

INTRODUCTION

Language is a natural means of communication of humans as social creatures. Apart from its numerous functions it is also a tool through which the law is expressed. Linguistic rules determine the law both in the law-making process and law application, thus they have to be taken into consideration in the process of the discourse about law. The contents of the present volume is determined by its title – language, law, discourse. Its authors, both theorists and law dogmatists in their studies present opinions related to the meaning of linguistic rules in the law as a system, they take up the question of care for linguistic quality of statutory law, its interpretation or law application problems related to this interpretation. Articles included in the volume are divided into two parts. It has to be stipulated that the convention of this division is undoubtedly not equivocal. By assumption, the first one of them envelopes texts devoted to notions of theoretic, philosophic and political character. The second part encloses texts concerning the legal dogmatics showing, among other, linguistic context of specific legal problems and its essential practical role.

Part I entitled ‘Language in law – theoretic, philosophic and political considerations’ is opened with an article by **Walerian Sanetra** in which the author, referring to jurisdiction activity of the Supreme Court on the basis of chosen regulations of Civil Procedure Rules, attempts to answer an essential question: *The Language of Supreme Court Statements of Reasons as a Variant of the Legal Language?* **Anetta Breczko** in the context of considerations on the subject of social communications and legal discourse raises the issue of the so-called ‘good reasons’. She also attempts to elucidate if the professional status and ethos of lawyers implies the necessity to be distinctive (from the ethical point of view) participants of the public discourse. **Sławomir Oliwniak** analyses the change of the role and function of the law as a discourse with connection to political power transformations in modern, European legal culture. Poststructuralist inspirations in legal dis-

Introduction

course are the subject-matter of **Marta Andruszkiewicz** considerations. The aim of the author is to answer a question whether the influence of post-modern and poststructuralist tendencies on the theory of law (vide discourse pluralism, situation and contextualism of interpretation) justifies the thesis about transformation of the theory of law into a ‘cultural theory of law’. **Beata Kornelius** concentrated on topical utility of the issue of division of the law into public and private which might seem to have landed on the scrap heap. In this part of the volume there are two texts of political studies character. **Mieczysława Zdanowicz** presented the problematic of to date practice of the Polish Constitutional Tribunal in the scope of analysis of conformity of agreements concluded within the European Union to the constitution. **Maciej Aleksandrowicz** pointed to the problems of multilingual organisms (the European Union in view of its potential total integration in a federal form). The author described basic normative regulations related to languages on the basis of the Swiss Confederation, emphasizing the problem of the so-called native tongues and consequences in Switzerland in this scope.

The part entitled ‘Linguistic problems in constituting and application of law in Poland’ starts with an article by **Lech Jamróz** in which the author analyses the problem of legal definitions. **Leonard Etel** discusses the question of interpretation of phrases ‘expert testimony’ and ‘legal expertise’ pursuant to Polish tax law, stressing the essence of the problem related to applications for drawing up a legal expertise by tax organs when complex legal regulations are the subject of decisions. Other authors engaged in a similar subject matter even though different in its essence. **Alina Miruć** introduces a problem of interpretation of the subsidiarity principle from the perspective of the Law on Social Assistance of 12th March 2004. The author considers the question both in terms of the situation of particular individuals (families) who should satisfy their needs individually using their own funds, possibilities and entitlements and from the point of view of the sphere related to organization of the state and such distribution of powers to situate tasks on the possibly lowest level of organization (commune, district). **Teresa Mróz** and **Urszula Drozdowska** worked on the notion of damage in civil law emphasising the dynamics within the sphere of changes in its meaning. Their considerations lead to conclusions about expansion of substance containing the notion of ‘damage’. **Ewa Kowalewska-Borys** and **Agnieszka Malarewicz-Jakubów** presented the subject of domestic violence pointing at its linguistic, philosophical, normative and sociologic connotations. **Joanna Sieńczyło-Chlabicz** presented the state of discussion concerning the relation of the law and privacy from a comparatist point

of view. Apart from the characteristics of the very notion the author also described Polish jurisdiction practice in this scope. The article by **Katarzyna Bagan-Kurluta** concerns the issue of international adoption and more precisely impediment to adoption based on racial or religious differences between the child and a potential adopter. **Ewa Kosior** presents the historical shaping of the notion of ‘codicil’ and its social functions. The texts by **Anna Doliwa-Klepacka** and **Mariusz Popławski** relate to factors influencing the employer (respectively: the EU organs and commune councils) in the law-making process, including irregularities which may possibly cause disturbances of this process and defects in its outcome. Anna Doliwa-Klepacka calls attention on the notion of lobbying which, by assumption, consists in actions undertaken in accordance with the law. The author also points out the legal tools limiting possible abuse on the side of different lobby groups. Mariusz Popławski took up the issue of law-making at the self-government level. Basing on a research material (surveys at the level of Polish communes) he makes a diagnosis related to the quality and the directions to improve it as far as passing local tax resolutions is concerned. The author also draws attention to the legal tools limiting possible abuse of different lobby groups. Finally **Irena Czaja-Hliniak** describes the constitutional status of the National Bank of Poland in view of the accession of our country to the Eurosystem.

This is the next volume of Studies in Logic, Grammar and Rhetoric dedicated to a specialised legal language, in which the authors make an attempt of theoretic approach to the language of law from the point of view of Polish theory in this field. We hope this edition of studies within the broad formula of our journal will enable their authors to participate in an international discourse in this field.

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