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THE DRAFTING AND ADOPTION OF THE 1952 CONSTITUTION OF THE POLISH PEOPLE'S REPUBLIC AND THE PHENOMENON OF CONSTITUTIONAL DISORIENTATION

Key words: Polish People's Republic, the Constitution of the Polish People's Republic of 1952, Stalinism, constitution, constitutional disorientation

Summary

The purpose of this article is to present the process of drafting and preparing the Constitution of the Polish People's Republic of 1952 within the context of the nationwide public debate conducted in early 1952. The drafting process was entirely prepared, controlled, and implemented by the communist authorities of the Polish state, who portrayed the newly adopted constitutional framework as a historic breakthrough. In official discourse, the Constitution of the Polish People's Republic was presented as the first genuinely democratic, socially progressive, and socially just constitution in the history of Poland. At the same time, however, the drafters deliberately refrained from incorporating clearly defined rights and legally enforceable guarantees, including specific social entitlements or explicit limitations on working time. These circumstances gave rise to what may be described as a state of constitutional disorientation. Such disorientation likely contributed to the widespread perception among the population that the constitution functioned primarily as a political and propaganda instrument rather than as a normative legal act endowed with binding force. Ultimately, this process deepened the degradation of legal culture within Polish society and the Polish state in the aftermath of the Second World War.

Introduction

The Constitution of the Polish People's Republic,[1] modelled on the Stalin Constitution of 1936,[2] was adopted by the Legislative *Sejm* on 22 July 1952 and was formally repealed only on 17 October 1997.[3] Its fundamental character, however, underwent a profound transformation in 1989,[4] when it lost its communist-socialist and authoritarian foundations. Nevertheless, in comparison with earlier Polish constitutions, the 1952 Constitution remained in force for an exceptionally long period. The period from 1952 to 1989 encompassed as many as 37 years of the most recent history of the Polish state in the 20th century. Moreover, despite the post-1989 transformation of the Polish legal system towards democratization and the establishment of the rule of law, the non-democratic legacy of this period – epitomized by the 1952 Constitution – continues to exert a tangible influence on Polish society, including its attitudes toward law and state institutions.

On the one hand, both Polish and international scholarship widely acknowledge that Polish constitutionalism is characterized by a long and distinguished tradition.[5] On the other hand, although this observation may be somewhat controversial and necessarily simplified, the practical experience of constitutional governance in Poland's modern history has been considerably shorter and less stable. For instance, the Constitution of 3 May 1791 remained in force only briefly.[6] Similarly, the constitutions of the Duchy of Warsaw (1807) and the Kingdom of Poland (1815) operated under conditions of limited or non-existent sovereignty and applied only to parts of Polish territory. The constitutions of interwar Poland were of great importance for the rebirth of the Polish state and nation; however, they also reveal a problem of constitutional durability. The democratic March Constitution of 1921 remained effectively in force only until 1926, whereas from 1935 onward the Polish state operated under a constitutional framework of a distinctly authoritarian

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1 The Constitution of the Polish People's Republic adopted by the Legislative Sejm on 22 July 1952, Dz.U. 1952 No. 33 poz. 232. Available: https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=wdu19520330232 [last viewed 05.02.2026].

2 Zakrzewska J. The Rights and Liberties in People's Poland: Some Remarks. Contemporary Central & East European Law, No. 1–4(81–84), 1989, pp. 4-5; Sokolewicz W. Konstytucja PRL po zmianach z 1976 r. [The Constitution of the Polish People's Republic after the 1976 Amendments]. Warszawa: Panstwowe Wydawnictwo Naukowe, 1978, pp. 47–48.

3 The Constitution of the Republic of Poland of 2 April 1997. Available: https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=wdu19970780483 [last viewed 05.02.2026].

4 The Act of 29 December 1989 Amending the Constitution of the Polish People's Republic. Available: https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=wdu19890750444 [last viewed 05.02.2026].

5 Wagner W. J. The New Constitution of Poland. The American Journal of Comparative Law, Vol. 2, Issue 1, 1953, pp. 59–60. https://doi.org/10.2307/837996; Brzezinski M. F. Constitutional Heritage and Renewal: The Case of Poland. Virginia Law Review, Vol. 77, No. 1, 1991, pp. 49–50; Gwizdz A., Zawadzki S. Constitutional Law. In: Kurowski L. (ed.-in-chief). General Principles of Law of the Polish People's Republic. Warsaw: Polish Scientific Publishers, 1984, pp. 11–12.

