

**Irmina Mazurek - Plecha**

**The conclusion of marriage under applicable law  
in the Second Polish Republic (1918-1939)**

The presented doctoral dissertation concerns the conclusion of marriage in the light of the regulations in force in the Second Polish Republic. The subject matter addressed in the dissertation has not yet been comprehensively explored in a separate monograph dedicated solely to this issue. Various publications have only partially addressed selected research aspects, either being more detailed on specific issues related to the dissertation or presenting a broader substantive scope, within which the conclusion of marriage was only additionally discussed. It is worth mentioning that none of these publications fully covered the issues discussed in this doctoral dissertation, neither in terms of content nor chronological terms, due to limitations in the scope or date of publication.

The aim of this doctoral dissertation was to conduct a comprehensive analysis and solve research problems related to the conclusion of marriage. The essential elements of marriage were presented, including the capacity of the parties, the proper expression of will, and the fulfilment of formal requirements. The following aspects were characterized: the essence of marriage, forms of marriage (civil, religious, and mixed), the structure of the engagement, consequences of the engagement, and compensation for damages for its failure to take place. Conditions, impediments (preventive, dissolutive, public law, private law, religious law), marriage prohibitions, dispensations (the competences of the authority to issue dispensations, the appeal procedure), and announcements in each system (significance, quantity, place of announcement, form, exemptions, appeal procedure) were also discussed. The topic of the marriage ceremony was addressed (location, power of attorney for the parties, the competence of the person receiving the declarations and their authority, marriage without the participation of a clergyman or in the presence of a clergyman without appropriate authority, witnesses and their number, personal requirements, marriage registers, parish records), as well as mixed interfaith marriages, marriages of individuals being subject to laws of different districts (interdistrict marriages), and marriages of foreigners. Additionally, the dissertation covers marriages concluded by uniformed services officers.

The structure of the work was tailored to its purpose and research objectives. By analysing the subject matter, the discussion was divided into seven substantive chapters, preceded by an introduction.

In the first chapter, due to the complexity of the issue, it was necessary to discuss the legal acts in force in the territories of the Second Polish Republic. In chapters two to five it was aimed to present the systems of marriage law in force in the Second Polish Republic, discussing forms of marriage—civil, religious, and mixed. The second chapter was dedicated to the issue of conclusion of marriage in the areas of the former Kingdom of Poland. In the third chapter the conclusion of marriage in the areas of the former Russian partition was discussed. The conclusion of marriage in the territories of the former Austrian partition and in Spisz and Orawa was outlined in the fourth chapter. In the fifth chapter issues related to the conclusion of marriage in the territories of the former Prussian partition were discussed. Chapter six contains presentation of specific regulations regarding marriages concluded by uniformed services, which applied to all officers throughout the entire Second Polish Republic. The final, seventh chapter, was dedicated to individual codification projects of personal marital law. In the subsections detailed discussions of the projects by Władysław Leopold Jaworski, Karol Lutostański, Zygmunt Lisowski, and Jerzy Jaglarz were presented. Each project was discussed in terms of the method of concluding marriage, including the form, procedure, fulfilment of formal requirements, capacity of the parties, impediments, dispensations, competence of the parties, announcements, ceremony, expression of will, and consequences. The dissertation concludes with a summary, bibliography, and four appendices, the arrangement of which corresponds to the order of the examined issues.

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