ZAŁĄCZNIK 3 (Appendix no 3)

to the application for conducting post-doctoral procedure

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SUMMARY OF PROFESSIONAL ACCOMPLISHMENTS

1. Marcin Marek Łysko

2. Doctor of Legal Science, Faculty of Law, University of Bialystok, 2003. Paper entitled: *General Supervision by the Public Prosecutor's Office in Poland in 1950-1967*

Master of Law, Faculty of Law, University in Bialystok, 1999, under supervision of Prof. Adam Lityński

3. Information about previous employment in scientific units

2004 till 2009 and from 2012 till now – assistant professor at Faculty of Law, University in Bialystok

2009–2012 assistant professor at Faculty of Administration in Siedlce, University in Bialystok

2009–2012 - assistant professor in Collegium Mazovia w Siedlcach

4. Scientific achievement pursuant to Article 16 (subparagraph 2) of the Act on university degrees and university title and on degrees and title in arts: monograph *Codification works on substantive misdemeanour law in People's Poland (1960 -1971),* Wydawnictwo Temida 2, Białystok 2014, p. 351.

The monograph presents the progress and the results of codification work during 1960–1963 and 1967-1971 in the area of substantive misdemeanour law in People's Poland, which final effect was enacting the Code on Misdemeanours. The choice of the subject aimed at filling the gap that has been created by the lack of historical-legal works dealing with the genesis of the substantive misdemeanour law codification of 1971, which has been in force till present day. The monograph is a part of a complex study on the history of Polish misdemeanour law after the Second World War, especially the ones related to the realization of an academic project entitled Criminal-administrative Law of People's Poland (1951-1971). The scope of the study also covered some issues related to the shaping of misdemeanour legal system in People's Poland during the period before its codification and the practice of criminal and administrative case-law at Stalinist time and Gomulka era. An attempt to answer the question of the importance of the codification works that were carried out during Gomulka period for the development of Polish misdemeanour law, which was made in this book, complements those studies. The monograph is an original work, as there has been only one article on the participation of academics in the codification works on substantive misdemeanour law in People's Poland which has been more widely used from among all the results of my studies that were published in academic journals. Other publications served as ancillary materials, therefore the book contains only entirely new findings that has not been presented in any form yet.

The book consists of the introduction and two parts corresponding with the particular stages of codification works of the substantial misdemeanour law in chronological order, as well as a conclusion. The issues mentioned there created the main stream of codification works of the substantial misdemeanour law in Gomulka period, of which final effect was passing the Code on Misdemeanours in 1971, Code of Procedure for Misdemeanours and the Act on the magistrate courts for misdemeanour cases. According to the academic representatives, the codification of 1971 did not constitute a fundamental change in the process of the misdemeanour law development in Poland, which was started by passing an Act on criminal and administrative case-law of 15th December 1951. The changes introduced by it were 'more of marshalling and correcting character'. The doctrine position is legitimate in relation to the effects of the codification works on procedural and systematic provisions, which basic assumption was to create a unified system of handling misdemeanour cases. It was achieved by extending procedural provisions of the Act on criminal and administrative case-law of 15th December 1951 onto the proceedings before the special administration

authorities. On the other hand, the systematic act introduced a uniform model of deciding authorities, as beside the hitherto functioning criminal and administrative magistrate courts by state councils boards there were magistrate courts by marine and mining authorities. In the light of the findings made in the book the indiscriminate use of the above thesis to evaluate the codification works of the substantive misdemeanour law results should be questioned. Although the Code on Misdemeanours did not make a fundamental breakthrough, it still introduced a number of essential changes to the substantial misdemeanour law which was in force at that time. Its two pillars were pre-war misdemeanour law, which was maladjusted to the social and economic realities of People's Poland, and the Act on criminal and administrative case-law of 15th December 1951, which was thoroughly renewed in December 1958. The Code of 1971 crowned the process of shaping the model of Polish misdemeanour law, which was marked by attrition of repressive tendencies with socialist idea of educational influence on the violator.

This idea lied at the basis of the substantial misdemeanour law reform which was carried out in December 1951, however it completely failed in the practice of case-law. Magistrate courts which were deprived of a possibility to apply custodial sanctions were often powerless facing the offenders who committed socially dangerous misdemeanours of a hooligan character or in relation to alcohol abuse. The conditions for severe punishment of the offenders committing 'alcohol and hooligan' acts were created not sooner that in December 1958 by a thorough novelisation of the act on criminal and administrative case-law of 15th December 1951. The changes that were introduced by the novelisation resulted in the reversal of existing proportions, as by limiting the educational element the repressive tendencies were strengthened. By reintroducing principal arrest and alternative arrest the catalogue of principal penalties became much more penal. The attempts that were undertook in the fifties to create a model of misdemeanour law, which would take into account both repressive element as well as the idea of educational influence on the violator in a sustainable manner, failed. The problem of finding appropriate proportions between those two contradictory tendencies was solved by the authors of codification in 1971.