6 Wagner W. J. May 3, 1791, and the Polish Constitutional Tradition. The Polish Review, Vol. 36, No. 4, 1991, pp. 383–395; Hillar M. The Polish Constitution of May 3, 1791: Myth and Reality. The Polish Review, Vol. 37, No. 2, 1992, pp. 185–207.

character.[7] Furthermore, there is an ongoing scholarly dispute regarding the extent to which the provisions and principles of the March Constitution of 1921 retained legal force in the years 1944–1952. Likewise, the Constitution of the Republic of Poland of 1935, on the basis of which the Polish authorities in exile continued to operate, was, in a broad and practical sense, replaced within the territory of Poland by the emerging communist legal order. Against this background, the experience of the Constitution of the Polish People's Republic appears both prolonged and, from a contemporary perspective, relatively recent. Even if one considers solely the period from 1952 to 1989, the constitution remained formally in force for thirty-seven years, making it one of the longest-lasting constitutional frameworks in modern Polish history. Accordingly, an examination of the history of this legal act is not merely of historical significance but also of practical importance, as it facilitates a deeper understanding of contemporary societal attitudes toward law and the state.

The issue of constitutional validity over such an extended period is, however, exceptionally broad in scope. Accordingly, this article concentrates on a single selected aspect: the process of drafting and adopting the Constitution of the Polish People's Republic, with particular emphasis on the nationwide constitutional debate conducted in early 1952. This stage is of fundamental importance for understanding the character of the constitution as both a legal and political instrument, as well as its perception among the population. The course of the constitutional process, especially during the first months of 1952, clearly illustrates the manner in which the communist authorities conceptualized the role of the constitution within the political system. At the same time, it reveals the difficulties encountered by society in comprehending or accepting the intentions and policies of the authorities of People's Poland.

1. The role of the Communist Party in drafting the Constitution

Beginning his analysis of the Constitution of the Polish People's Republic, the American legal scholar Stephen Gorove wrote in 1954 that:

> *differences between the constitutions of Western democracies and communist-made constitutions are not confined to differences as to where the supreme formal authority rests or should reside, or how the executive and the judicial power should be exercised, or how the economic structure of the state should be organized; the two types of constitutions also embody fundamental differences as to their very meaning and general objective.*[8]

[7] Harley J. H. The New Polish Constitution. The Slavonic and East European Review, Vol. 15, No. 43, 1936, pp. 135–138.

[8] Gorove S. The New Polish Constitution. Washington University Law Review, Issue 3, 1954, p. 263.

According to Gorove, in contrast to Western constitutionalism, the constitutional documents of East-European communist-dominated states were not regarded as the supreme law of the land.[9] Their interpretation and application were subordinated to governmental power rather than entrusted to an independent judiciary.[10] As a result, no genuine constitutional limitation on state authority could exist, making it impossible to speak of limited government or constitutionalism in the Western democratic sense under a communist system of governance.[11] Moreover, constitutions enacted under communist regimes were conceived not as stable and enduring normative frameworks, but rather as temporary instruments reflecting existing socio-political conditions and intended to be replaced at successive stages of the transition toward a socialist–communist society.[12] For this reason, one of the principal architects of the 1952 Constitution of the Polish People's Republic, Stefan Rozmaryn, maintained that the primary social function of a socialist constitution was "to express and consolidate the new political and socio-economic order established as a result of the revolution."[13] The constitution was thus intended to entrench the order introduced through the revolution, understood as the transfer of power to the people.[14] Effective decision-making authority, however, was concentrated within the innermost circle of the Communist Party and operated largely outside the formal constitutional framework.[15] Consequently, the drafting of a constitution – being one of the key instruments of authority in a communist state – had to remain the exclusive competence of the very source of power itself, namely the Party.

In the case of Poland, the very postulate of adopting a new constitution for the Polish state – one that would, first and foremost, replace the pre-war Constitution of the Republic of Poland of 1935, and more broadly, the entire constitutional legacy of the interwar period – was articulated by Polish communists already during the Second World War.[16] Subsequently, this postulate was reiterated in the principal constitutional acts of the Polish state from 1944 onward. Pursuant

[9] Gorove S. The New Polish Constitution. Washington University Law Review, Issue 3, 1954, p. 263.

[10] Ibid.

[11] Ibid.

[12] Ibid.

[13] Rozmaryn S. Konstytucja jako ustawa zasadnicza Polskiej Rzeczypospolitej Ludowej [The Constitution as the Basic Law of the Polish People's Republic]. Warszawa: Panstwowe Wydawnictwo Naukowe, 1967, p. 9.

