

Soviets Act to Correct Evils in Their Legal System

By JOSEPH CLARK

THE ATTACK on Stalin's one-man leadership by the 20th Congress of the Soviet Communist Party is only part of an enormous process of criticism and correction now going on in the socialist countries.

The legal system in the Soviet Union and the legislative system in Poland have recently come in for some drastic overhauling.

A special commission has been set up by the Presidium of the Supreme Soviet to check on the activity of Soviet security agencies including the police and prosecutors. This followed sharp criticism of the theories of law and evidence of the late Andrei Vishinsky, prosecutor in many of the big political trials of the 30's.

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A MAJOR target in an article of the authoritative journal "Soviet State and Law" was the idea of "trial by confession." The practice of accepting "confessions" as proof of guilt had been misused in the past to frame innocent persons. The Soviet law journal declared that Vishinsky's theory "denies the need for a court to establish the absolute truth in each case and permits the possibility of convicting a person on the basis only of the probability of some fact or other that is undergoing legal examination."

Such practices, as used in the past, the journal said, are a "glaring violation of the principle of socialist legality."

At the same time the magazine Party Life in Moscow reported that many persons who had been wrongly accused and convicted had been released from prison in the past three years.

A revamping of the legal code in the Soviet Union has been going on ever since the death of Stalin. Its aim has been, the Soviet law journal says, "insuring legality in the protection of the rights and interests of citizens."

The most shocking example of injustice during the period of Stalin's unchecked leadership was the frameup and executions of the most prominent Soviet Jewish writers and public figures. Soviet publications in the last few weeks have strongly attacked violations of the socialist principle of national and racial equality. They have quoted Lenin's condemnation of "Great Russian chauvinism" and of anti-Semitism.

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IN POLAND not only the legal system but the parliamentary set-up and practices were coming in for considerable criticism and revamping. First the Polish government ousted Justice Minister Henryk Swiatkowski and prosecutor Stefan Kalinowski for their responsibility in violations of the

rights of Polish citizens.

These violations included rigging false criminal charges and imprisoning the former general secretary of the Polish Workers Party, Wladyslaw Gomulka, Gen. Marian Spychalski, and others.

The Polish government also ordered the release of 30,000 persons from jail and the reduction of sentence of 40,000 following a general review of all cases.

Meanwhile the Polish press was filled with discussion of revitalizing the Polish parliamentary system. It was decided to introduce the system of interpellations—that is a regular period of questioning in the parliament under which the government ministers have to reply to inquiries from members of the national legislative body.

It was also decided to have more frequent and longer sessions of the assembly. Many of these sessions in the past have been formal and perfunctory having the quality of a rubber stamp rather than of an active legislative chamber.

Parliamentary committees have been set up and government ministers must come before these committees to discuss legislation and for active consideration and debate, even prior to real debate on these questions in the assembly itself.

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IN THE DISCUSSION now

going on before Polish parliamentary committee deputies have urged more changes in the legal system. For example, there has been a proposal to introduce the system of bail for persons awaiting trial.

The foreign ministry has been criticized before one parliamentary committee for not doing enough to get more Polish correspondents accredited in foreign countries.

In the course of the appearance of Foreign Minister Stanislaw Skrzyszewski before the foreign affairs committee some interesting results of the liberalizing process going on in Poland were already recorded. During a five month period 10,337 Poles have returned to their homeland from abroad.

Meanwhile the bonds of friendship between the Soviet Union and the Peoples' Democracies and Yugoslavia have been considerably strengthened in the recent period. Bulgaria's parliament, which accepted the resignation of former premier Chervenkov also gave a warm welcome to a visit from Yugoslav parliamentary leaders headed by Moshe Pijade.

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IN BELGRADE President Tito told a group of visiting French correspondents that the recent developments in the Soviet Union were considerably helping the cause of world peace as well as the trend toward unity in the labor

and socialist movement.

Tito hailed the Soviet actions as "brave and bold." He also cautioned against thinking that this tremendous process of rectification can be accomplished all at once. He noted that it was a long process and that it was steadily progressing.

Tito noted that the dissolution of the Cominform was an additional spur to achieving socialist-communist unity all over the world. At the same time the Yugoslav paper Politika took exception to the final statement of the Cominform that the organization had performed a "positive role" in the past.

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CONTINUATION of the re-evaluation of Stalin's role by the Soviet Union included criticism by the official publication of the Soviet Defense Ministry. An article in "Military Messenger" last week said that Stalin had disregarded warnings from Soviet intelligence agencies in the spring of 1941 that the Germans were going to attack. This resulted in severe military setbacks, the publication charged, and said it was a result of the enormous concentration of power in the hands of Stalin.

Everything taking place in the socialist countries pointed to the fact that the process of democratization, criticism and self criticism was far from ending. It was continuing at a steady pace.