Codification works that were carried out in Gomulka period resulted not only in an innovative model of misdemeanour law. The findings in the monograph show that the most important result of those works was the transformation of misdemeanour law from a peripheral branch of administrative law into an independent branch of criminal law. The codification works on misdemeanour law started in 1960 were carried out within the frame of

an operation of ordering the administrative law system. Polish authorities of Gomulka times firmly kept the ‘administrative’ concept of misdemeanour law, which was created at the peak of Polish Stalinism, with all the consequences resulting from it. The most important one was related to the systematic sphere and was expressed in practical subordination of misdemeanours case-law to the Ministry of Internal Affairs. The close link between magistrate court rulings with the present tasks of state administration resulted in substituting the term ‘misdemeanour law’ by ‘criminal and administrative law’. It was to serve a servile role to the state administration activities, becoming a basis for imposing penalties upon those who violate the rules drawn up to maintain public peace and order. With reference to the academic theories existing beyond the eastern border misdemeanours were perceived as acts against specific spheres of administrative activities of the state.

Contrary to the view of official factors, the first of the drafts prepared in the sixties placed the misdemeanour law within the criminal law. The misdemeanour law draft of 1961 treated misdemeanour law as a separate branch of criminal law, however, at the same time it stressed distinctness of misdemeanours from crimes. The analysis of the first phase of codification works leads to a conclusion that an important impact on the solutions included in the drafts created at the beginning of the sixties was made by the representatives of the criminal law science. They were in opposition to the ‘administrative’ concept of misdemeanour law that was strongly supported by the Ministry of Internal Affairs. Due to their knowledge they were of such huge authority that, being in boards that were working in specific drafts, they could enforce their opinions even against the position represented by the members delegated by the Minister of Internal Affairs. Criminal law theoreticians played the main role in developing the theoretical basis for misdemeanour law system in People’s Poland. The process of making misdemeanour law a separate branch of criminal law was fostered by carrying out codification works based on the assumption that the future codification should be totally separate from the general part of criminal law. The pre-war misdemeanour law, which was the starting point for the codification works, used a technique of references to the regulations in the general part of the criminal code of 1932.

To stress the independence of the general part of the project of 1961 there were several institutions of criminal law included in it, which were modified in the way that took into the consideration the specifics of misdemeanours as a discrete from offences category of punishable acts. Unless the general part of the project was positively evaluated by the representatives of criminal law science, the idea of radical reduction of misdemeanours to

offences with the criterion of the degree of social danger of the act. Criminal law theoretician were in favour of treating the criteria of the degree of social danger of an act as a common feature of misdemeanours and offences. They called for separating those two categories of punishable acts by a criteria of the level of penalty. The criticism from the representatives of the doctrine, who participated in the public discussion on the misdemeanour law draft of 1961, had no essential influence on the attitude of the Ministry of Internal Affairs that was directing the codification works. A follow-up misdemeanour law draft included though some questioned solutions in slightly modified version. The draft of 1962 treated misdemeanour law as a separate branch of criminal law, however at the same time it was based on a concept that gave misdemeanour law a servile role for the administrative activity of the state. The main function of the misdemeanour law was to protect the fields subjected to administrative authorities by criminal law. As a result, the penalties imposed on the offenders infracting its provisions took the form of administrative penalties.

In the book it has been proved that the decision to reject the criminal code draft, that was taken by the party authorities in the first half of 1963, had an essential importance for the further development of misdemeanour law in People's Poland. The criticism of the draft, expressed by the participants of a public discussion, was accompanied by the demand to observe the principle of codification works complexity within widely understood criminal code. The party authorities referred to those postulates in order to justify the decision to suspend all the codification works until elaborating assumptions of the future criminal code. It was to become a reference point for all the other legal acts of a widely understood criminal code, including future codification of misdemeanour law. The decision of the party authorities conclusively prejudged the return of misdemeanour law to the area of criminal code. Therefore, the idea of misdemeanour law as a branch of administrative law, which was quite popular at the beginning of the sixties, collapsed. On the other hand, accepting basic principles of the new criminal code as the point of reference meant that the further codification works were continued on the basis of an assumption of a close harmonisation of misdemeanour law with criminal law.

Adopting an act on the 17th June 1966 on passing some minor offences as misdemeanours to the criminal and administrative case-law fostered the realization of the above assumption. The act became a starting point for the codification works resumed in 1967. The act expressed the tendency to 'criminalise' misdemeanour law in the process of gradual introduction of criminal law elements. They were replacing the solutions that were created to address misdemeanours as act harming public peace and order and distorting the

organisational actions of administration. The codification of 1971 not only maintained the legal position created by the act on transfer, but it also went much further by taking another serious group of petty offences into the group of misdemeanours. In the result, Polish misdemeanour law has essentially changed. It included, besides traditional misdemeanours of order nature, criminal acts. The acts that emerged from transforming those petty offences were exceptional in their high, comparing with misdemeanours, level of social harm.

The findings made in this book lead to a conclusion that as a result of codification works that were carried out at Gomulka times misdemeanour law both in its content as its form found its place in the field of criminal law. The idea according to which misdemeanour law served similar functions to criminal law gained a common approval, however it was interested in the acts of a lower social harm than offences. In spite of substantial unity of several institutions of the Code on Misdemeanours and the Criminal Code of 1969 there were also some differences. They were serious enough to, in the concordant opinion of academic representatives, give the misdemeanour law a character of an independent branch of a widely understood criminal law.