[14] Ibid.

[15] Gidynski J. The Relation of the Polish Communist Party to the Constitution of the Polish People's Republic. The Polish Review, Vol. 21, No. 1/2, 1976, p. 53; Cieplak T. N. Some Distinctive Characteristics of the Communist System in the Polish People's Republic. The Polish Review, Vol. 19, No. 1, 1974, pp. 41–44.

[16] Sadlowski M. P. Konstytucja kwietniowa z 1935 roku w politycznych narracjach i nauce w pierwszych latach Polski Ludowej [The April Constitution of Poland of 1935 in Political Narratives and in Science in the Early Years of the People's Poland]. Miscellanea Historico-Iuridica, Vol. 24, No. 2, 2025, pp. 129–134. https://doi.org/10.15290/mhi.2025.24.02.06

to the so-called Small Constitution of 1947,[17] the Legislative *Sejm* established under its provisions was entrusted with the task of drafting and adopting the constitution of the new Polish state. Nevertheless, it was the communist party that exercised exclusive and decisive influence over the process of creating the new constitution.[18]

Consequently, the Polish communists commenced concrete work on the draft of the Constitution of the Polish People's Republic initially within special commissions established by the Secretariat of the Central Committee of the Polish United Workers' Party.[19] These commissions held 33 meetings between 21 June 1949 and 12 March 1951.[20] Subsequent work was conducted within the framework of the Political Bureau of the Central Committee of the Polish United Workers' Party.[21] Nevertheless, efforts were made to create formal appearances of a bottom-up process in the drafting of the new constitution. By virtue of the Constitutional Act of 26 May 1951 on the procedure for the preparation and adoption of the Constitution of the Polish People's Republic, a special body – the Constitutional Commission – was established, entrusted with the task of preparing a "draft Constitution of the Polish People's Republic."[22] Pursuant to Article 5 of that Act, the Commission was required to prepare a preliminary draft of the Constitution and to promulgate it for the purpose of conducting a nationwide public discussion, during which citizens were invited to submit proposals, amendments, and comments. On the basis of these submissions, the Commission was to prepare the final draft of the Constitution and submit it to the Legislative *Sejm* by the end of 1951. However, by virtue of the Constitutional Act of 15 December 1951,[23] the deadline for the Constitutional Commission to submit the draft Constitution to the Legislative *Sejm* was extended by four months. The term of office of the Legislative Sejm was likewise extended by six months. On 23 January 1952, the Constitutional Commission adopted a resolution concerning the nationwide discussion of the draft Constitution of the Polish People's Republic.

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[17] The Constitutional Act of 19 February 1947 on the System of Government and the Scope of Competence of the Supreme Organs of the Republic of Poland. Available: https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=wdu19470180071 [last viewed 05.02.2026].

[18] Garlicki L. Polskie prawo konstytucyjne. Zarys wykladu [Polish Constitutional Law. An Outline of the Course]. Warszawa: Liber, 2010, pp. 16–17.

[19] Rybicki M. Geneza i przygotowanie Konstytucji PRL z 1952 roku [The Origins and Drafting of the Constitution of the Polish People's Republic of 1952]. Dzieje Najnowsze, Vol. XV, No. 4, 1983, p. 97.

[20] Ibid.

[21] Ibid., p. 110.

[22] The Constitutional Act of 26 May 1951 on the Procedure for the Preparation and Adoption of the Constitution of People's Poland. Dz.U. nr 33 poz. 255, 1951. Available: https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19510330255 [last viewed 06.02.2026].

[23] The Constitutional Act of 15 December 1951 Amending the Time Limit for the Preparation of the Draft Constitution and Extending the Term of the Legislative Sejm. Dz.U. nr 1 poz. 1, 1952. Available: https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19520010001 [last viewed 06.02.2026].

