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Volume 41 | Number 3

Article 1

Winter 2018

Introduction to the Volume

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Recommended Citation

Michael Bazylar, *Introduction to the Volume*, 41 Loy. L.A. Int'l & Comp. L. Rev. 269 (2019).
Available at: <https://digitalcommons.lmu.edu/ilr/vol41/iss3/1>

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Introduction to the Special Polish Restitution Symposium Volume

MICHAEL BAZYLER

The issue of property confiscation and its possible restitution is important for all countries belonging to the Visegrad region, but holds a special significance for Poland, which has yet to enact a comprehensive national restitution law. Massive confiscation of private property in Poland began after the fateful day of September 1, 1939 when Nazi Germany invaded Poland. It continued for the next forty-five years during the period of Communist rule. With the end of Communism and full independence in 1989, the legal system of the current Third Polish Republic became the vehicle through which long-awaited recognition of the theft could be dealt. But is it too late? Do the transfers of properties to the state and then into private hands that have taken place over the last seventy years make any efforts today fruitless? And if not too late, can Poland learn from its Visegrad neighbors how restitution and compensation should be carried out?

The great Catholic thinker St. Thomas Aquinas in his *Summa Theologica* wrote, “Justice is a certain rectitude of mind whereby man does what he ought to do in the circumstances confronting him.” The question confronting Poland today is what ought Poland do now to propagate justice.

To tackle these issues and others, two Catholic-based law schools, the Faculty of Law and Administration at the Cardinal Stefan Wyszyński University in Warsaw (“UKSW”) and Loyola Law School in Los Angeles (“LLS”) organized on the campus of UKSW in June 2017 the *first-ever academic conference* to deal with the issue of confiscation of property in Poland and efforts at restitution since 1989.

The conference was organized under the patronage of the Polish Ministry of Justice and centered around a discussion of the legal conditions of property confiscation and its possible restitution. The discussion involved different views from professionals and academics (both Polish and foreign) as well as representatives of state and local

authorities. Discussions were organized in such a way as to ensure presentation of a broad scope of relevant views: those that support the restitution of confiscated property as well as those who are critical or oppose it.

Too often, the lessons learned from bringing speakers together are lost when the conference ends and the speakers disperse. As organizers of this conference, we sought to preserve what was learned. With this goal in mind, the *Loyola of Los Angeles International and Comparative Law Review* kindly agreed to publish a Special Issue, giving the speakers an opportunity to publish their views and carry forward the presentations they gave in June 2017 in Warsaw. The actual presentations can also be viewed at <http://video.restitutionconference.pl/>, and a full list of speakers and the 3-day agenda can be found at www.restitutionconference.pl/.

We are grateful to the various organizations who made the conference and this Special Issue possible. Their names and logos are listed on the following page: INTERNATIONAL ACADEMIC CONFERENCE: THE CONFISCATION OF PROPERTY IN POLAND AND EFFORTS AT RESTITUTION, <http://video.restitutionconference.pl/>.

Financial funding came from the World Jewish Restitution Organization, the Loyola Law School Center for the Study of Law and Genocide, and the law firms of Wardynski & Partners in Poland and McKool Smith in the United States.

We are also grateful to the individuals, too numerous to list, who assisted us. We make special mention of Prof. Stanley Goldman, Director of the Loyola Law School Center for the Study of Law and Genocide, Prof. Anna Tarwacka, Vice Dean of the Law and Administration Faculty at UKSW, and Radoslaw Aksamit of *Wykladnia*, the multimedia company that assisted us in organizing the conference and created and manages the websites where the proceedings appear.

Last, but not least, we give special thanks to the law student editors of the *Loyola of Los Angeles International and Comparative Law Review* who came to Warsaw, and their successors who shepherded this issue to its fruition: Charlie Nelson Keever, 2017-18 Editor-in-Chief; Anne-Marie Rouche, 2017-2018 Executive Symposium Editor; Evyenia Zaferis, 2017-2018 Chief Articles Editor; Christina LaBarge, 2018-19 Editor-in-Chief; and Allison Murray, 2018-2019 Chief Technical Editor.

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