict interpretation of the decree there would be no price deregulation at all. Section 1, Paragraph 1, states that "Increasing the selling price over the customary price for the same or similar goods is considered obtaining excessive economic advantage by setting prices that include either unjustified costs or excessive profits."

The outcome of deregulation, however, should be the elimination of precisely these "customary" prices, replacing them with market prices, which are the outcome of the interaction of supply and demand and, by the way, of the quality of the goods being sold. The philosophy underlying the decree, however, fiercely defends cost-based prices (taking a page right out of current economics textbooks).

Administrative price regulation was introduced as an anti-inflationary tool and is intended to be only temporary. Nevertheless, it is clear that it can cause a number of disruptions in the market mechanism, in addition to restricting price increases.

An enterprise selling products at regulated prices is at a disadvantage when compared with other businesses. This can result in reduced profits, even in cases where there is great demand for the products and where the market cannot obtain the products elsewhere. This will lead to one or more of the following:

Departure of the enterprise from the sector. The product completely or partially disappears from the market, deforming other markets in a chain reaction. The product is available on the black market for higher

prices, or is imported from abroad (with clear consequences for the country's balance of payments).

Requests for subsidies. The enterprise is not responsible for its plight, or the situation results directly from its unequal market position. The firm therefore justifiably requests subsidies. These, though, are paid indirectly by taxpayers with unfavorable and, in the final analysis, an inflationary impact through the government budget.

Poor capital position for the firm. A producer with regulated prices has fewer resources for investment, labor, and the like. This lowers the value of its stock on the stock exchange. This constitutes an overall threat to the efficient functioning of the capital market.

Administrative price controls in an environment of generally deregulated prices and a market economy, as numerous examples have shown, causes a number of macro and microeconomic problems. It was not by chance that the price law, the first legislation submitted by the FMF, came under such sharp criticism from right wing delegates during discussions in parliament. It really looked like the ministry, at the last minute, had become frightened of its own product, price deregulation. Is this really the case?

"Regulation of markets and prices takes a number of forms and is an absolutely integral part of free price formation throughout the world. To the extent that someone is surprised when deregulated prices exist next to regulated prices, this is because that person sees these two terms as mutually exclusive, like good and evil," says Eng Emanuel Sip, director of the Price Division of the FMF. "In no way should we compare ourselves with mature economies. In the 1950's and 1960's most of these economies had large numbers of regulated prices. Regulated prices played a large role in the miracle in the FRG. Throughout, regulation had a single goal, to replace the market where it did not function. In the 1970's and 1980's these regulations were mercilessly removed, but their remnants continue in most countries," Sip adds.

Granted, but it is also clear that both the strategy of deregulated prices and the approved price regulation create barriers within which considerable movement is possible. Much therefore depends on policy and the leadership at the FMF. "Our idea of price regulation is one of regulations that are flexible, but also effective when necessary. Regulations will be imposed mainly where there is a high risk of price increases that cannot be prevented by any other means," Eng. Sip responds. "From my knowledge of the government and of the price regulation strategy of the FMF I would not be afraid that the regulations will be too strict."

One can only agree with this. If for no other reason than because the ministry will inevitably find itself in the dilemma of all central planners, namely of figuring out how a small number of people can determine (or control) hundreds of thousands of prices. For just this reason it has become clear, and the realities of the first weeks of

the new year have confirmed, that the price law will in reality seem much less fearsome than it looks on paper. Hopefully, then, as much attention as possible can be spent on less problematic market regulators, such as deregulating foreign trade, fostering a competitive environment, and privatization.

"In the final analysis, we also are interested in attracting foreign investors, who should not be constrained, and will not allow themselves to be constrained by regulations. In any event, they will not be the ones who exploit their customers and force them to accept clearly unprofitable business deals," adds Emanuel Sip symbolically.

HUNGARY

Official Discusses Telecommunications Prospects *91CH0378A Budapest VILAG in Hungarian 23 Jan 91 pp 35-36*

[Interview with Sandor Krupanics, deputy director of the Hungarian Telecommunications Company, by G. Tamas Koranyi; place and date not given: "The Telephone Is for Sale!"—first paragraph is VILAG introduction]

[Text] The most successful element of British privatization was the transfer of British Telecom's shares into private holdings. In Hungary, too, telecommunications yield respectable profits. There are several contenders for the Hungarian Telecommunications Company, which was separated last year from the post office, but Hungarian small investors will most likely constitute the majority of prospective shareholders. We talked with Sandor Krupanics, deputy director of the Hungarian Telecommunications Company, about the cost of developing Hungary's telephone network and about concepts of privatization in telecommunication.

[Koranyi] For the time being, all that the average Hungarian perceives from the grandiose plans of developing Hungarian telecommunications are the telephone charges that have more than doubled. Beyond serving the development, does the drastic increase also serve the purpose of making the company more profitable so that it can be more easily privatized?

[Krupanics] Unlike many other Hungarian firms and public utility companies, we needed the increase for further development, not for staying afloat. Last year's increase amounted to less than 11 percent, while inflation proved to be three times that amount. In real value, our revenues from charges decreased by 30 percent. That is what this step was supposed to offset. Incidentally, just like almost everywhere in the world, telecommunications yield good profits in Hungary, too. Our profits were 7.4 billion forints from sales receipts of 25 billion. At the same time, we spent more than twice as much for developing the network and building new centers. In addition to our own resources, we used a 1.3-billion-forint state subsidy and money received from

citizens, who paid almost 1 billion in fees when their new telephones were connected. The program that we launched this year—600,000 new main lines in three years—will need 120,000 to 130,000 billion, part of which will have to be shouldered by the old subscribers.

[Koranyi] The addition of these 600,000 new lines, even when combined with the existing 1 million, it seems to be insufficient to reach the present European level....