2. The nationwide debate on the draft Constitution of the Polish People's Republic of 1952

To a considerable extent, both the reasons for initiating this debate and, above all, its objectives corresponded to those underlying the discussion of the Stalin Constitution in 1936.[24] In particular, the debate was treated as an instrument of indoctrination, political mobilisation, as well as a means of monitoring social moods and assessing the population's loyalty to the authorities.[25]

An important source illustrating this attitude is the document titled "Instruction for the Provincial, District, and Municipal Committees on the Nationwide Discussion of the Draft Constitution of the Polish People's Republic," issued by the Central Committee of the Polish United Workers' Party on January 27, 1952[26]. Referring to the words of the then leader of the Polish communists, Boleslaw Bierut, the Instruction stated that the primary aim of the nationwide debate was to raise the class and national consciousness of the "working masses" Thus, the essence of the discussion was defined not as the number of proposed amendments, but rather as:

> *the effectiveness of the awareness-raising and educational campaign, explaining to the broadest masses of the nation the content and historical significance of the Constitution.*[27]

The first recommendation of the Instruction, which party activists were to follow in carrying out this awareness-raising (propaganda) campaign, stated:

> *… Focus the attention of society on the key issues of the Constitution; ensure that the discussion does not stray into formal-legal matters or purely local, narrowly defined community issues. While not avoiding answers to local questions or immediate grievances, the discussion should be cantered on the main topic and maintained at a high political and ideological level…*[28]

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[24] Velikanova O. Konstitutsiia 1936 goda i massovaia politicheskaia kul'tura stalinizma [The 1936 Constitution and the Mass Political Culture of Stalinism]. Moskva: Novoe Literaturnoe Obozrenie, 2021, pp. 141–146,

[25] Ibid., Sadlowski M. P. Postulaty dotyczace ochrony zdrowia oraz emerytur i rent w ogolnonarodowej dyskusji nad projektem konstytucji PRL w 1952 r. Analiza wybranych przykladow [Demands Concerning Healthcare Protection as well as Pensions and Disability Benefits in the Nationwide Debate on the Draft Constitution of the Polish People's Republic in 1952: An Analysis of Selected Examples]. UR Journal of Humanities and Social Sciences, Vol. 37, No. 4, 2025, pp. 153–154. https://doi.org/10.15584/johass.2025.4.8

[26] Instruction for the Voivodeship and County / Municipal Committees on the Nationwide Discussion of the Draft Constitution of the Polish People's Republic," Archiwum Akt Nowych (Central Archives of Modern Records), Warsaw, Polish United Workers' Party, Central Committee (hereafter: Instruction). Polska Zjednoczona Partia Robotnicza, Komitet Centralny w Warszawie – "Instrukcja dla KW, KP /KM/ w sprawie ogolnonarodowej dyskusji nad projektem Konstytucji Polskiej Rzeczypospolitej Ludowej", sygn. 2/1354/0/1.8.1/237.VIII.154, k. 1–6 (Instrukcja).

[27] Ibid., k. 2.

[28] Ibid.

During the discussions on the draft constitution, citizens were strictly prohibited from criticising the political system or the structure of government. It appears, however, that the authorities permitted comments and suggestions relating to social matters. In other words, political questions were excluded from debate, whereas social issues remained open to discussion. Nevertheless, in practice a fundamental discrepancy emerged between the objectives of the authorities and the legal and civic consciousness of the population, as well as its expectations.

An important source concerning the course of the nationwide debate on the draft Constitution of the Polish People's Republic is the document entitled "Information: The Course of the Nationwide Discussion on the Draft Constitution of the Polish People's Republic from 11 February 1952 to 28 April 1952."[29] This document was prepared by the Reporting Section of the Organisational Department of the Central Committee of the Polish United Workers' Party. It consists of seven reports describing the progress of the debate during the aforementioned period. A characteristic feature of these reports is that generally free criticism of the draft by members of the public was classified as "hostile activity". In Information No. 1, dated 11 February 1952, it was noted that in the Lublin region peasants remained passive in the debate and were primarily concerned with the issue of property. This constitutes one of the earliest indications that the introduction of the new constitution was perceived by peasants chiefly through the prism of maintaining private ownership of land. At the same time, however, excessively pro-Soviet proposals were deemed radical, or "sectarian"[30] Such proposals included, for example, replacing the state emblem with the hammer and sickle, changing the national flag to red, incorporating into the constitution the concept of the dictatorship of the proletariat, or explicitly recognising the right to anti-religious propaganda.[31]

However, from the perspective of grassroots criticism of the draft, "Information No. 7 of 28 April 1952" is of particular significance[32] In the chapter entitled "The Activity of the Enemy," it was stated that "enemy propaganda intensified during the second phase of the discussion on the draft Constitution".[33] The principal directions of the hostile narrative were identified as follows:

- narratives asserting that Poland was not a sovereign state and that the Constitution had been imposed by Moscow, with this state of affairs allegedly perpetuated by the presence of Soviet troops in Poland;

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[29] Informacja. Przebieg ogolnonarodowej dyskusji nad projektem Konstytucji Polskiej Rzeczypospolitej Ludowej, Archiwum Akt Nowych w Warszawie, Polska Zjednoczona Partia Robotnicza. Komitet Centralny, sygn. 237/VIII – 147 [Information: The Course of the Nationwide Discussion on the Draft Constitution of the Polish People's Republic", Archiwum Akt Nowych (Central Archives of Modern Records), Warsaw, Polish United Workers' Party, Central Committee, ref. No. 237/VIII–147].