As a result of codification works that were carried out during Gomulka times the differences, which were still strongly exposed at the beginning of the sixties, between an offence and a misdemeanour, as the latest definitely stopped being perceives in the categories of an act against the state administration activities. The concept of substantial uniformity of misdemeanours and offences, which was accepted by a wide majority of criminal law theoreticians, contributed to bringing those two categories of punishable acts closer. Law science was virtually unanimous in the view that the difference between a misdemeanour and an offence is only that of quantity, and comes down to the level of social danger of an act. With regard to the doctrine, the authors of codification of 1971 accepted a mixed definition of a misdemeanour, which was closely related with a definition of an offence that functioned in criminal law. A formal element accompanying substantial criteria, which was the kind of statutory punishment, unequivocally made it possible to determine if the act is a misdemeanour or not. As a consequence of the assumption of a generic identity of misdemeanours and offences, not only similar principles of liability but the same directives for penalty were adopted.

The research support the claim formed by L. Falandysz, according to which, in the result of codification works, Polish misdemeanour law ‘was no longer a set of traditional, subsidiary regulations on infringements of order’ and obtained a completely new image. The

character of the specific part of the Code on Misdemeanours was determined mainly by the misdemeanours against safety in transportation and as a result of transforming some petty offences into misdemeanours against property and consumers' interests. Taking into consideration the needs resulting from the development of social life, the codification of 1971 protected a much wider scope of property than pre-was misdemeanour law, which referred to traditional functions of misdemeanour law. The provisions of the specific part of the Code on Misdemeanours applied to many branches of law, and the misdemeanours against public decency were even linked to the ethics. The new image of Polish misdemeanour law was revealed in the terminology that was accepted by the legislature. It definitely broke off with the expression 'criminal and administrative law'. The change of terminology came as a consequence of an official return of misdemeanour law to the sphere of criminal law, and at the same time it vindicated the position of law science representatives during the whole time of codification works.

The second phase of codification works was carried out on the basis of an assumption of synchronising the provisions of the future misdemeanour law with the draft of the Criminal Code of People's Poland. In the consequence, the principle of misdemeanours polarisation and stratification of responsibility was adopted. This approach referred to the resolution that had been made in September 1961 by the management of the Polish United Workers Party. It started a new chapter in the criminal policy on minor criminal offence. While executing the resolution of the party authorities, the substantive misdemeanour law codification authors accepted an assumption to reduce repressive legislation only to the most serious acts. Perpetrators of minor offences were assumed to be treated with the institutions of educational influence besides or instead of the traditional punishments. In the result, misdemeanour law drafts that were elaborated during the second stage of codification works, included more and more complex catalogue od punishments and beyond-criminal influence, together with a precise definition of penalty principles. Synchronisation od misdemeanour law and criminal code was supported also by introducing a division into principal and additional penalties, which was consistent with Polish legislation traditions. A formal separation of those two categories of penalties had not functioned under the misdemeanour law, though taking it into account in the future codification was necessary in the view of a significant enrichment of methods of influence on the violators. Going beyond the traditional arrest and fine penalties served to create the basis for running a flexible criminal policy. Rising a reprimand into the rank of principal penalty helped to treat offenders of minor offences gently, as there was no

need to use repressive measures towards them. Expanding the catalogue of principal penalties was also made by introducing restriction of personal liberty that had not existed in misdemeanour law before. Restriction of personal liberty penalty, which was adopted from the Criminal Code of People's Poland, underwent creative modifications to adjust it to the specifics of misdemeanours as acts of minor liability. Besides penalties in the traditional understanding of the term, the Code on Misdemeanours provided fines and compensation obligations, which roles became stronger in the existing acquis. In order to give flexible character to misdemeanour case-law, the authors of codification created a system of social and educational influence means, which was contrary to traditional penalties. Despite introducing several non-repressive means into the Code on Misdemeanours, in practice only the solution providing resignation from initiating the proceedings for the sake of an individual solving the case by a body revealing the misdemeanour worked well. Such solution, though in a modified form, has functioned till present day, as the Code on Misdemeanours provides the possibility to address an admonishment, warning or a notice or to use other means of educational influence.

Also the catalogue of additional penalties was supposed to include the idea, which accompanied the second stage of codification works, of 'differentiating and enriching the means at magistrate courts' disposal, enabling widely understood individualisation of penalty'. The research lead to an opposite conclusion. The catalogue of additional penalties that had been created in the result of codification works was characterised by far-reaching stringency, as the consequences of additional penalties were much more severe than those of principal ones. These were: a ban on engaging in specific activity and performing actions that required an authorisation as well as a ban on driving. Especially severe consequences on persons performing a job of a driver had an additional penalty of the ban on driving that was imposed for two years.

The analysis of the second stage of codification works leads to a conclusion that in the works on creating the general part of the future codification the greatest emphasis was laid on creating the basis for severe treatment of offenders of serious offences. As a result the Code on Misdemeanours was marked by 'rigorous provisions towards people who were particularly a burden to the society, namely, repeat offenders and hooligans'. The codification of 1971 treated hooligan character of an act as an aggravating circumstance, introducing several further restrictions of the penalty for the offenders of this category of acts. Among them there were ones that had not been known in the current legislation, no suspended arrest sentence, a

total prohibition on ruling a reprimand and a possibility to rule a fine in case of damage caused by a hooligan act. New anti-hooligan regulations were accompanied by restricting penalties for the acts performed under the influence of alcohol, which legitimised the current practice of classifying intoxication of the offender as a basic premise of a hooligan character of the act. Harsh attitude of the 1971 codification authors towards repeat offenders was also expressed in perceiving a formal fact of previous sentencing as essential, due to that adjudicating entities did not take into consideration the real level of the offender demoralisation and the character of committed acts.