[Krupanics] I hope that other developments will also begin within three years. Local governments may use both their own and the population's resources for establishing regional or municipal telecommunications companies, as many as 200,000 to 300,000 new lines may be built this way, which would then be taken over by Hungarian Telecommunications Corp., and the investors of the ventures would be given shares in the amount of their contribution. This way they would share the profits of the entire telecommunications industry instead of just those of the small local networks that would probably be unprofitable anyway. It will perhaps take us six years to reach the European level, i.e., 40 working telephone lines per 100 people. In order to do that, we will need a total of 3 million main lines (the much-criticized but presently indispensable party lines will help in attaining the 40 lines per 100 people) and \$6 billion to \$7 billion. At that time, a supply market will exist—at least in the cities—and we will hopefully even have to advertise our newest services.

[Koranyi] These promising prospects are hardly a consolation for those who have been waiting for a long time and will not get a telephone this year either, or for those who do have a telephone but cannot afford to use it.

[Krupanics] We are negotiating with the Ministry of Public Welfare to jointly help the most needy through a foundation to which we would also contribute. For instance, unemployed persons pay lower rates in most Western countries because a telephone is indispensable in looking for a job. This could also be introduced in Hungary.

[Koranyi] How much of this enormous amount of investment can be financed with foreign capital?

[Krupanics] We already borrowed a total of \$250 million from the World Bank and the European Investment Bank last year, but a much larger sum will be acquired by Hungarian telecommunications when the company becomes a corporation in July, and a prominent foreign investor will also buy into the corporation through increased capital stock. It is not simply an investor we are looking for—there would be plenty of them as banks are buying out telecommunications companies all over the world—but a large telecommunications company which would provide not only the money, but expertise as well, and which would also take part in the management.

[Koranyi] Does this mean that you would put the Hungarian telephone network into foreign hands?

[Krupanics] Although foreign partners understandably want a majority share, that is out of the question. The majority of the Hungarian Telecommunications Company will remain in Hungarian hands now and in the future. We would increase the planned 50-billion [currency not specified] capital stock—mostly state property—through foreign capital of 18 to 30 billion [currency not specified]. In the second step, which will be taken when the development of our domestic stock market will allow it, part of the state shares may be sold to Hungarian small investors. This will be a really attractive investment if the dividends of good stocks and the increases in exchange rates will not have to offset inflation of 30 to 40 percent... At any rate, as this is a strategically important industry, the state will continue to have a say, even as a minority owner. The British Government did not give up control either. Although British Telecom is almost entirely in private hands, the government continues to exert its will through a so-called golden share with veto power. Although the British telephone network is hardly comparable to that of Hungary, development has a priority over the payment of dividends even there. But this does not bother the British small shareholders.

Proposed Compensation Law Explained, Criticized

Compromise Solution

91CH0379A Budapest NEPSZAVA in Hungarian
23 Jan 91 p 26

[Article by Lajos Bodnar: "Who Can Expect Compensation and How Much?"]

[Excerpt] Once again, the government knows what it wants. It has "switched" the draft law on compensation even before parliament could begin to consider it. But, as we know from the news reports, not even the new version that the government is now introducing has the unanimous approval of the Smallholders, despite the fact that the drafters of the new version have made some minor concessions to the advocates of reprivatization.

The draft law's new versions retain the signs of political compromise, and as before, attempt to partially rectify only the injustices that occurred after 8 July 1949. As the government points out in its exposition on the draft law's legislative intent, a series of government measures adopted after the year of change infringed upon private ownership, and the government perceives the rectification of these injustices as its moral obligation. However, the exposition also reveals that basically the government would like to achieve these objectives not by returning the unlawfully confiscated industrial plants and real estates to their former owners, but by giving them partial financial compensation.

Accordingly, dividing the total compensation, which is estimated to be about 70 billion forints, will be sharply limited. The original loss will be multiplied by an appropriate factor to allow for inflation, but no outflow of cash

into the market will be possible. The former owner will receive a compensation certificate, i.e., a written promise to pay similar to other securities. But the future holder of such a certificate will be entitled to use it primarily to buy state assets. He will be able to exchange the compensation certificate for the shares and stakes that will be sold in the course of privatization, or he might use the certificate to pay for state assets he bought at a public auction. The draft law ensures for the holder of a compensation certificate also the right to buy farmland, but in practice it makes this right contingent on additional conditions (for example, the purchaser will have to be a local resident).

Who is entitled to compensation certificates? Only individuals who are able to provide documentary or other proof that their claims are genuine. In the draft law's new version, the government, having revised its ideas of last December, does not limit the right to compensation to the original owners or their children still living. Responding to complaints, the government now acknowledges the right to compensation to any direct descendants of the original owner. That includes also grandchildren, for instance. In the absence of direct descendants, the surviving spouse may file a claim as well.

How much compensation can be claimed? The draft law allows at most 5.0 million forints per person and property. But the amount of proven loss does not equal the amount of compensation allowed. As the value of the property rises, its proportion allowable as compensation gradually declines. Above 500,000 forints, only 10 percent of the property's original value will be taken into consideration. But in the lower brackets—below 100,000 forints—even 90 percent might be allowed. The former owner who lost his property as a result of the statutory regulations enumerated in the draft law will be able to file his claim with the indemnification offices that will be set up. The actual amount of compensation can be computed by using the factors with which the state is attempting to offset the effects of inflation. [passage omitted]

Negative Effects

91CH0379B *Budapest NEPSZAVA in Hungarian*
24 Jan 91 p 18

[Article by Lajos Bokros: "In Harmony With Sharing the Burden"]

[Excerpt] [passage omitted] We could go on and on analyzing in detail the negative economic and financial consequences of providing compensation at the expense of our national debt. It would be unfortunate if the well-known primacy of politics were still asserting itself over economics. But it is undeniable that there can be no objections on the basis of economics if this is what society's sense of justice demands. The only important thing is that, when the draft law on compensation is introduced in parliament, the minister concerned must

also reveal how all this will affect the national debt, the state budget, the balance of payments, inflation, the securities market, privatization, the business cycle, and the prospects of a recovery. He will have to frankly admit that the consequences of implementing the plans for compensation will be completely in conflict with the government's announced economic policy.

