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### Summary of a doctoral dissertation

Polish customs law between 1918-1939, a historical-legal aspect in terms of  
legal dogmatics

(appendix to the application for commending a doctoral degree conferral  
procedure)

### **Introductory remarks**

The doctoral dissertation written by me intends to meet the principles set by legal theory for legal research activities, leading to the proof of the research thesis. From this point of view, it is a work of a dogmatic nature, employing a research method known as dogmatic-legal. Due to the research subject covering law that is no longer formally in force, historical analysis is also essential. The dissertation presents the idea that the legal norm of customs law is a universal regulation of a supra-national nature (meta-norm), and the provisions of a given

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national positive law adapt it to existing, specific social and international relationships.

## **Summary**

The Introduction discusses, in general, the author's views on the principal issues on which the central part of the thought sequences proceed, i.e. the objectives and methods of research, the structure of customs law norms, the historical aspect of the work, and its potential connections with contemporary regulations. The Introduction also specifies the structural framework of scientific works on which detailed considerations are based, as well as literature resources and digital databases for the legal status analysis.

In the further parts of the Introduction, the editorial structure of the work is presented, along with a short description of the content of individual chapters and a concise exposition of the international situation in which reborn Poland found itself, as well as the grounds for including pre-war customs law within the budget law system. The reasons why it was essential to include appropriate Appendices were also explained.

Chapter One, Methodological and epistemological issues, is devoted to theoretical analyses, which include, in addition to the broadly defined objectives of the dissertation and the research thesis on the existence of a separate branch system of Polish customs law in the interwar period, also considerations on the

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methodology and research methods applicable to the law in general, and customs law in particular, as well as digressions on the legal norm and the legal-customs relationship, which was summarized by the statement that a new tool of legal dogmatics can be distinguished, which is the norm of law and procedure in a given branch of law.

The chapter also presents contemporary and older definitional views on customs and their policy, and then, with a negative effect, they were related to the normative concept of customs that operated in the legal system of the Second Polish Republic and to the (lack of) impact of Polish customs policy on the global economic situation.

The second chapter of the dissertation, entitled *Shaping the Customs Area of the Second Polish Republic, its Protection and Administration*, describes the legal-political and conventional regulations related to the shaping of the Polish customs area, following the paradigm that law is a normative phenomenon operating in space and time.

The law-making processes related to the formation of border protection authorities of the Second Polish Republic, including its customs area, are also briefly described. The history of the establishment and the organizational-competence structure of civil customs administration bodies were presented.

A separate issue concerning customs relations between Poland and the Free City of Gdańsk, which is still challenging to clearly define doctrinally to this day, is also discussed in the chapter.

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However, convention-wise, these have been described in detail. The chapter also demonstrates the main legal acts regarding customs that were in force in the Polish part of Upper Silesia.

Chapter Three of the work titled *Substantive Law and Customs Proceedings in the Interwar Period* covers both issues related to the development of Polish customs before coming into force of the Treaty of Versailles and later. The dissertation in this part focuses on the presentation of the principles of setting Polish customs tariffs, pointing out the transitional and selective application of them from the occupying countries, and also describes the customs procedures used, i.e. regarding the "nationalization" of goods of foreign origin. In the latter respect, the turning point was the outbreak of the Great Depression and the adoption of the Customs Act in 1933. Chapter Three is substantially a presentation of the legal status in force in the interwar period in the field of tariffs and customs procedures, with an attempt to create norms based on the substantive and procedural law in force at that time.

The last, fourth chapter of the work, *Polish Customs Law and Budget Issues of the Interwar Period*, is devoted in its initial parts to the doctrinal and formal position of customs regulations in the state finance system and then describes Polish customs and budget law during World War II, to show, in the final part, the Polish state existence continuity and its laws durability between 1939-1944.

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*Conclusion* is a summary of the work based on the content of individual chapters, systematizing the norms and making a few closing findings.

*Appendices* contain organizing tools, selected court rulings from the interwar period and selected statistical and administrative data.

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