Findings of this monograph related to the way in which the concept of polarisation of misdemeanours and stratification of the offenders' responsibility was realised prove the correctness of J. Szumski's opinion. He perceives most of the new institutions of the general part of the Code on Misdemeanours as a reflection of intensifying penalisation. Those institutions were created in order to treat the offenders of 'alcohol and hooligan' acts, the most numerous group of offenders at magistrate courts, severely. Although the codification of 1971 created many possibilities of gentle reactions, thus it did not oblige adjudicating entities to conduct harsh legislative policy, from the view of practice it was a continuation of punitive legislative tendencies. The Ministry of Internal Affairs, which perceived complex misdemeanour law codification as a tool to 'protect public order and maintain social discipline', had a decisive impact on the codification works.

As the general part of the Code on Misdemeanours covered some regulations that supported a gentle criminal policy, the specific part that was created during codification works was much more severe. The analysis of the second phase of those works leads to a conclusion that, while choosing sanctions for the specific misdemeanours the general prevention was taken into consideration in the first place. In the result, the codification of 1971 widely used traditional penalties that were custodial and property in nature. Even the provision of a general part that was highlighting a unique character of principal arrest could not cover the repressive character of the specific part. That solution should be seen as a propaganda declaration that was to hide the fact of a common use of that most severe of principal penalties. Nearly every third misdemeanour from the specific part of the Code on Misdemeanours was punishable by principal arrest and it was nearly always in its maximum term.

The codification of 1971 authors can be partially justified by the need to take into consideration some misdemeanours that were transformed from current petty offences of typically criminal character in the specific part. Making those petty offences punishable by arrest was justified by their serious character, similarly to 'alcohol and hooligan' misdemeanours that were particularly burdensome for the society. There was no rational explanation of the frequent use of principal arrest for misdemeanours against order found, which was highlighted in the book. The Code on Misdemeanours provided for the use of that punishment towards traffic offenders, people begging in a public place, or women prostituting themselves in public places. Repressive nature of the misdemeanour law system, which was created as the result of the codification works, was enhanced by introducing other than principal arrest solutions leading to imprisonment for committing an offence. The arrest could happen as a consequence of executing a conditionally suspended arrest sentence, evasion of the execution of restriction of personal liberty, and especially the execution of an alternative arrest sentence in case of failure to pay the imposed fine. The common use of imprisonment as a peculiar 'reinforcement of penal measures influence' made Polish misdemeanour law one of the most repressive systems worldwide.

The analysis, which has been made in this book, of the drafts of the misdemeanour law that were created in the second phase of codification works leads to a conclusion that there idea of decriminalisation accompanying those works had a marginal impact on the shape of the specific part of the Code on Misdemeanours. The process of a complete resignation from penalisation of the acts that had hitherto been petty offences included only few rarely occurring in practice of case-law acts. The authors of codification of the substantial misdemeanour law considered the idea of a partial decriminalisation in an equally limited scope. It provided for penalisation of infringement of some obligations of citizens from the previous ineffectiveness of an administrative enforcement procedure. That idea was accomplished on the basis of the acts the offenders of which should bear responsibility for only in the administrative procedure. This remark applies in particular to the conditionally suspended penalisation of avoiding the obligation to register a library or double failure to pay contractual fines for travelling without a ticket (fraud). It would be much more preferable to partially decriminalise, common in the practice of magistrate courts case-law, misdemeanours against the obligation of population registers. Instead, they were provided with an inadequate to their importance sanction of restriction of liberty.

It has been stressed in the book, that with its limited size the process of decriminalisation was not able to cover the repressive aspects of the provisions in the specific part of the 1971 codification. Its sustainability was fostered by introducing the penalty of acts that had not been misdemeanours which was substantiated by prevalence of new actual states and their negative perception of the society. However, only a part of them were behaviours, which due to changes in the conditions of live were reinforced and required an effective countering of their spread by the use of repressive means. From the social point of view it was required to introduce penalisation of such acts as: throwing stones at vehicles, malicious and lawless impeding the use of infrastructure for public use, or careless driving aside from a public road. Stressing the responsibility connected with the fact of taking care or having custody over a minor was supported by acknowledging cases of putting a child's health or life at risk as misdemeanours.

There were several controversies accompanying the introduction of penalisation of infringement of the basic obligations related to the fact of parental authority or custody. Although the participants of social discussion over the draft of 1971 did not question the need to penalise particularly gross negligence on the parents' or caretakers' part, they strongly criticised defining the conditions of their responsibilities by expressions of evaluative nature. Their precise defining for practical purposes was simply impossible, which gave a wide field for free interpretation of the discussed provision by an adjudicating authority. The provision introducing penalisation of public manifestation of prostitution, which was assessed as contradictory to the *nullum crimen sine lege* principle, was especially criticised by academics and legal practitioners. Penalisation of prostitution fits the typical for Gomulka times atmosphere of creating compensatory problems. Their artificial publicising was to reverse the attention of the society from real weaknesses of the system by creating a negative picture of specific social groups, which were accused by the authorities of disregard for generally imposed rules of conduct and principles of socialist morality.