It would still be feasible to stop the program, or at least to delay it until the country will have extricated itself from our present economic crisis and it becomes possible to divert, without any particular danger, a proportion of the accumulating savings to those who are entitled to compensation. The program could also be refined for instance, by paying compensation to those who have been wronged only on the basis of the net value of their property, after deducting the debt with which the property had been burdened at the time of confiscation. The rate of compensation could also be reduced to a nominal level, on the grounds that those members of society who did not own property 42 years ago, and those who were born since, have been deprived for decades of opportunity to become owners. After all, the lost profit was everyone's.

A popular attitude at the time of the change of regimes was that it was not the man in the street who borrowed those \$20 billion abroad, and therefore the foreign debt should be repaid by those who negotiated the loans. Regardless of how morally justified this demand might be, we all know that economically and politically it is entirely impossible and impractical. We must realize that the same applies to compensation as well. The assets nationalized 42 years ago have lost their value since then, and their combined total value at present is negative. It is possible to give something back only at the cost of further increasing the burden of others. In a stagnating economy and without any accumulation of savings, the redistribution of wealth is a zero-sum game. If somebody wins, someone else has to lose. Regardless of how morally justified providing compensation might be, we have to recognize that it would only further worsen our already fragile economic equilibrium. Now, as we have seen, there is only lost profit left to share.

Wave of Mining Industry Bankruptcies Expected

91CH0378D *Budapest NEPSZABADSAG in Hungarian*
8 Feb 91 pp 1, 5

[Unattributed report: "A Wave of Bankruptcy in the Mines; A Schizophrenic Trade Union"—first paragraph is NEPSZABADSAG introduction]

[Text] (From our correspondent) An announcement is expected at a meeting of the Borsod Coal Mines [BCM] workers about the beginning of BCM's liquidation. The liquidation is already in progress in Nograd and Dorog, and a similar announcement is expected at Mecsek Coal Mines [MCM] as well.

Correspondent Bela Kovacs reported that it remains to be seen whether Dorog Coal Mines [DCM] can stay

afloat as a result of the liquidation process that is taking place at present. According to the liquidation commissioner who oversees the liquidation process, it is conceivable that DCM will fold without a legal successor or that it will be made operational at the price of selling off a few sections, but scenario is highly unlikely.

Lajos Kovacs reports from Borsod that, in the case of Borsod Coal Mines, creditors will become owners through the liquidation, i.e., coal production at these mines will continue under the management of new owners. There is no talk yet about layoffs because the labor force was already been decreased by 2,000 last year.

Tamas Ungar reported that at Mecsek Coal Mines [MCM], bankruptcy is expected to be filed in March. As a result of the Lias program that proved unsuccessful, MCM's debts amount to 6.2 billion forints. Even in disregarding repayment of this, MCM's debts would still be more than a billion. MCM was unable to get bank credit for years, and its solvency depends on the patience of its suppliers. MCM's expected losses will be between 1 billion and 1.5 billion forints this year.

Executives of MCM, which has a labor force of 8,500, think that the only way to avoid unresolvable tensions caused by liquidation is to stretch out mine closures over a period of about ten years.

It is a new development that workers at the Pecs mine want to speed up the bankruptcy process. Thursday, the mine's trade union sent a letter to Minister of Industry and Commerce Peter Akos Bod, requesting that he dismiss Director General Andras Csethe. The content of the letter makes it clear that the government bailout of MCM between 1988 and 1990 was unsuccessful.

Laszlo Vass, Director of Coal Mining Rehabilitation Center [CMRC], forecasts further bankruptcies. He told our correspondent, Judit Kozma, that Matraalja and Oroszlany are also in danger, and that only Tatabanya (which has already been successfully bailed out once) and Veszprem are likely to avoid foreclosure.

CMRC prepared a report on the chances of restructuring, which is to be forwarded to the Ministry of Industry and Commerce during the coming days. As told by portfolio spokeswoman Mrs. Antal Kardos, the portfolio's standpoint will be determined after comprehensive assessments, and a discussion of the concept is expected to take place at the end of this month, after which it is hoped that the events will escalate.

POLAND

CEMA Reformation Leads to Dilemmas for Poland

91EP0285A Warsaw ZYCIE GOSPODARCZE
in Polish No 4, 27 Jan 91 p 6

[Article by Stanislaw Dlugosz: "After CEMA, What?"]

[Text] Since January 1990 work has been underway aimed at reforming the present CEMA into a multilateral

organization. The work of a special commission, appointed by the 45th CEMA Session, is being done at the initiative of the Polish delegation. Thus far, all of the delegations have accepted the three basic principles we have proposed for the reformation of CEMA. They are as follows:

- The focus of the post-CEMA organization should be based on the preparation of economic analyses, forecasts, comparative studies, legal regulations, and on the exchange of economic information, possibly technical and scientific.
- Every member state should have full freedom in establishing terms of economic cooperation with the entire outside world.
- There should be internal freedom in establishing the terms of economic cooperation between interested member states.

The work is still incomplete, nevertheless in the light of what has already been done and in the light of the results of the three meetings of the special commission, it appears that it will be possible to transform CEMA into a new organization with an entirely new range of competence.

Two options are being considered. First, terminating the activities of the "old" CEMA and creating a new organization, and second, transforming CEMA into a radically reformed organization called International Organization for Economic Cooperation. The Western states applied a similar solution in transforming the OEEC [Organization for European Economic Cooperation] into the OECD [Organization for Economic Cooperation and Development]. Although political conditions are of primary importance in deciding the fate of the present CEMA, in both cases it is important that the following matters be unequivocally clarified with the USSR government: the property rights and the immunity and abatements which were contractually agreed upon between CEMA as an organization and the USSR government. This is because all of CEMA's assets are in the USSR, and it is there that most of the organizational and substantive activity has taken place. Hence the need for an unequivocal clarification with the USSR government regarding its willingness to continue to apply all of the present rights and powers to the new organization, if one should be formed. These matters were taken up at the fourth meeting of the special commission for the reformation of CEMA which took place in Moscow early in January. It was decided that the discussion would be continued.

