

macji do kwestionowania genezy i postanowień konstytucji kwietniowej⁸², autor uważa, że pewne pytania należy stawiać.

Przemysław Kierończyk

IN THE 80TH ANNIVERSARY OF THE ADOPTION OF THE „JANUARY CONSTITUTION”. POLEMICAL NOTES

The Author presents an overview of the Constitution of the Republic of Poland adopted in 1935, which is commonly called the “April Constitution” because of the date it was signed by the president. However, it was passed by the parliament in January 1934. The Author draws particular attention to the extremely controversial circumstances of its adoption and even undermines the legality of this legal act by enumerating legal faults concerning its adoption, some of which have not been known in Polish literature. The Author also presents the influence of the Polish Constitution of 1935 on constitutions adopted in the 30s in other countries (f. ex. in Brazil). He argues the attempts to exploit „the only legal constitution” in force since 1935, as the means of undermining the legitimacy of the Polish state after 1945 and generally deals with the issue of legitimacy in political discussion.

⁸² Co nie zmienia innego faktu, że autor konsekwentnie uważa tzw. Polską Ludową za jedyną realnie istniejącą po wojnie formę państwowości polskiej, której działania, także na niwie prawnej, nie mogą być przekreślane aktem ogólnej „delegalizacji”.