The analysis of the provision from the specific part of 1971 codification which penalises the most common cases of infringement of public peace and order (art. 51 of the Code on Misdemeanours) leads to a conclusion that it was created to implement party authorities' guidelines which demanded to 'fight negative social phenomena definitely and consistently'. General stating and ambiguous attributes of a prohibited act was accompanied by an extremely wide scope of penalisation. Penalisation of difficult to define inciting and aiding for infringement of public peace and order was since provided for. The provision

undermining the guarantee function of criminal law was validly defined by L. Falandysz as ‘a little criminal code’ formulated in three sentences. The provision had been introduced not only for the ‘alcohol and hooligan’ offenders, as it also served to make deprived due to alcohol abuse persons criminally liable.

While critically evaluating the typically repressive character of some provisions of the specific part of the Code on Misdemeanours, the fact of creating a legal act meeting the requirements of codification of a partial character. It covers the most important misdemeanours that were ruled at magistrate courts, as reflected by grouping actual states of more than 90% of cases referred to magistrate courts by law enforcement authorities in the specific part. In comparison with the misdemeanour law that was a starting point for codification works, the specific part of the 1971 codification was sensibly comprehensive. It was done by grouping those actual states provided for in special laws, which importance increased together with rapid social relations transformation. Although the Code on Misdemeanours protected much wider scope of social relations, its specific part was developed in such a reasonable way without excessive resorting to descriptive dispositions or including an illustrative listing of actual states of misdemeanours of administrative character.

In spite of critical remarks which proved right in the practice of magistrate courts, which were totally dispositional towards the Ministry of Internal Affairs, the legal system created through codification works should be evaluated positively. It was a skilful connection of traditional concepts of misdemeanour law of a typically repressive character with a socialist idea of educational influence focused on softening repressions till replacing them completely by non-criminal means. While evaluating the results of codification works that were carried out at Gomulka times, it was pointed out that those works were done by the agenda of the Ministry of Internal Affairs. During the whole time of People’s Poland the Ministry of Internal Affairs demonstrated an ambition to make the misdemeanour law a peculiar ministerial law focused on repressing the society to enforce its subordination. On its initiative, there were some solutions that supported treating magistrate courts as an instrument realising current interests of the ministry introduced to the Code on Misdemeanours. Those solutions were used particularly during political crises. A clear contradiction between the principle of polarisation of misdemeanours and stratification of responsibility, which lied at the basis of codification works, and the practice of magistrate courts was an outcome of an administrative concept of case-law on misdemeanours. When, due to the systematic transformations started in 1989, magistrate courts were transferred to the structures of the

Ministry of Justice, it suddenly turned out that the Code on Misdemeanours creates the conditions to lead a rational criminal policy. Due to that, a process of defusing repressive case-law of magistrate courts started in 1990. It revealed in a full realisation of the principles that were accepted as the basis for the codification works of the misdemeanour law in the sixties.

Entering into force of the Criminal Code of 1997 necessitated novelisation of the Code on Misdemeanours to adjust its solutions to the current codification of criminal law. The findings of this book lead to a conclusion that the introduced changes did not affect the core of the solutions created during the codification works at Gomulka times. The reform of 1998 though contributed to the elimination of a vast majority of the errors of substantial misdemeanour law codification that were noticed by academics and legal practitioners. However, due to maintaining the penalisation of public manifestation of prostitution and penalisation and failure to comply with parental obligations, critical comments made by the participants of the social discussion on the misdemeanour law draft of 1970 were still relevant. The provision of the Code on Misdemeanours art. 51, questioned by L. Falandysz, is still in force. It covers a number of actual states connected with infringements of public peace and order. The application of this kind of solutions should be seen as a shameful heritage of communist system and, at the same time, an argument justifying the need to carry out a complex reform of the substantial misdemeanour law.

5. Description of attainment and scientific achievements other than monograph pointed in point 4

After obtaining doctor's degree these were the subjects of my academic interest:

a) General supervision by the public prosecutor's office in People's Poland

b) The relations between the church and the state in Gomulka times

c) Criminal and administrative law of German Democratic Republic

d) Public law of the 2nd Republic of Poland

e) Misdemeanour law system in People's Poland

f) Criminal and administrative case-law in People's Poland

g) Judiciary in People's Poland

a) General supervision by the public prosecutor's office in People's Poland

After obtaining doctor's degree I continued research on General Supervision by the Public Prosecutor's Office in People's Poland. The most important result of it is the monograph: *General supervision by the public prosecutor's office in Poland in 1950–1967,* Wydawnictwo Temida 2, Białystok 2006, p. 241. The basic thesis of this book, that 'against commonly held in People's Poland views, general supervision by the public prosecutor's office did not replace administrative judiciary, because it mainly served to protect the state interest by supporting the communist social-economic policy' was widely accepted in Polish academic literature. The monograph got positive review. Rev. W. Czerwiński, in: „Zeszyty Naukowe Sądownictwa Administracyjnego" 2007, no 4, p. 157–160.

I also published additional publications on general supervision by the public prosecutor's office in People's Poland:

1) *Prokuratorski nadzór ogólny w akcji dostaw obowiązkowych w Polsce Ludowej*, „Miscellanea Historico-Iuridica" 2003, vol. I, p. 81–102.