Irrespective of the two alternative solutions mentioned above, a third solution is also emerging. It is based on the fact that some member states may leave the reformed organization, and that other states of a different character may join—those which in the past had looser connections with CEMA, e.g., Yugoslavia or Finland, or did not take part in the organization at all, such as

Austria or the USSR republics. The joining of a united Germany in the reformed organization may be a problem of its own.

The dissolution of CEMA, without continuation in any form, would probably not have, in the next few years, any negative effect on the bilateral shaping of economic cooperation with the states of Central and Eastern Europe, including the USSR. This is due to the fact that all of the principles governing foreign economic cooperation are being, and in the next few years will be, coordinated bilaterally. Even the fact that some of the states which now belong to CEMA are parties to GATT will not alter this arrangement. The arrangement will vary as regards relations with particular post-CEMA countries.

It should be the task of the state administration responsible for guiding foreign economic cooperation to create the treaty conditions which would give Polish enterprises broad access to the import and export markets of these countries, ensuring the symmetry of these terms. Therefore, the liquidation of CEMA should be looked at from a long-range view, particularly taking into account the possibility that accounts between Central and East European countries may be settled multilaterally, as a result of the full use, in these accounts, of freely convertible currencies and after convertibility of national currencies is attained. Another possibility is that some countries of Central and Eastern Europe (particularly Czechoslovakia and Hungary) will overcome their current prejudices and create, with Poland, a free trade zone, customs union, or a kind of payments union. But it seems that despite the initiatives undertaken by Poland in these matters, it will be a long time before these concepts are realized. The third possibility is the establishment, in the USSR—as a result of the signing of a federation, confederation, or other type of agreement—of an actual union joint market. The portent of such a concept can be seen in the Gorbachev program, "Basic Directions for the Stabilization of the National Economy and Conversion to a Market Economy," although the road to such an organization may be rough.

In examining the problem of transforming CEMA, it should be assumed that a decision within the next few years to dissolve the organization without any kind of continuation, or a decision to deeply reform it, would not really have a significant influence on the USSR's position on questions dealing with the failure to respect previously concluded bilateral agreements on the continuance of deliveries, in the same amounts, of raw materials and fuels. Nevertheless, Poland should continue its efforts so that in the transition period (1991-93), while the economy is adapting itself to the new flow of imported goods, the reduction in the size of these deliveries, especially of petroleum and natural gas, is the lowest possible, in view of the present favorable transport infrastructure. The Soviet position should be viewed with the awareness of the fact that the USSR is trying to evade the unanimously passed decisions of the 45th Session of CEMA. According to these decisions, the

move to the new settlement-of-accounts system and market prices should be implemented in a way as not to give the USSR any unilateral advantages. These advantages could grow even more as a result of the growing crisis in the Persian Gulf.

Eventual decisions on dissolving CEMA without any kind of continuation or decisions to radically reform this organization, therefore, should be made from the standpoint of their short and medium-term political aspects.

A more complex situation may arise when certain CEMA-member countries withdraw from the now-binding integration pact. On the other hand, united Germany, as the inheritor of GDR, is considering becoming a member. Various reports reaching us indicate that a united Germany may express an interest in possible participation, on terms to be agreed upon, in the work of the reformed organization. Possibly it is thinking about an intermediary status, something between an observer state and a member state.

Clarification of the concept of united Germany's participation in the work of a reformed CEMA should be one of the main conditions of Poland's defining its position as to the termination of CEMA's activities, or its participation or nonparticipation in a reformed International Organization for Economic Cooperation.

A radical transformation of CEMA may turn out to be attractive for some of the three developing member countries: Cuba, Mongolia, and Vietnam. Furthermore, a new problem arises—what can be the relationship of the USSR republics, now gaining their sovereign rights, to the reformed organization. Preliminary soundings at the specialist level with USSR representatives, as well as the representatives of certain Soviet European republics, show that this problem has just begun to pervade the interested USSR circles. It has to be assumed that a position on this matter must be worked out inside the USSR. The currently prepared draft of the statute of the reformed organization makes it possible, according to the experts, for the Soviet republics to join, if such membership is agreed upon inside the USSR. On the other hand, it should be noted that if several Soviet republics join the reformed organization, a new arrangement would arise which would again dominate the organization. Therefore, from the standpoint of Poland's interests, as well as those of the other countries of Central and Eastern Europe, maintaining unanimity of decisionmaking in the reformed organization is of supreme importance.

The main dilemma for us is contained in the question: Can Poland, in the event that CEMA is transformed into a deeply reformed organization in which the Soviet Union and a united Germany participate (although each in a different way), remain on the sidelines of this organization without regard to the position taken by the

other present members of CEMA? The answer to this question should be sought from the standpoint of historical perspective.

The possible creation in the USSR of a union economic structure, similar in character to a free trade zone or a customs union, should not be excluded. This structure should be separated from the outside world by tariffs or other barriers. The fact of the participation of a united Germany in the new organization could create a peculiar arrangement of preferential ties between the united Germanys, and thus also with Western Europe, and an eventually integrating economic structure in the USSR. Leaving Poland out of such an arrangement, on the assumption that Poland's full participation in CEMA is a matter of at least a few and perhaps several years, makes it essential that very serious thought be given to the position which should be taken in the event that proposals appear from certain countries for the final liquidation of CEMA, while other countries are interested in continuing with a deeply reformed organization.

Fall in Livestock Numbers, Milk Production

91EP0280A Warsaw ZYCIE GOSPODARCZE
in Polish No 2, 13 Jan 91 p 7

[Article by Jan Malkowski: "Good and Bad Forecasts"]

[Text] By now, the situation in animal husbandry has become alarming. Though the herd of hogs is growing slowly, the herd of cattle is shrinking.

