

Summary of the doctoral dissertation:
„Administrative-legal regulation method for counteracting addictions”,

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The issue of using products use of which can be addictive should be perceived on many levels - on economic, social and cultural dimensions. According to the author of the doctoral dissertation, the use of stimulants is a sphere of the individual's actions, which, due to the principle of subsidiarity, requires the interference of the legislator in the sphere of individual rights and freedoms, even paternalistic influence. The state of addiction, which the administrative-legal regulation method discussed in the submitted dissertation is supposed to counteract, harms not only the health and life of the individual. This state also deprives the person of the opportunity to rationally decide about his or her fate.

The doctoral dissertation is divided in to two main parts. In the first part, the author systematizes the concepts and institutions of legal theory necessary to present the administrative-legal regulation method of counteracting addictions. The author confronts the views of doctrine and jurisprudence with his own idea of the method of regulation. He accomplishes this by: defined concepts of regulation method, comparison to related concepts, defining the scope and limits of the regulation method. The author discusses the specificity of legal norms, philosophy, values and models of the administrative law method of counteracting addictions. The author proves the thesis about the gradation of regulation methods of counteracting addictions and presents their models.

On the basis of reflections of a general nature from the first part of the doctoral dissertation, the author derives theorems, which are used to analyze individual regulations in the second part of the dissertation. The author does this by analyzing individual administrative and legal methods of regulation of counteracting particular addictions: alcoholism, nicotinism and drug addiction, indicating their characteristic attributes and specificities.

In chapter IV of the dissertation, the author analyzes the administrative-legal regulation method of counteracting alcoholism. The author presents the specifics of the subject of this legal regulation and its historical development, and presents its main goal. Next, the author presents

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a subjective approach to regulation showing the structure of public administration bodies involved in counteracting alcoholism based on the criterion of subsidiarity. The author further discusses the extensive system of planning acts and then restrictions on the production, supply and consumption of alcoholic beverages in terms of the subject, object and spatial. Another issue discussed in this chapter is also the regulation of the consequences of abuse and dependence on alcoholic beverages, including specific institution for the administrative-legal regulation method of counteracting alcoholism: sobering-up stations.

Chapter V focuses on the administrative-legal regulation method of counteracting nicotineism, which has been significantly modified and expanded by the legislator. The author presents the subject of regulation and its historical development. Similarly as in chapter IV, the author presents the subjective scope of this regulation and the planning acts appearing in it, confronting their completely different structure with a kind of the administrative-legal regulation method of counteracting alcoholism. In this chapter, the author presents the concept of the Polish model of restricting the use of tobacco products in selected public places. The author also discusses limitations in the manufacture and provision of tobacco products in terms of subject and object. The author treats issues related to smokeless products, new tobacco products and electronic cigarettes separately.

Issues related to the administrative-legal regulation method of counteracting drug addiction have been discussed in a separated chapter VI of the dissertation. The distinctiveness of this method of regulation from the other two is significantly noticeable. It results from a different philosophy of this regulation, basing it on the prohibition model and not, as in the case of the regulation of counteracting alcoholism and nicotineism, a regulatory model. This results in a certain adaptation of criminal law mechanism on this method of regulation. According to the author of the dissertation, this does not affect the administrative-legal nature of this method in the area beyond the issue of ensuring its effectiveness. Separately in Chapter VI the author of the dissertation considers issues related to the current problem of preventing the use of the so-called designer drugs, which remains a very important issue for practice.

The author draws conclusions about the evolution of the administrative-legal regulation method of counteracting addictions and the values of regulation that allows it to be used as an effective instrument to protect society against new threats in a manner consistent with the standards of the rule of law, including the protection of individual rights and freedoms.

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