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Summary of the doctoral dissertation

"Regulatory proceedings concerning real estate located in Krakow owned by former Jewish religious legal persons"

The objective of this dissertation is to evaluate the course and results of several dozen regulatory proceedings conducted by the Regulatory Commission for Jewish Religious Communities, concerning real estate located in Krakow, owned by former Jewish religious legal persons.

The doctoral dissertation discusses the history of Jewish communities known as kahals, with particular emphasis on the history of the Jewish community established in Kraków and Kazimierz, which is now its district. The followers of the Mosaic religion are even considered a separate state, as they had a separate law and judiciary. They enjoyed autonomy in internal relations, while in external relations, in particular with the authorities, they were considerably independent.

The development of the Jewish community, which continued even despite the partitions of Poland, was suddenly interrupted by the events of World War II; as a result of the Holocaust, the Jews were massively exterminated. Only about 10% of them remained in post-war Poland. The period of the People's Republic of Poland was also not favourable for this community due to the policy pursued by the people's government – the property of Jewish communities was nationalised, treating them as abandoned; as a result of the actions of the socialist government, which stoked animosities between Poles and Jews, it came to anti-Semitic incidents.

After the political transformation, the issue of redressing the wrongs from the past – if possible – was returned to, and issues related to the transfer of property ownership to Jewish religious communities were addressed.

Many legal doubts have arisen against the background of the ongoing regulatory proceedings concerning real estate located in Krakow, which was the property of former Jewish religious legal persons. The initiation of this procedure was possible under the provisions of the Act of 20 February 1997 on the State's relationship to Jewish religious communities in the Republic of Poland, which allowed representatives of Jewish religious communities and the Association of Jewish Religious Communities to submit applications, including requests to transfer the right to real

estate, determined by the legislator.

The analysis also covered the determination of the normative meaning of the term "other Jewish religious legal persons," which caused numerous interpretational doubts, and its correct definition was of fundamental importance for the course of the proceedings. For this purpose, it was also necessary to refer to pre-war legislation, which plays an important role in this dissertation.

The conducted research was primarily aimed at determining the legal status of the Regulatory Committee – hence, it was particularly important to clarify whether it has the status of an administrative authority, and its decisions are administrative decisions. In addition, reference was also made to the possibility of challenging the judgments of this body, which could not be appealed against according to many years of jurisprudence.

The files of the proceedings show that only 2 settlements were concluded before the Regulatory Committee. On the other hand, the regulatory procedure most often ended with a judgment (34 cases), but it should be noted that 6 of them related to the discontinuation of the regulatory procedure, and 2 to the dismissal of the application. In 10 cases, the Regulatory Committee did not agree on the ruling, due to their significant complexity and the emerging numerous doubts. At the same time, there were 16 cases where the ownership of real estate or a part thereof was transferred; only in 2 cases it was decided to offer replacement properties, and in 9 cases the decision was to award pecuniary compensation.

The analysed issue has not been elaborated on in the literature so far, and the available literature on the subject is limited to the published commentary on the denominational act. Few scientific studies discuss only selected problems in this matter, while the source of knowledge about the activities of the Regulatory Committee and the course of its proceedings is also the increasing number of judicial decisions. Both the topicality and complexity of the intriguing topic discussed in the dissertation, as well as the need to discuss it caused by the shortage of studies prompted the author to undertake research on the issue in question.

Keywords: regulatory proceedings, Jewish religious community, Jewish religious legal persons, autonomy, self-government.

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