The profitability of breeding hogs hinges on the prices of livestock, fodder grains, and potatoes, as well as mixed feed. A year ago, we had to deal with the rapid growth of these prices. This did not favor making decisions on production, all the more so because the outlook for trends was hard to read. From the beginning of the spring of 1990, economic conditions began to stabilize, and from this time on, prices for slaughter hogs have been high. An exceptionally favorable ratio of prices for hogs and rye became a signal encouraging the development of hog breeding (see table 1). The growth of prices for piglets and sows, especially in farrow, also indicates a greater interest.

Table 1
Relative Level of Prices for Slaughter Hogs and Piglets

Year	Month	Procurement Price for Slaughter Hogs (Zlotys per kg)	Free Market Price of Rye (1,000 Zlotys per Quintal)	Price for Slaughter Hogs per kg of Rye	Purchase Price for Piglets per kg of Meat
1989	July	708	11.3	6.3	24.4
	August	1,547	13.0	11.9	29.1
	September	2,287	16.4	13.9	23.7
	October	3,054	22.8	13.4	24.4
	November	2,941	30.0	9.8	23.4
	December	3,137	31.7	9.9	21.6
1990	January	5,721	72.1	7.9	20.2
	February	5,551	71.3	7.8	20.3
	March	6,075	67.8	9.0	19.5
	April	8,130	66.9	12.1	22.3
	May	8,293	64.6	12.7	27.5
	June	7,970	62.6	12.7	30.9
	July	7,923	59.5	13.3	31.7
	August	8,081	61.7	13.1	32.6
	September	8,539	61.0	14.1	33.6
	October	9,085	61.9	14.7	33.2

A Boom Following the Harvest

A good harvest of grains reinforced these trends. Prices for grains dropped somewhat after the harvest, whereas prices for slaughter hogs increased. As a result, the ratio of prices for hogs and rye which recently came to about 15:1 became unusually favorable for livestock producers. In addition, the ratio keeps improving and is likely to be maintained until this summer.

Before May 1990, prices for piglets were rather low. Later they increased abruptly, and they continue to be

high which indicates great demand. In the spring, the ratio of prices for piglets and slaughter hogs which has amounted to about 33:1 may change under the influence of higher supply. However, favorable prices for piglets will cause an acceleration in the growth of the herd of sows in farrow and hogs in general before this time. In the fall of this year, the herd may achieve the peak level of about 22 million, i.e., considerably higher than in October 1990 (20.4 million.)

As is known, considerable fluctuations occur in the production of slaughter hogs. They may be cyclical

(so-called hog cycle) or irregular. This phenomenon cannot be presented directly because there is no monthly data on the production of hogs. However, this is indirectly shown by the procurement of slaughter hogs, especially in previous years. In turn, the production of hogs dropped recently to a considerably smaller degree than procurement. However, this decline was not large enough to influence a growth of prices for slaughter hogs which would be favorable for the producers. The production of porkers has now presumably hit bottom in order to again begin growing in the coming months. Yet another peak will occur in the farm year 1991/92. Somewhat earlier, the curve of the price ratio (hogs:rye) will begin to drop because the supply of porkers in the market will grow markedly whereas that of grains will decline due to the higher consumption of grains for fodder. The further development of hog breeding will hinge primarily on next year's harvest.

If the crop, particularly that of grains, declines, and considerably at that, hog breeding will collapse. In the farm year 1992/93, the production of porkers would reach a minimum level. Meat prices in this period will be high, entailing a decline in meat consumption. Eventual imports of grains, and subsequently meat, may only alleviate the situation somewhat, but cannot prevent it. In addition, such imports will be received badly by the rural community. So far, next year's harvest is endangered considerably by the very low demand for fertilizer.

The likelihood of yet another decline in the consumption of fertilizer, and subsequently in grain yields, is unusually high at present (atmospheric conditions not taken into account). Farmers are still using their stocks of fertilizers, consequently, their consumption for this year's crop declined by only 16 percent rather than 30 percent (as their purchases). Between July and October 1990, the sale of fertilizer was lower than in the corresponding period of the previous year by 72 percent. The decline in demand for fertilizer is dramatic. Therefore, it is necessary for this demand to pick up in the months to come because we should also reckon with a deterioration of agricultural practices as a result of high prices for diesel fuel and a decline in the production of dung.

Conditions for cattle breeding have been unfavorable for many years. As a result of it the herd has continuously declined, especially the herd of cows, as well as milk production. However, between the summer of 1988 and the end of 1989 the level of procurement prices was so high as to cause an increase in the herd of cows and in the production and procurement of milk (this was also the result of inflation to a large degree). However, subsequently conditions for cattle breeding deteriorated precipitously (table 2). In conjunction with this, livestock production, as opposed to hog breeding is once again increasingly sinking into a crisis. For many months now, the production of both beef and milk has been highly unprofitable. The response of producers has been the most graphic testimony to this.

Table 2

Ratios of Procurement Prices for Milk and Basic Agricultural Products

Year	Month	Procurement Price for 1 Liter of Milk		Procurement Price for 1 kg of Slaughter Cattle per kg of Slaughter Hogs	Price for 100 Liters of Milk per kg of Slaughtered Meat	
		In Zlotys	Per kg of Rye		Pork	Beef
1989	July	122	1.47	0.85	17.2	20.1
	August	190	1.65	0.84	12.3	14.7
	September	249	1.80	0.71	10.8	15.2
	October	455	2.66	0.60	14.9	24.6
	November	424	1.55	0.56	14.4	25.5
	December	452	1.51	0.57	14.4	25.5
1990	January	573	0.87	0.55	10.0	18.2
	February	593	0.87	0.55	10.0	19.4
	March	599	0.96	0.54	9.9	18.4
	April	602	0.97	0.51	7.4	14.5
	May	555	0.98	0.52	6.7	13.0
	June	540	0.95	0.54	6.8	12.7
	July	547	0.94	0.56	6.9	12.3
	August	565	0.95	0.56	7.0	12.4
	September	596	1.03	0.55	7.0	12.6
	October	662	1.16	0.56	7.3	13.0

Fewer and Fewer Cows

From a certain point on, the herd of cattle has been reduced at an accelerated rate. In June, the rate of decline of this herd amounted to six percent, and in October to as much as 10 percent, of which young animals were 17 percent. By now, the decline in the herd of young cattle has become alarming. So far, a reduction in the herd of cows has been much more moderate, but it will also accelerate in winter. By the middle of the year, we may have about 10 percent fewer cows than in mid-1990 unless the profitability of milk production is improved swiftly and radically.

