

constructive ways of coexistence. Similarly, the reader may wish to know to what extent the excesses of September 1939 were perhaps due to the anarchic features of the interwar Polish regime—a regime which served so poorly not only the minorities but the dominant people as well.

Considering that the author is himself a descendant of Polish Germans, his often sentimental approach to his subject matter should not perhaps be judged too severely. It ought to be stressed that his book is not one of those—all too familiar ten or fifteen years ago—that have been published primarily to serve the expelled's urge to show their wounds in the marketplace. As the editors affirm in the introduction, the study is intended to promote the cause of German-Polish reconciliation by helping to overcome the unpleasant past. For that aim, it deserves praise; as a work of scholarship, it leaves much to be desired.

VOJTECH MASTNY
Columbia University

KONSTYTUCJA KSIĘSTWA WARSZAWSKIEGO: JEJ POWSTANIE, SYSTEMATYKA I GŁÓWNE INSTYTUCJE W ZWIĄZKU Z NORMAMI SZCZEGÓŁOWYMI I PRAKTYKĄ. By *Marian Kallas*. Towarzystwo Naukowe w Toruniu, *Studia Iuridica*, vol. 9, no. 3. Toruń: Państwowe Wydawnictwo Naukowe, 1970. 205 pp. 40 zł., paper.

As the subtitle of this monograph indicates, it discusses the origin, organization, and provisions of the Constitution of the Duchy of Warsaw (1807), as well as the way it was applied during the eight years it was in force. The Duchy, a strange creation of Napoleon, carved out of the center of Poland, was replaced by the Congress Kingdom in 1815 at the Congress of Vienna. The author has assembled a wealth of materials, and refers to archival documents and scores of writings in the field of constitutional law and history. To a large extent he uses the comparative approach. He points out that the famous Polish Constitution of May 3, 1791, was the source of some provisions of the Constitution of 1807, and compares them with those of contemporary "Napoleonic" constitutions: France (1799, as amended in 1802 and 1804), Westphalia (1807), Naples (1808), Spain (1808), and Bavaria (1808). His general conclusion is that the Constitution of the Duchy was less like the others than is generally believed. The author emphasizes the progressive character of the Constitution. Freedom of religious belief was solemnly proclaimed, and personal liberty granted to the peasants. However, on both points the Constitution of 1791 took a similar stand.

The book begins with the history of the Polish territories during the first years of the Napoleonic period. It continues with the decision to establish the Duchy (particularly in the treaty of Tilsit) and the "legislative history" of its Constitution. The author proceeds with an analysis of the methodology of the Constitution, its treatment of social problems, and the organization of the state (whose head, as the duke, was the king of Saxony), the Council of Ministers, the Council of State, and the parliament (Sejm). The electoral system is also discussed. He then passes on to regional administration and self-government, the judicial system, and denominational problems.

The author's presentation is lucid, and his observations are well documented.

W. J. WAGNER
University of Detroit