[30] Ibid., p. 6.

[31] Ibid.

[32] Ibid., p. 80.

[33] Ibid., p. 100.

- narratives claiming that the discussion on the draft Constitution was pointless, and that submitting amendments was likewise meaningless, as such actions would have no real significance or impact;
- the position of the Polish Episcopate with respect to the draft, which was alleged to constitute a source of "social demagoguery." In this regard, it was stated that "the enemy seized upon the demand to introduce into the Constitution the right to an eight-hour working day, the situation of pensioners, etc.";
- "attempts at hostile diversion under the guise of approving the discussion," including, for example, the proclamation of slogans such as: "The Constitution rightly prohibits religious instruction in schools" or "we should adopt the Stalinist Constitution in its entirety."[34]

Elaborating on the foregoing issues, it was indicated that the "enemies of the people's authority," in their propaganda, "exploited the current difficulties in supply, disparities in leave entitlements, and differences in provision and remuneration among particular groups of employees."[35] Comments alleging that the Constitution failed to guarantee the eight-hour working day were likewise classified as hostile activity.[36] This was so notwithstanding the fact that, for example, at the Machine Tool Factory in Pruszkow, one of the engineers pointed out that such a right was expressly provided for in the Stalinist Constitution.[37] Calls for the constitutional guarantee of the right to strike, as provided for in the "constitutions of capitalist countries," were likewise regarded as provocative statements.[38] In response, the conclusions drawn at this stage of the discussion on the draft included, inter alia, the following assessment:

> *In the first phase of the discussion, excessive emphasis was placed on the issue of the rights guaranteed in the draft Constitution, with insufficient attention devoted to the obligations arising from those rights.*[39]

This comment may be interpreted to mean that the generally formulated constitutional norms, which were presented as significant achievements, encountered strong criticism in the course of actual public debate. Within this critical framework, it was argued that the constitutional provisions did not guarantee the effective realization of social and labour rights. The critical voices

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[34] Informacja. Przebieg ogolnonarodowej dyskusji nad projektem Konstytucji Polskiej Rzeczypospolitej Ludowej, Archiwum Akt Nowych w Warszawie, Polska Zjednoczona Partia Robotnicza. Komitet Centralny, sygn. 237/VIII – 147 [Information: The Course of the Nationwide Discussion on the Draft Constitution of the Polish People's Republic", Archiwum Akt Nowych (Central Archives of Modern Records), Warsaw, Polish United Workers' Party, Central Committee, ref. No. 237/VIII–147], p. 100.

[35] Ibid., p. 101.

[36] Ibid., p. 100.

[37] Ibid., pp. 101–102.

[38] Ibid., p. 102.

[39] Ibid.

that emerged during the discussion indicate that the population clearly recognized the general and abstract character of many constitutional formulations, which in turn gave rise to concerns as to whether the constitution would provide any genuine legal guarantees.

This latter issue was articulated particularly clearly in the debate concerning the regulation of pensions and disability benefits in the draft Constitution of the Polish People's Republic (PRL).[40] Such an observation may be interpreted to suggest that the broadly formulated constitutional norms – presented as notable achievements – encountered substantial criticism in the course of actual public debate. Within this critical discourse, it was argued that the constitutional provisions failed to guarantee the effective implementation of social and labour rights. The critical voices expressed during the discussions indicate that the public clearly perceived the general and abstract nature of many constitutional formulations, which in turn generated concerns as to whether the constitution would provide any genuine legal safeguards.

This latter issue emerged with particular clarity in relation to the provisions on pensions and disability benefits in the draft Constitution of the Polish People's Republic.[41] Both organizations representing pensioners and disability beneficiaries, as well as individual citizens, pointed out that the wording of Art. 60 of the draft constitution did not establish genuine social rights with regard to pensions and disability benefits.[42]

Conclusions

The process of drafting, adopting, and subsequently applying – or failing to apply – the 1952 Constitution provides the basis for several general conclusions.