The crises in animal husbandry is that acute and hard to control because it was caused not only by a decline in the income of the populace and demands for beef, milk, and dairy products but also by changes in the structure of consumption, as well as the inefficiency of the market and the high cost of brokerage. The processing of milk is still very poor.

In the months to come, trends in cattle breeding are likely to improve somewhat. However, an apprehension exists that a fundamental or, in other words, adequate improvement may occur too late to prevent losses which will occur in the intervening period of time. Incidentally, offsetting these losses would take a lot of time.

The year 1991 will be the third consecutive period of decline in the production and supply of slaughter cattle. Prices are likely to grow to a level which will ensure the profitability of breeding slaughter cattle only in the second half of the year or later unless emergency purchases are made sooner. Therefore, it is necessary to speed up the growth of procurement prices for slaughter cattle as a result of such purchases before the spring-summer season of calf births so that the smallest possible proportion of them will be earmarked for slaughter.

The production of milk in 1990 will decline. Last year's level of production was impossible to maintain; this hinged on the preferences of consumers revealed by the market. However, the point is that in 1991 yet another decline in milk production may turn out to be too steep. At present, meat procurement is about 20 percent lower than two years ago. This decline, which occurs in a period of the seasonally low supply of milk, has resulted in prices for butter, which were previously at outrageously low levels, growing severalfold.

Seasonal and trend-related reductions in the production of milk, and in particular the radical, though certainly insufficient, growth of prices for butter, constitute real prerequisites for an improvement in the profitability of milk production. The only apprehension is that a meaningful increase in the procurement of milk, which could mitigate a reduction in the herd of cows, may come too late. Therefore, the issue of procurement prices for milk urgently needs to be resolved, and radical steps need to be taken if it turns out that they remain at excessively low levels, i.e., considerably under 1,000 zlotys per liter.

These two phenomena—the deep declines in the herd of cattle and in the demand for fertilizer—call for urgent consideration and radical decisions. There is a threat of the current relative abundance of foodstuffs turning into a long-term shortage.

Law Needed To Combat Computer Program Pirating

91EP0275B Warsaw GAZETA BANKOWA in Polish
No 4, 27 Jan-2 Feb 91 p 10

[Article by Maciej Urbaniak: "End to Piracy Near"]

[Text] The piratical copying of computer programs has become a common and extremely profitable practice in Poland. This piracy, which drives people in large, medium, and small computer firms in the hard-currency countries wild, is, to make things worse, a practice which is completely legal in Poland, because there are no norms in the Polish system of laws which effectively protect the program creator's copyright.

Article 2 of the Law on Inventions, which, furthermore, dates back to 1972, when computers in Poland were still in the infancy stage, clearly states that the provisions of this law do not apply to computer programs. The Law on Inventions was quite extensively amended a couple of times since it was originally written, but this one provision remained unchanged, possibly as our answer to the restrictions of the Coordinating Committee on Export Controls (COCOM). The copyright problem is also completely omitted.

But today the situation has changed diametrically. COCOM has become an institution decidedly more favorably disposed towards Poland, and our Western partners are bringing the matter of the protection of intellectual property almost to a head. The Treaty on Polish-U.S. Cooperation, signed a while back by President Bush and Prime Minister Mazowiecki, requires that Poland afford computer programs the same copyright protection as afforded artistic and scientific works. The treaty, on closer examination, turned out to be not too favorable to Poland, therefore the ratification process is being dragged out. Some people are saying that the treaty should be renegotiated. But the very fact that it contains such a provision is significant.

We do not know very much about the talks concerning Poland's association with the EEC, but here, too, one of the conditions put to us by the West Europeans appears to be that we must sharpen the regulations pertaining to the protection of intellectual property (including software).

It is no accident that Prime Minister Jan Krzysztof Bielecki in his expose said, "Poland must adapt its copyright protection norms, especially in culture and computer science, to the standards of the highly industrialized countries."

Work on a new copyright law has been underway for almost 20 years. Why so long? Jan Pietrzak ended one of his famous cabaret verses with the point: "You understand, sir, this is not the time." When the time finally came, the outgoing government was not able to send the draft, which had finally been prepared, to the Sejm in time. As if that wasn't bad enough, it turned out that norms pertaining to producer rights to audiovisual works had to be added (again the EEC!), thus we will probably have to wait still a little longer for the next government draft. If, during this time, there is a political crisis (elections, new Sejm, new government) the wait may even be quite long.

And it is precisely in the draft of the new copyright law that the norms protecting the rights of computer programming are contained. They are, by the way, extremely terse. They provide that the general principles of the copyright law apply also to computer programs. Special regulations apply only to programs created within the job relationship (the employer has proprietary rights to the copyright) and a situation in which the employer or the person ordering the program develops it in his own way or adapts it to his own needs (the creator of the program cannot object in such situations).

The government structures include a Legislative Council which functions along with the chairman of the Council of Ministers. Theoretically, it should pass judgment on all the the normative acts leaving the Council of Ministers building (drafts laws, executive orders). In practice, every once in a while some draft reaches the Legislative Council, not always the most important one. This is probably due to the dizzying pace of the legislative work (the council, as a body composed of scholars, indeed needs a lot of time to issue an opinion), but sometimes it is due to the characteristic procrastination of the decisionmakers, who do not want to lay themselves open to concrete and documented charges. The Sejm, after all, usually does not have much time and as a rule, does not have the best experts, therefore it often releases legislation which is incomplete.

