

## **ABSTRACT OF THE DOCTORAL DISSERTATION**

### **Extraordinary Appeals in Light of Empirical Studies of Case Law**

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#### **Research Problem**

The research problem in this dissertation is twofold. First, the subject of the study is to determine whether, based on an analysis of the case law of the Supreme Court—Chamber for Extraordinary Control and Public Affairs—it is possible to reconstruct a general model of legal interpretation applied in cases heard as a result of extraordinary appeals. The study focuses on identifying methods of interpretive argumentation, preferred interpretive guidelines, and the relationship between the various methods of interpretation used by the Supreme Court.

Furthermore, the dissertation aims to determine whether, when hearing extraordinary appeals, the Supreme Court weighs competing values, particularly between the principle of the finality of legally binding court decisions and the concept of justice. In this regard, the analysis examines how the Supreme Court addresses the tension between the stability of the legal order, legal certainty, and *res judicata*, on the one hand, and the need to eliminate rulings that grossly violate the law, on the other.

#### **Structure of the Dissertation**

The dissertation consists of six chapters, the order of which corresponds to the research questions and the sequence of the analyses conducted.

The first chapter is methodological and focuses on legal theory. It presents the basic concepts and schools of thought in the philosophy of law, with particular emphasis on their significance for the process of legal interpretation. Next, the choice of a specific philosophical-legal concept adopted for the purposes of the dissertation is identified and justified. This chapter also discusses the significance of case law analysis in the Polish legal system and the role of empirical research on case law, highlighting their cognitive and practical functions in reconstructing how courts apply the law.

Chapter Two provides a synthetic overview of the institution of the extraordinary appeal. It presents the origins of this extraordinary remedy, as well as the most significant controversies and critical positions regarding its operation. Furthermore, the legal structure of the extraordinary appeal is characterized by discussing its grounds, standing to file it, the deadline, the court's jurisdiction, and the possible rulings issued in proceedings initiated by the filing of

this extraordinary appeal. This chapter also identifies current interpretive trends and possible directions for changes regarding this institution.

Chapter Three addresses the methodology of the empirical analysis of the Supreme Court's case law in extraordinary appeal cases. This chapter discusses the research questionnaire used in the study and describes the individual variables and categories included in the research tool. It also presents the criteria for selecting the research material and the methodological assumptions determining how the analysis was conducted.

Chapter Four contains a single-dimensional description of the interpretation applied by the Supreme Court in extraordinary appeal cases. It analyzes the research results obtained using the questionnaire described in Chapter Three. This description refers exclusively to the individual variables present in the study, without analyzing the mutual relationships and dependencies between them.

Chapter Five addresses the general model of interpretation employed by the Supreme Court in light of an empirical analysis of case law in extraordinary appeal cases. It addresses the first of the research questions posed, concerning the possibility of reconstructing a general model of interpretation used by the Supreme Court. In contrast to the previous chapter, the analysis here is multi-dimensional and is based on an examination of the relationships between the individual variables covered by the research questionnaire. The aim of this part of the dissertation is to identify the interrelationships between methods of interpretive argumentation, preferred interpretive guidelines, and other elements of the legal application process, and then to determine whether these relationships allow for the identification of a coherent general model of interpretation.

Chapter Six attempts to address the second research question, which concerns whether the Supreme Court weighs values when reviewing extraordinary appeals. This chapter provides a concise overview of the principle of a democratic state governed by the rule of law that upholds the principles of social justice, the significance of the finality of court rulings, and the relationship between the stability of the legal order and the need to realize the idea of justice by overturning rulings that grossly violate the law. Subsequently, the analysis examines whether the Supreme Court recognizes a conflict between these values in extraordinary appeal cases and whether this issue is consistently addressed in the reasoning of its decisions.

## **Summary**

The research conducted led the author to conclude that it is possible to reconstruct a general model of interpretation used by the Supreme Court—the Chamber for Extraordinary Control

and Public Affairs—in cases involving extraordinary appeals. This model is not based on the exclusive use of a single method of interpretation, but is characterized primarily by the use of a combination of various interpretive methods. In cases where the Supreme Court used only a single method of interpretation, linguistic-logical interpretation predominated, which is consistent with the findings of other studies on the Supreme Court's application of the law. This means that this chamber's adjudicative style fits within the established model of interpretation also used by the other chambers of the Supreme Court.

The study also revealed a high degree of interpretive consistency and frequent reliance by the Supreme Court on interpretive standards developed in both case law and legal doctrine. At the same time, a low level of application of legal reasoning was observed, accompanied by a high degree of reliance on axiological arguments. This stems primarily from the specific nature of the grounds for an extraordinary appeal, which are strongly linked to vague concepts and value-based categories.

The author also concludes that the Supreme Court recognizes a conflict between the principle of the stability of final court rulings and the principle of a democratic state governed by the rule of law that upholds the principles of social justice. An analysis of the case law leads to the conclusion that the Supreme Court assesses in each case whether the deficiencies in the judgment under review are sufficiently significant to justify interference with a final decision. It has been established that, upon finding the existence of at least one of the specific grounds for an extraordinary appeal, the Supreme Court conducts a further analysis regarding the functional prerequisite, and it is precisely this stage that constitutes a key element of the process of weighing the merits. The mere finding of qualified defects in a ruling does not automatically lead to its reversal. The Supreme Court assesses, in each case, the relationship between the need to preserve the stability of final rulings and the necessity of upholding the principle of justice arising from the rule of law in a democratic state.

The research also established that there were situations in which the judgment under review contained qualified defects; however, in the process of balancing values, the principle of the stability of final court judgments was not overridden. This means that the Supreme Court does not abstractly or a priori prioritize any of the conflicting values, but rather conducts an individual assessment of them in each case, taking into account the circumstances of the specific case.