2) *Prokuratorski nadzór ogólny w Polsce Ludowej na tle idei sądownictwa administracyjnego*, „Miscellanea Historico–Iuridica" 2004, vol. II, p. 109–123.

3) *Prokuratorski nadzór ogólny nad orzecznictwem karno–administracyjnym w Polsce Ludowej*, „Miscellanea Iuridica" 2005, vol. 7, p. 151–175.

4) *Prokuratorski nadzór ogólny w Polsce w latach 1950–1967,* „Czasopismo Prawno–Historyczne" 2005, vol. LVII, z. 2, p. 203–224.

5) *Skargi i zażalenia w działalności prokuratorskiego nadzoru ogólnego w Polsce Ludowej,* „Miscellanea Historico–Iuridica" 2006, vol. IV, p. 143-160.

6) *Ochrona interesów majątkowych państwa w działalności prokuratorskiego nadzoru ogólnego w Polsce Ludowej,* in: *Podstawy materialne państwa. Zagadnienia prawno–historyczne*, ed. D. Bogacz, M. Tkaczuk, Szczecin 2006, p. 739–750.

7) *Jednostka w działalności prokuratorskiego nadzoru ogólnego w Polsce Ludowej*, in: *Jednostka a państwo na przestrzeni wieków*, ed. J. Radwanowicz–Wanczewska, P. Niczyporuk, K. Kuźmicz, Białystok 2008, p. 107–124.

b) The relations between the church and the state in Gomulka times

The other sphere of my interests were the relations state–church during period of Wladyslaw Gomulka rule in the light of legislation and practice of state administration operation. The research output were the following articles:

1) *Zbiórki publiczne na rzecz Kościoła rzymskokatolickiego w świetle polityki wyznaniowej władz okresu gomułkowskiego*, „Miscellanea Historico–Iuridica" 2007, vol. V, p. 157–173.

2) *Kolegia karno–administracyjne w walce z Kościołem katolickim w Polsce (1956–1970),* „Czasopismo Prawno–Historyczne" 2007, vol. LIX, z. 1, p. 129–152.

3) *Działalność duszpasterska Kościoła katolickiego w świetle prawodawstwa i praktyki władz okresu gomułkowskiego,* in: *Cuius regio eius religio?*, vol. II, ed. G. Górski, L. Ćwikła, M. Lipska, Lublin 2008, p. 457–481.

4) *Dokumenty archiwalne dotyczące orzecznictwa karno–administracyjnego w sprawach związanych z działalnością polskiego Kościoła rzymskokatolickiego w latach 1960–1961,* „Miscellanea Historico–Iuridica" 2007, vol. V, p. 177–192.

c) Criminal and administrative law of German Democratic Republic

In September 2008 I was attending a scholarship Max–Planck-Institut für europäische Rechtsgeschichte in Frankfurt am Main. In the Institutes' library I did some research on criminal and administrative law of German Democratic Republic. The findings were published in:

1) *Prawo wykroczeń Niemieckiej Republiki Demokratycznej*, „Miscellanea Historico–Iuridica" 2009, vol. VII, p. 121-140.

2) *Społeczne organy wymiaru sprawiedliwości w Niemieckiej Republice Demokratycznej*, in: *O prawie i jego dziejach księgi dwie. Studia ofiarowane Profesorowi Adamowi Lityńskiemu w czterdziestopięciolecie pracy naukowej i siedemdziesięciolecie urodzin*, vol. II, ed. M. Mikołajczyk, Białystok–Katowice 2010, p. 573–593.

d) Public law of the 2nd Republic of Poland

In my studies, after receiving PhD I dealt not only with the People's Poland period as my interest also covered some aspects of public law of the 2nd Republic of Poland. The issues of religious law and a legal position of women at mid-war times were presented in:

1) *Przepisy wyznaniowe w konstytucji marcowej,* in: *Konstytucja: ustrój polityczny; system organów państwowych. Prace ofiarowane Profesorowi Marianowi Grzybowskiemu*, ed. S. Bożyk, A. Jamróz, Białystok 2010, p. 313–330.

2) *Przepisy wyznaniowe w konstytucjach II Rzeczypospolitej*, „Przegląd Prawa Wyznaniowego" 2013, vol. 5, p. 65–82.

3) *Udział kobiet w życiu publicznym II Rzeczypospolitej*, „Miscellanea Historico–Iuridica" 2015, vol. XIV, z. 1, p. 381–400.

e) Misdemeanour law system in People's Poland

An important part of my academic output are publications on shaping the model of misdemeanour law in People's Poland before its codification in 1971. I made both the analysis of the assumptions underlying a socialist criminal and administrative case-law and particular institutions introduced in December 1951 by Act on criminal and administrative case-law. I have also considered codification works of criminal and administrative law of People's Poland that were carried out in the second half of fifties which were stopped on behalf of a thorough novelisation of the Act on criminal and administrative case-law in December 1958. I have presented the process of creating magistrate courts for misdemeanours and some issues connected with employees of the criminal and administrative magistrate courts during Gomulka times. The following articles presented the above:

1) *Kara pracy poprawczej w orzecznictwie karno–administracyjnym Polski Ludowej,* „Miscellanea Historico–Iuridica" 2008, vol. VI, p. 143–168.

