

SUMMARY OF THE DOCTORAL DISSERTATION
“THE THIRD REPUBLIC OF POLAND
AND THE LEGAL CONTINUITY OF THE POLISH STATE”

The doctoral dissertation concerns the issue of the legal continuity of the Polish state, specifically the relation of its current form – the Third Republic of Poland – to the so-called People's Poland and the Second Republic of Poland. The hypothesis verified in this dissertation is the statement that the Third Republic indicates legal continuity with both of the above forms. The assumption of the existence of such continuity is considered in the light of the fact that "People's Poland" and the Second Republic of Poland were mutually denying and (from 1944) parallel entities (the first – on Polish territory, the second – in exile).

It is assumed in the dissertation that legal continuity concerns the sphere of principles and values, on which a given state is based, or referred to by a given community (usually a nation) as the creator of the state. Therefore, constitutional law is the most important sphere for deriving legal continuity, however, other significant factors are, in particular: international law, the issues of sovereignty and independence as well as the issues of the continuity of law and power.

The dissertation consists of three chapters. The subject of the first one is the legal continuity of the Polish state in the principal acts of constitutional law of the Third Polish Republic and the process of systemic changes initiated in Poland at the end of the 1980s. Basically, this chapter concerns the direct – from the legal point of view – origin of the Third Republic of Poland from "People's Poland" and the lack of such a connection with the Second Republic. In the next chapter, the attitude of the "People's Poland" to the Second Republic of Poland is analysed. The analysis follows to the conclusion that the continuity between these forms did not exist. As a consequence, it is also impossible to derive a direct relationship between the Third and the Second Republic "through" the so-called People's Poland. In the last chapter, there are described the attempts made after 1989 to establish continuity between the

Third and the Second Republic of Poland – and thus to build their relations "above" the Polish People's Republic.

The issue of the legal continuity of the Polish state, including the attitude of the Third Republic to its predecessors, concerns fundamental issues – primarily the identity of the state. A clear approach to the issue of legal continuity is important for many reasons, including, first of all, the identification of citizens with the state and amending the legal system.

Keywords: Republic of Poland, Third Republic of Poland, Second Republic of Poland, People's Poland, legal continuity, state, constitutional law, constitution, international law, continuity of law