

– liberalizm *versus* komunitaryzm – została przyjęta w art. 20 Konstytucji – to przenosi się ona w naturalnej konsekwencji na cały system prawa we wszystkich jego pięciu fenomenach – tworzeniu prawa, jego obowiązywaniu, przestrzeganiu, stosowaniu i wykładni.

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**ON THE INTERPRETATION AND IDEOLOGICAL CONTENT
OF ART. 20 OF THE CONSTITUTION
OF THE REPUBLIC OF POLAND OF 1997**

The dispute referred to as liberalism versus communitarianism is one of the most important contemporary disputes. It has been manifested both in the creation and application of law. In the Constitution of 1997 there are many provisions that express opposing ideas of liberalism and communitarianism. This applies to art. 20 of the Constitution, which states that the social market economy, based on the freedom of economic activity, private ownership and solidarity, dialogue and cooperation between social partners, shall be the basis of the economic system of the Republic of Poland. In its content we can find both liberal (the freedom of economic activity, private ownership) and communitarian (solidarity, dialogue and cooperation of social partners) ideas.

Therefore, it is purposeful to consider the ideological content of art. 20 of the Constitution by providing the interpretation of this provision. The key concept is the meta-principle of the social market economy which is constituted by more specific principles such as: freedom of economic activity, private ownership and solidarity, dialogue and cooperation of social partners. In order to understand the essence of the social market economy, it is necessary to refer to these principles.