First, from the perspective of Polish society, the constitution was perceived as a legal and political instrument imposed from above, enacted by state authorities rather than constituted through a genuine democratic process. This perception contributed to the emergence of a widespread conviction that individual or collective civic participation was inconsequential, and that the creation of law occurred through opaque and inaccessible mechanisms beyond public influence.

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[40] Informacja. Przebieg ogolnonarodowej dyskusji nad projektem Konstytucji Polskiej Rzeczypospolitej Ludowej, Archiwum Akt Nowych w Warszawie, Polska Zjednoczona Partia Robotnicza. Komitet Centralny, sygn. 237/VIII – 147 [Information: The Course of the Nationwide Discussion on the Draft Constitution of the Polish People's Republic", Archiwum Akt Nowych (Central Archives of Modern Records), Warsaw, Polish United Workers' Party, Central Committee, ref. No. 237/VIII–147], p. 104.

[41] Sadlowski M. P. Postulaty dotyczace ochrony zdrowia oraz emerytur i rent w ogolnonarodowej dyskusji nad projektem konstytucji PRL w 1952 r. Analiza wybranych przykladow [Demands Concerning Healthcare Protection as well as Pensions and Disability Benefits in the Nationwide Debate on the Draft Constitution of the Polish People's Republic in 1952: An Analysis of Selected Examples], op. cit., p. 160.

[42] Ibid., pp. 155–160.

Second, both the procedure of adoption and the substantive provisions of the constitution served as instruments of political mobilization. Notwithstanding the formal constitutional framework, effective decision-making power remained concentrated within the ruling party, thereby limiting the practical significance of constitutional institutions.

Third, these circumstances gave rise to what may be described as a state of constitutional disorientation. On the one hand, the communist authorities persistently emphasized the adoption of the constitution as a major political and legal achievement,[43] portraying it as the most modern, just, and progressive constitution in the history of Poland.[44] Also within constitutional law theory, the supremacy of the constitution was emphasized.[45] On the other hand, the communist authorities of Poland at the time, including the drafters of the Constitution, deliberately avoided incorporating clearly defined rights and legally enforceable guarantees, including specific social entitlements and explicit limitations on working hours.

Fourth, this constitutional disorientation likely fostered among the population the perception that the constitution functioned primarily as a political and propaganda instrument rather than as a normative legal act. In doing so, the authorities themselves contributed to the erosion of the constitution's status as the supreme and genuinely binding source of law within the state legal order. All of this, especially in the aftermath of the Second World War, had a negative impact on civic consciousness and, more broadly, weakened or undermined the existing societal potential for developing an awareness that relations within the state and society ought to be grounded in a democratic, clear, and just legal order.

Finally, the presence of critical voices in public discourse, as well as demands for the actual implementation of the social rights formally proclaimed in the Constitution, demonstrates that a segment of Polish society – despite the progressing totalitarianisation of the political system – retained an awareness of its legal rights and displayed a willingness to articulate and assert such claims. In this respect, the debate revealed that the communist authorities had failed to bring about the complete civic degradation of Polish society. Accordingly, the process surrounding the implementation of the communist Constitution in Poland in 1952, and above all the debates accompanying it, particularly the critical responses expressed by Polish society, may likewise be regarded as part of the history of the twentieth-century European legal tradition, especially insofar as it reflected

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[43] Krzysztofek-Strzala K. Selected Fundamental Rights in the Polish Constitution of 1952. Krakowskie Studia z Historii Panstwa i Prawa, Vol. 18, Issue 3, 2025, pp. 339–340. https://doi.org/10.4467/20844131KS.25.022.22152

[44] Jedrychowski S. Konstytucja wyzwolonego narodu [The Constitution of a Liberated Nation]. In: Z problemow Konstytucji Polskiej Rzeczypospolitej Ludowej. Zbior artykulow. Materialy dla prelegentow. Warszawa: Wydzial Propagandy KC PZPR, 1952, p. 35.

[45] Zomerski W. From the Facade to Solid Foundation? The Evolution of the Polish Constitutional Law Discourse in years 1944–1989. In: Komarek J., Aasa B., Ban M., Krajewski M. (eds.). European Constitutionalism the Other Way Round. From the Periphery to the Centre. Cambridge University Press, 2026, p. 335. https://doi.org/10.1017/9781009604093.018

attempts to challenge the fictitious character of communist legal solutions. This issue, however, requires further scholarly investigation, including comparative research into the implementation of analogous constitutions in other Central and Eastern European states after the Second World War.

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