Reprivatization of land property in Warsaw is one of the most controversial social issues after 1990 in Poland. Estimations show that since 1990 over 40 000 people were influenced by the reprivatization , 10 000 properties were restituted , over 1,5 billion PLN of compensation was paid and over 320 criminal cases regarding frauds conducted in connection with reprivatization in Warsaw were initiated . NGOs, citizens, politicians, local authorities and journalists constantly debate on the solutions of this problem, but it seems that it is only going to iterate. However, reprivatization is not simply a problem of public policy - it is also really puzzling legal case. Since there is no single legal act comprehensively regulating claims for compensations, indemnifications and property restitution of real estates which were expropriated from owners by communist regime after the World War II, polish judges faced a challenge of finding the legal way out from the conflict between claimants, local authorities, current private possessors or owners and tenants. Thus, reprivatization cases were handled solely as a court disputes without central, dedicated legislation, and, as an effect, developed a judicial system of reprivatization that is called in different names: „deconcentrated reprivatization, „wild reprivatization“ or „small reprivatization“.

Role of a judiciary is even more important than in usual cases of that kind, because it transcendences historical political systems - judicial decisions often have to refer to the legal acts from different times and legal systems: II Republic of Poland, People's Republic of Poland and III Republic of Poland. That situation requires from the judge in force to be a binder of legal continuity, focused „on filling gaps in legislation with ad-hoc legal assemblages and on forging coherency between fundamentally different legal systems“. Not only that, but reprivatization cases exceed particular jurisdictions - cases related to expropriation of Warsaw lands were and still are handled by both, administrative and civil courts, as well as the Constitutional Tribunal. All of that leads to a very specific framework in which judges, as decisive factors, have wide margin of appropriation in their decision-making. Łętowska called it "legal technological sequence“ - in which usually unrelated and applied separately regulations concerning various areas, as well as different methods of interpretation and adjudication, were fused together in order to establish a judicial standard of settling disputes regarding reprivatization. Uniqueness of this situation needs to be properly considered if one intends to understand the judges‘ role in Polish legal system. Taking into account the above-mentioned circumstances, the case-law in reprivatization cases is a great field for research in two main areas: understanding the structures of judicial reasoning and the dynamics of judicial discourse about legal concept of property.

In order to perform the research in the first aspect, the project must focus on the reasons for the judgment (judicial opinions). In order to do that the reasons for the judgments of civil courts (including Supreme Court), administrative courts (including Supreme Administrative Court) and Constitutional Tribunal will be analyzed in the light of following criteria:
-Degree of formalism
-Degree of purposive approach
-Openness for standards
-Types of arguments
Results of this inquiry would be in the second step confronted with the subjective aspect - what court, of what instance, in what circumstances choose specific argument or strategy? Such a juxtaposition would make it able to show "triggers" for different kind of interpretation and would allow me to comprehensively describe in cross-jurisdictional manner what factors influence judges' decision-making and how they back up their rulings in reprivatization context.

In the second aspect of the research I will try to understand what picture of property as a legal concept emerges from the judicial discourse of reprivatization case-law. I want to confront doctrinal remarks about property - its concept, scope of legal protection, its relation to other forms of property rights and constitutional values that it embodies - with positions of judges deciding reprivatization cases. In this part of the research crucial will be the analysis of "legal technicalities" - the specific products of legal scholarship, doctrine and practice that are oriented toward concrete problem or aspect which appear as neutral, mere technical issues, but in fact are main factors in creation and maintenance particular juridical approaches (lines of case-law).