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**In the service of the state and the idea of the rule of law:
Bronisław Hełczyński - state activist, judge and scholar**

Abstract

Bronisław Hełczyński (1890-1978) was a lawyer who devoted a significant part of his professional life to creating the law of the Second Polish Republic. For eleven years he was a member of the Codification Commission of the Republic of Poland. He knew the administration and organization of the state well, having worked as an official for twelve years. For several years he was the head of the Civil Chancellery of the President of the Republic of Poland. He was also a judge who, in a difficult period for the judiciary, for over five years headed the Supreme Administrative Tribunal (SAT), an administrative court playing an important role in the rule of law. The dissertation is an attempt to recreate the life and achievements of Bronisław Hełczyński as a lawyer and to show the institutions in which he worked. The legacy of Bronisław Hełczyński as a lawyer is discussed as the legacy of a lawyer-official, lawyer-codifier, lawyer-scholar and lawyer-judge.

The aim of the dissertation is to answer the question whether and to what extent Bronisław Hełczyński served the state and the idea of the rule of law? The answer to this question required an in-depth study of Hełczyński's life and activity, and the times in which he lived. When analyzing the activity of Hełczyński as a judge and the First President of SAT, the focus was in particular on how changes at the constitutional and statutory levels had an impact on the activity of the SAT. Were there any significant changes in the functioning and jurisprudence of the SAT during Hełczyński's presidency? Did Hełczyński, as the First President of SAT, acted for strengthen and expand the independent administrative judiciary? Did the SAT act as a guardian of the rule of law in the 1930s?

The dissertation also presents the wartime and post-war fate of Bronisław Hełczyński. They were shown in the context of the activities of the Polish authorities in exile, as well as the functioning of Polish scientific institutions, such as the Polish Faculty of Law at the University of Oxford and the Polish University in Abroad. In this way, it became possible to reflect on the perception of the rule of law by lawyers in "Polish London". This made it possible to present the basic directions of Polish legal and legal thought in exile.


The dissertation was prepared in a chronological and substantive order. It consists of three chapters.

The first chapter - *In anticipation of an independent Poland* - presents: the outline of Hełczyński's independence activity, the period of his legal studies, work as an official as giving an image of the reborn state.

Chapter two - *In the Second Polish Republic* - is devoted to the stages of Bronisław Hełczyński's legal career. It shows his achievements against the background of the activities of individual institutions of the reborn Polish State. This chapter presents his professional career, and then scientific development at the Jagiellonian University, achievements in the Codification Commission of the Republic of Poland and his service as the Head of the Civil Chancellery of the President of the Republic of Poland. Particular attention was paid to the presidency of Hełczyński in the SAT. In addition to presenting the SAT against the background of the provisions of two Polish constitutional acts of the interwar period (1921 and 1935), an attempt was made to examine the impact of organizational and personnel changes on its jurisprudence and functioning. Changes in the model of appointing judges and related issues of judicial independence were discussed.

Chapter three - *In exile* - presents considerations on: Bronisław Hełczyński's contribution to the activities of the Legislative Commission at the Minister of Justice in Exile; his achievements at Polish universities established in exile, such as the Polish Faculty of Law at the University of Oxford, or the Polish University Abroad; legal problems concerning the functioning of the authorities and Polish society in exile. This chapter presents a discussion on the concept of launching the Polish administrative judiciary in Great Britain. Finally, this chapter covers the legally important issues related to the participation of Bronisław Hełczyński in the process of consolidation of the Polish post-war community in exile and performing the function of the Minister of Foreign Affairs in exile.

Each of the chapters contains a summary referring to the purpose of the work, with the indication of individual legal achievements of Hełczyński. *The conclusion* presents Hełczyński's legal activity in the context of service to the state and the idea of the rule of law.


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