2) *System kar w prawie wykroczeń Polski Ludowej,* in: *Culpa et poena – z dziejów prawa karnego,* ed. M. Mikuła, Kraków 2009, p. 307–326.

3) *Początki prac nad kodyfikacją prawa karno–administracyjnego Polski Ludowej,* „Miscellanea Historico–Iuridica" 2011, vol. X, p. 217–243.

4) *Kształtowanie się ustroju kolegiów orzekających w Polsce Ludowej (1952–1956),* „Czasopismo Prawno–Historyczne" 2012, vol. LXIV, z. 2, p. 249–275.

5) *Socjalistyczna reforma orzecznictwa karno–administracyjnego Polski Ludowej,* in: *Pro memoriał. Księga pamiątkowa dla uczczenia pamięci Profesor Krystyny Kamińskiej*, ed. A. Gaca, Toruń 2013, p. 315–344.

6) *Środki zaskarżania orzeczeń karno–administracyjnych w Polsce Ludowej,* in: *Szczególne środki zaskarżenia w ujęciu komparatystycznym,* ed. D. Gil, Stalowa Wola 2013, p. 359–374.

7) *Aparat biurokratyczny orzecznictwa karno-administracyjnego Polski Ludowej,* in: *Dzieje biurokracji*, vol. V, z. 2. ed. A. Gaca, A. Górak, Z. Naworski, Lublin – Toruń –Włocławek 2013, p. 561–676.

8) *Zasady obsady personalnej kolegiów karno-administracyjnych Polski Ludowej,* „Miscellanea Historico–Iuridica" 2013, vol. XII, p. 321 – 349.

9) *Reforma prawa karno-administracyjnego Polski Ludowej z 1958 r*., „Z Dziejów Prawa" 2014, vol. 7, s. 211- 242.

10) *Obwiniony jako uczestnik postępowania w sprawach o wykroczenia – wczoraj i dziś*, in: *Role uczestników postępowań sądowych – wczoraj, dziś, jutro,* ed. D. Gil, E. Kruk, Lublin 2015, p. 199–214.

f) Criminal and administrative case-law in People's Poland

Another important research issue mentioned during the research on the history of misdemeanour law in post-war Poland was the practice of misdemeanour case-law functioning during Stalinist period and Gomulka times. I have used archives obtained due to an inquiry at the National Remembrance Institute, which had not been made available to the People's Poland researchers. A thorough analysis made a creative development of some findings of misdemeanour law academics, who could not present the full picture of criminal and administrative case-law practice due to the fact that they used only printed materials. The findings were presented in the articles:

1) *Problem chuligaństwa w orzecznictwie karno–administracyjnym Polski Ludowej (1952–1989)*, „Czasopismo Prawno–Historyczne" 2008, vol. LX, z. 2, p. 179–202.

2) *Orzecznictwo karno–administracyjne w zakresie dostaw obowiązkowych płodów rolnych w Polsce Ludowej*, „Miscellanea Historico–Iuridica" 2009, vol. VIII, p. 189–222.

3) *Orzecznictwo karno–administracyjne w walce z alkoholizmem w okresie gomułkowskim*, „Z Dziejów Prawa" 2011, vol. 4, p. 249-279.

4) *Przełom roku 1956 w Polsce a orzecznictwo karno–administracyjne*, „Zeszyty Prawnicze UKSW" 2011, no 11.4, p. 277–305.

5) *Wykroczenia drogowe w praktyce orzecznictwa karno–administracyjnego okresu gomułkowskiego*, „Miscellanea Historico–Iuridica" 2012, vol. XI, p. 315–349.

6) *Polityczne uwarunkowania orzecznictwa karno-administracyjnego Polski Ludowej*, „Studia z Dziejów Państwa i Prawa Polskiego" 2014, vol. XVII, p. 211–232.

g) Judiciary in People's Poland

Within the interest in People's Poland law I have raised the issues connected with shaping the jurisdiction in the first years of post-war period. The following publications covered this problem:

1) *Prokuratura Polski Ludowej na tle założeń prokuratury typu socjalistycznego*, „Miscellanea Historico–Iuridica" 2005, vol. III, p. 81–100.

2) *Pierwsze lata ludowej sprawiedliwości, Uwagi o książce Anny Machnikowskiej, Wymiar sprawiedliwości w Polsce w latach 1944–1950* (together with D. Maksimiuk), „Czasopismo Prawno–Historyczne" 2009, vol. LXI, z. 1, p. 361–375.

3) *Ministerstwo Sprawiedliwości u progu planu 6-letniego. Dokument archiwalny*, „Miscellanea Historico-Iuridica" 2008, vol. VI, p. 171–183.

6) Presentation on scientific international and domestic conferences:

1. *Podstawy materialne państwa do XX w.* Ogólnopolski Zjazd Katedr Historycznoprawnych, Szczecin 23–26 Sept. 2004 (presentation: *Ochrona interesów majątkowych państwa w działalności prokuratorskiego nadzoru ogólnego w Polsce Ludowej*, publication).

2. Conference *Jednostka a państwo na przestrzeni wieków*, Faculty of Law, University in Bialystok, Białystok 30–31 May 2005 (presentation: *Jednostka w działalności prokuratorskiego nadzoru ogólnego w Polsce Ludowej*, publication).

