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Title: 50-lecie kodeksu postępowania cywilnego z dalekiej i bliskiej perspektywy / 50th anniversary of Civil Procedure Code from near and far perspective Source: Kwartalnik Prawa Prywatnego ("Quarterly of Private Law") Year: 2015, vol: XXIV, number 3, pages: 551-587 Keywords: code, reform, law interpretation, contradictoriness, autonomy of lawsuit parties, inquisitional approach, Discipline: Law, Civil Procedure Language: Polish Document type: Article Publication order reference: University of Gdańsk Abstract:

Civil Procedure Code, which came into effect in 1965, was preceded by a particular preparation of new legal system and accompanying changes in political system. It was supposed and as such declared at that time to be an example of avant-garde socialist law. In fact, the content of the code was a compromise between the solutions developed by Polish jurisprudence and the assumptions of Soviet law. Traditional lawsuit rules, including contradictoriness, availability and formal equality of parties were significantly limited by the rule of objective truth and inquisitional approach. It was the result of shifting the borders between private and public law in favour of the public one. Literal meaning of law was as important as its interpretation. Authorities demanded purposive law interpretation which was supposed to lead to its strong instrumentalisation. In practice, it wasn't the case on a large scale due to the attitude of judges and the representatives of law who respected universal standards of civil procedure. As a result, Polish civil procedure remained in strong relation with European legal tradition. After 50 years of being in force the civil procedure code is still used, though, it was necessary to reform some of its rules and adjusting it to the standards of civic society and market economy. The history of code development and its implementation may constitute a significant experience for the development of future changes in civil procedures.