

Streszczenie rozprawy doktorskiej Mgr Mikołaja Budzikowskiego /j. angielski/ pt. „Restrictions on the rights of the owner of an agricultural property in administrative law”

The concept of the right to property (title) was identified in the science of law with "freedom". The right to property, as any kind of freedom, may be and is subject to restrictions. The owner endeavours in a natural manner to exercise their entitlements as broadly as possible while the state, taking account of the general interest defined as public interest and having at its disposal legal measures, including sanctions, imposes duties on the owner, the performance of which is to bring about effects in the form of fulfillment of that interest. The task of the dissertation is to characterize the scope of restrictions imposed on the entitlements of the owner of an agricultural property from the perspective of administrative law.

Turning to a short characteristic of the research methods, the law-based method, historical and comparative law methods were used in this dissertation. The first method seems to be the most accurate to convey the idea of the dissertation, because it involves an analysis of the norms of administrative law in the limiting plane of the rights of the owner of an agricultural property. The above mentioned approach also gives the author an opportunity to take a closer look at the applicable regulations that define the administrative and legal situation of the individual from the point of view of the necessity and scope of regulation of a specific sphere, which is the ownership title to an agricultural property.

Chapter I of the dissertation presents the research into the concept of *en bloc* right to property, while Chapter II - the forms of administrative and legal interference with the ownership title to an agricultural property. In Chapter III, selected administrative functions related to the ownership title to an agricultural property are subject to analysis, while in Chapter IV the concept of agricultural property and its protection is discussed. Chapter V presents constitutional, material and procedural measures of protection of the ownership title to an agricultural property. Chapter VI discusses the activities of the state being an *empire* in the area of restricting the ownership title to an agricultural property, including, *i. a.*, state security and protection of agricultural land. Chapter VII includes vertical and horizontal characteristics of the state *empire* in the ownership title to an agricultural property.

The research hypothesis is the assumption that was worded in the research question. Does the state, acting in the sphere of the *empire*, not encroach too often, deeply and easily, upon the sphere of the owner's title to an agricultural property solely

for the purpose of making use of the owner for dealing with the tasks incumbent upon the administration? The limits of the administration's actions towards the owner of an agricultural property were also assessed through the prism of constitutional protection of the right to property. The research question served to analyze the evolution of the degree of interference with the sphere of restriction of the rights of the owner of the agricultural property that is dependent on a specific "wave" of agricultural policy mechanisms which, in turn, are greatly affected by liberalization or intensification of the state activities in the field of land trading.

It should be stated that the research hypothesis as put forward in the dissertation allows us to formulate the final thesis, namely that restrictions on the owner's rights (title) to an agricultural property in administrative law have, in the author's opinion, significantly exceeded the level of balance between the rights and duties of that owner, clearly indicating the dominance of the latter. The conclusion, as reached in the dissertation in the form of an excessive level of interference by public administration into the sphere of the rights of the owner of an agricultural property goes well beyond the margin defined in the Constitution of the Republic of Poland.