3. Cuius regno, eius religio? XXI Ogólnopolski Zjazd Katedr Historycznoprawnych, Lublin 20–23 Sept. 2006 (presentation *Działalność duszpasterska Kościoła katolickiego w świetle prawodawstwa i praktyki władz okresu gomułkowskiego*, publication).

4. IV Ogólnopolskie Sympozjum Prawa Wyznaniowego, Białystok 26–27 września 2007 (presentation: *Przepisy wyznaniowe w konstytucjach II Rzeczypospolitej*, publication).

5. *Culpa et poena* - conference organized by Towarzystwo Biblioteki Słuchaczów Prawa, Jagiellonian University, Kraków 11-13 March 2008 (presentation *System kar w prawie wykroczeń Polski Ludowej*, publication)

6. Sommerkurs f*ür europäische Rechtsgeschichte,* organized by Max-Planck-Institut für europäische Rechtsgeschichte, Frankfurt am Main 12–17 July 2009, (presentation: *Die Entwicklung der Rechtspflege im Verwaltungsstrafrecht in Polen nach dem Zweiten Weltkrieg*).

7. *Prawo na przełomie epok.* XXIII Ogólnopolski Zjazd Historyków Państwa i Prawa, Zegrze 17–19 Sept. 2010 (presentation *Przełom roku 1956 w Polsce a orzecznictwo karno–administracyjne*, publication).

8. V Międzynarodowe Sympozjum Dziejów Biurokracji, Toruń 22–24 June 2012 (presentation: *Aparat biurokratyczny orzecznictwa karno–administracyjnego Polski Ludowej*, publication).

9. *Prawo a polityka. Polityczne uwarunkowania prawa a prawne uwarunkowania polityki*. XXIV Ogólnopolski Zjazd Historyków Prawa, Łódź 17–18 Sept. 2012 (presentation: *Polityczne uwarunkowania orzecznictwa karno–administracyjnego Polski Ludowej*, publication).

10. Conference *Prawo i Życie*, Faculty of Law, University in Bialystok, Białystok 15–16 Nov. 2012 (presentation: *Orzecznictwo karno–administracyjne Polski Ludowej wobec problemów życia codziennego*).

11. Conference *Szczególne środki zaskarżenia w ujęciu komparatystycznym*, organized by Off–Campus Faculty of Law and Social Sciences in Stalowa Wola, Catholic University of Lublin, Stalowa Wola 11 March 2013 (presentation: *Środki zaskarżania orzeczeń karno-administracyjnych w Polsce Ludowej*, publication).

12. *(Wo)men in Legal History*. XIX th Annual Forum Association of Young Legal Historians, Lille - Ghent 15–18 May 2013 (presentation: *The legal situation of women in the 2nd Republic of Poland*, publication planned)

13. Ewolucja prawa. II Ogólnopolskie Sympozjum Historyków Państwa i Prawa, Katowice 19 Sept. 2013 (presentation: *Ewolucja systemu kar w prawie wykroczeń Polski Ludowej*).

14. Conference *Prawo a literatura*, Faculty of Law, University in Bialystok, Białystok 6 Dec. 2013 (presentation: *Problem chuligaństwa w Polsce Ludowej na przykładzie powieści Leopolda Tyrmanda „Zły"*).

15. *Nauka i nauczanie prawa w przeszłości i* współcześnie. XXV Ogólnopolski Zjazd Historyków Prawa, Kraków 22–25 Sept. 2014 (presentation: *Udział doktryny w pracach nad kodyfikacją prawa wykroczeń w Polsce Ludowej*, publication).

16. Conference *Role uczestników postępowań sądowych – wczoraj, dziś, jutro*, oranized by Off–Campus Faculty of Law and Social Sciences in Stalowa Wola, Catholic University of Lublin, Sandomierz 13 April 2015 (presentation: *Obwiniony jako uczestnik postępowania w sprawach o wykroczenia – wczoraj i dziś*, publication).

17. VI Międzynarodowe Sympozjum Dziejów Biurokracji, Kazimierz Dolny 26–27 Sept. 2015 (presentation *Wpływ czynnika biurokratycznego na orzecznictwo karno-administracyjne Polski Ludowej*).

18. Conference *Historia państwa i prawa – w kręgu aktualnych kierunków badań*, Faculty of Law, University of Lodz, Łódź 25 April 2016 (presentation: *Prawo wykroczeń Polski Ludowej jako przedmiot badań historycznoprawnych*).

19. *History of Legal Sources: The Changing Structure of Law*. XXII th Annual Forum Association of Young Legal Historians, Belgrade 6-8 May 2016 (presentation: *Forms of law-making in Poland in the 20th century*).

20. Conference *Rodzina a prawo w cywilizacji chrześcijańskiej*, organized by Faculty of Law, University of Bialystok, Supraśl 19–21 May 2016 (presentation: *Odpowiedzialność karna rodziców w prawie wykroczeń Polski Ludowej*).

21. *Culture, Identity and Legal Instrumentalism*. 4 th Biennal Conference of European Society for Comparative Legal History, Gdańsk – Gdynia 28 June–1 July 2016 (presentation: *Political circumstances of adjudicating on petty offences in the People's Republic of Poland*).

7. International and domestic research programs

I realized my own research program, granted by the National Science Centre: Criminal-administrative Law of People's Poland (1951-1971). The result was accepted by National Science Centre and grant was ended in 2015.