But by some miracle the draft of the copyright law reached the council. And did not meet with a very favorable reception. In the opinion submitted by leading Polish lawyers, the following appears relating to the question which interests us. "The draft regulation dealing with computer programs must be given a negative rating. The originator of the draft has taken the position that the indicated issue should be made part of the copyright law, although in the legal systems of foreign countries separate laws are devoted to it. Yet the comprehensive method of regulation, proposed in the draft, requires that the future copyright law cover the broadest possible range of problems dealing with computer programs. Comprehensive regulation is indispensable here, particularly in light of the very detailed provisions pertaining to other institutions of the copyright law. A provision placing computer programs among protected works and two articles containing fragmentary regulations is not sufficient."

In the opinion of the council, this section of the draft should be greatly expanded.

It is easy to criticize. It is much more difficult to suggest one's own solution. But in the opinion there were also some rather detailed proposals. Some of them are intelligible only to computer users, but in the final analysis, they are the ones who are the most interested in this. Therefore, I will not translate the technical terms used in these proposals. Also, the language used in them sounds strange to nonlawyers, but it would probably have not been possible to achieve the indispensable preciseness of the norms without it.

- The exclusive right to a work (program) should cover only the original norm of the work (its original form). Protection should not be afforded to: the algorithm, content, function and structure of a program, and procedures, processes and computer languages, regardless of how they are expressed. This is identical to what is written in American law and contained in the last version of the EEC recommendations.
- Making two spare copies by the person authorized to use the program does not constitute a violation of the copyright law. That is how the American, Japanese, and French law regulates this issue.
- The writer of a program (his successor in right) cannot object to the working up, reworking, or adapting of a program by a person who lawfully came into the possession of a copy of the program. Nor is it a violation of the copyright law to break down the program in order to examine its structure and other elements. Should use be made of the reports or translations of someone else's program, the creator of the program is entitled to suitable remuneration.

This regulation is for the purpose of legalizing the practice of reverse engineering in Poland, which some American courts permit and which is a matter of dispute in the EEC. Its absence would mean that the copyright law applied to computer programs would allow their contents to be fully monopolized by the author during the entire time that the law of exclusivity is in effect. The problem of monopolization does not exist in the area of traditional works protected by copyright (e.g., a book, the content of a play), commercialization of which requires that the content be revealed during the course of publication or public staging.

- The right to a program lasts 25 (50) years from the time it originates. The longer period is provided in EEC recommendations. Under French law, the period is shorter. The council favors the first version, although it appears that within the framework of the agreement with the EEC, the second version should be accepted.

The council also proposes that the law contain provisions for an amnesty for past computer pirates, concluding that extending the action of the law retroactively would cost the Polish economy many millions of dollars. The scope of this amnesty and its size will be considered.

Growth of Video Cassette Pirating Noted

91EP0280B Warsaw GAZETA BANKOWA in Polish
No 5, 3-9 Feb 91 p 10

[Article by Maciej Urbaniak: "Connection"]

[Text] Protection of intellectual property in Poland leaves a lot to be desired. Last week, I addressed in this column the issues of computer pirating. Today, we will discuss in brief the legal aspects of video pirating.

There are thousands of rental establishments in Poland which deal in unauthorized, unlicensed tapes. Their owners make quite a good living off of it. Consumers are happy because the greatest hits of the world's movie market end up in their homes very quickly. Copies leave a lot to be desired. So what, if better ones cannot be had.

Unfortunately, there is a connection involved. Licenses to distribute video cassettes with the newest titles (as well as with popular movie classics) are very expensive. As a rule, it is unprofitable for existing Polish official distributors to purchase them given the enormous competition by pirates. Likewise, major Western distributors will not set up in our country until the sector of the market occupied by pirates drops to 30 percent, a level which they consider tolerable.

However, this calls for far-reaching changes in legislation and persistence in the implementation of the new regulations, as well as those already in existence. Krzysztof Teodor Toeplitz, chairman of the Council of Audiovisual Program Authors and Distributors RAPID, talked about this at the recent meeting of the Second European Film and Television Forum in Warsaw. I found materials for this text in his presentation.

Putting it mildly, the legal status of distributing movies in video formats is somewhat incoherent. The standard in Poland is that one owner has one rental establishment. Unless I am mistaken, only the ITI [expansion unknown] and Polish Film have a network of outlets. Therefore, the owner of an outlet is an economic entity in the sense of the Law on Economic Operations. Being such, he should be entered in registers maintained by administrative organs. However, the entry alone will not do. In keeping with the Law on Cinematography, only the units reporting to the Committee for Cinematography and the Committee for Radio and Television have the right to distribute audiovisual works. All others (also the owners of rental establishments) obtain a license issued by the chairman of the Committee for Cinematography. This costs a million [zlotys] and takes about two weeks. There have been virtually no rejections of applications to operate rental establishments.

A license (or as the law prefers to call it, an authorization) contains the conditions upon which movies can be distributed. Using only cassettes "purchased from individuals entitled to engage in distribution activities" in the operation of the rental establishments is a basic condition. In practice, this amounts to allowing the

commercial use of only the cassettes with the repertoire produced by the distributor (for example, Polish Film) or purchased from foreign distributors under a license.

The Law on Cinematography contains a provision which in and of itself could counteract video piracy quite effectively if it were actually enforced more frequently and effectively. "He who distributes movies without the authorization required or in contravention of other provisions of the present law is to be punished by imprisonment of up to one year and a fine, or in one of these ways. The court may order the confiscation of instruments or other objects which were used to commit the crime even if they were not the property of the perpetrator."

However, rental establishments which operate on the basis of authorizations are merely a segment of the market and, perhaps, not the largest one. In theory, this makes it possible to institute criminal proceedings against the owners of rental establishments and to deal them a painful financial blow (confiscation of cassettes) if they distribute pirated recordings. However, actually no one, with the exception of RAPID, is interested in taking advantage of this opportunity. RAPID controllers used the authorization of the chairman of the Committee for Cinematography in their work. However, they need official support by the police and the prosecutor's office. The latter indeed has been increasingly willing to provide support; however, the police believe that they have more important problems to handle.

