

Summary of doctoral thesis
Legal Incremental Actions in Polish Law

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Both fundamental terminological issues concerning legal incremental actions and a matter of scope of application of the material causality rule are relatively often undertaken in considerations of representatives of civil law science. However, it usually takes place within or on the sidelines of discussing other legal institutions. Therefore it is necessary to comprehensively elaborate issues discussed by civil law specialists in relation to legal incremental action. In order to carry out such research the dissertation aims at:

- 1) developing precise terms regarding the basic concepts used in the description of legal incremental actions, such as, for example, an increment, legal cause, causality, abstractness;
- 2) resolving the fundamental problems arising from the discussed issues, such as, for example, the issue of the legal causes catalog and the usefulness of the concept of cause to describe the legal characteristics of legal incremental actions;
- 3) determination of the extent to which the rule of material causality of legal incremental actions is applicable in Polish civil law.

The aforementioned third goal also serves as formulation of the basic research problem of the dissertation.

The main thesis of the dissertation can be expressed as follows: the multitude of manifestations of the dependence of increments on their legal causes leads to the recognition of the causality principle as the source of these dependencies in Polish civil law, understood as a functionally superior norm, expressing the basic functions and goals of a group of legal norms relating to legal incremental actions.

First chapter aims at developing an unambiguous formulation of the fundamental terms such as legal incremental action and increment. Second chapter points out the stages of development of the *causa* science, the function that the *causa* had in the development of the private law system, and presents the issues of legal incremental actions resulting from foreign legislation. Third chapter indicates the scope of legal incremental actions in Polish civil law and discusses the various types of such legal actions, with particular emphasis on problem issues such as the legal nature of the debt assumption and waiver of the subjective right, or the legal cause of the preliminary agreement. The analysis of specific issues concerning the

causality and abstractness of legal incremental action is carried out in fourth chapter. Fifth chapter deals with fundamental objections to the sense and practical usefulness of the *causa* science. The development of views expressed by representatives of civil law science and judicature of courts on the subject of extent to which the rule of material causality of legal incremental actions is applicable in Polish civil law is shown in sixth chapter. Considerations contained in seventh chapter aim at presentation of an original solution to the main research problem of this dissertation. Finally, eighth chapter aims at application of conclusions made in the dissertation to clarify a number of practical issues in the field of legal incremental actions.