Meanwhile, the sale of pirated cassettes frequently proceeds on the streets and in the marketplace. Such sales are not licensed or registered (the NSA [Supreme Administrative Court] in one of its rulings let stand the decision of an administrative organ which refused to enter a marketplace outlet exchanging cassettes into the register of economic entities, proceeding from the assumption that this case had to do with the sale of "goods for goods" (untaxed at that) rather than an exchange. Therefore, the state should be interested in combating such trade (at least due to the needs of the budget) but somehow it is not.

The above provision also makes it possible to fight pirates, producers, and wholesalers. However, the success in this field is perhaps even smaller than in the course of combating retailers. Meanwhile, profits to be made (illegally) are tremendous. The number of pirated videocassettes in circulation is estimated to be 18 million and still growing.

The Law on Cinematography strives to protect the right of the producer and the legal distributor, to be sure, in quite a restricted manner. Perhaps, it is in need of amendment. Perhaps, the criminal provision should be moved from this law to the Criminal Code and penalties should be made stiffer. It is certainly worthwhile to take advantage of the opportunities which already exist in a more complete and persistent manner.

However, copyright also applies in the sphere of protecting intellectual property. Copyright currently in effect dates back to 1952. In the most general outline, it protects two categories of rights: personal rights (the right to authorship and the integrity of the work) and property rights. The ZAIKS [Union of Actors and Theatrical Composers] enforces copyright. It has taken the path of least resistance and collects an eight percent tribute from the owners of licensed rental establishments on the repertoire under its protection (regardless of its source of origin, i.e., also on copies which are illegal under the Law on Cinematography). The ZAIKS takes no interest at all in unlicensed circulation.

As I mentioned a week ago, the copyright law has rather imprecise provisions affecting the rights of producers, whereas elsewhere in the world putting the rights of the producer above the rights of the creator is the rule. Given the commercialized art market, the legislators proceed from the assumption that creating a work, especially an audiovisual one, calls for substantial financial outlays which are borne by the producer. Therefore, it is

assumed that the rights of individual authors (actors, directors, script writers, and so on) have been purchased by the producer who becomes the sole owner of the work.

We are becoming a part of Europe. Therefore, it is worthwhile to quote here excerpts from Recommendation R/88/2 of the Committee of Ministers of the Council of Europe dated 18 January 1988. "The state should ensure adequate opportunities for the protection of his works for every creator. They should also provide in their national regulations for means which make possible effective actions in this regard, and especially the opportunity to recover benefits lost due to pirating.

"Pirating should be considered a common crime prosecuted by the state.

"Since countries exist in which the author is entitled to protect his rights, it would be desirable that the producer only be authorized to enforce copyright by agreement with the author."

22161

22

NTIS

ATTN: PROCESS 103
5285 PORT ROYAL RD
SPRINGFIELD, VA

22161

This is a U.S. Government publication. Its policies, views, or attitudes of the U.S. Government. Users of this publication may cite FBIS or JPRS provided they do so in a manner clearly identifying them as the secondary source.

Foreign Broadcast Information Service (FBIS) and Joint Publications Research Service (JPRS) publications contain political, military, economic, environmental, and sociological news, commentary, and other information, as well as scientific and technical data and reports. All information has been obtained from foreign radio and television broadcasts, news agency transmissions, newspapers, books, and periodicals. Items generally are processed from the first or best available sources. It should not be inferred that they have been disseminated only in the medium, in the language, or to the area indicated. Items from foreign language sources are translated; those from English-language sources are transcribed. Except for excluding certain diacritics, FBIS renders personal and place-names in accordance with the romanization systems approved for U.S. Government publications by the U.S. Board of Geographic Names.

Headlines, editorial reports, and material enclosed in brackets [] are supplied by FBIS/JPRS. Processing indicators such as [Text] or [Excerpts] in the first line of each item indicate how the information was processed from the original. Unfamiliar names rendered phonetically are enclosed in parentheses. Words or names preceded by a question mark and enclosed in parentheses were not clear from the original source but have been supplied as appropriate to the context. Other unattributed parenthetical notes within the body of an item originate with the source. Times within items are as given by the source. Passages in boldface or italics are as published.

SUBSCRIPTION/PROCUREMENT INFORMATION

The FBIS DAILY REPORT contains current news and information and is published Monday through Friday in eight volumes: China, East Europe, Soviet Union, East Asia, Near East & South Asia, Sub-Saharan Africa, Latin America, and West Europe. Supplements to the DAILY REPORTs may also be available periodically and will be distributed to regular DAILY REPORT subscribers. JPRS publications, which include approximately 50 regional, worldwide, and topical reports, generally contain less time-sensitive information and are published periodically.

Current DAILY REPORTs and JPRS publications are listed in *Government Reports Announcements* issued semimonthly by the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161 and the *Monthly Catalog of U.S. Government Publications* issued by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The public may subscribe to either hardcover or microfiche versions of the DAILY REPORTs and JPRS publications through NTIS at the above address or by calling (703) 487-4630. Subscription rates will be

provided by NTIS upon request. Subscriptions are available outside the United States from NTIS or appointed foreign dealers. New subscribers should expect a 30-day delay in receipt of the first issue.

U.S. Government offices may obtain subscriptions to the DAILY REPORTs or JPRS publications (hardcover or microfiche) at no charge through their sponsoring organizations. For additional information or assistance, call FBIS, (202) 338-6735, or write to P.O. Box 2604, Washington, D.C. 20013. Department of Defense consumers are required to submit requests through appropriate command validation channels to DIA, RTS-2C, Washington, D.C. 20301. (Telephone: (202) 373-3771, Autovon: 243-3771.)

Back issues or single copies of the DAILY REPORTs and JPRS publications are not available. Both the DAILY REPORTs and the JPRS publications are on file for public reference at the Library of Congress and at many Federal Depository Libraries. Reference copies may also be seen at many public and university libraries throughout the United States.