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**THE ANCIENT POLAND STATE SYSTEM IN SCIENTIFIC DISCUSSIONS
AT THE BEGINNING OF THE XXth CENTURY**

Summary. *The purpose of the research* – is to demonstrate the heated discussion in the Polish historiography concerning the ancient Poland state system issues in the context of the modern typology of the scientific conflicts. **The methodology of the research** is based on the general scientific and special historical methods application. The principles of historicism, the objectivity and the value approach concerning the studied phenomena have been observed. The study source base has been covered and ensured by the heuristic method application. The use of the historical-genetic, historical-typological and historical-systemic methods has made it possible to reproduce and follow precisely the scientific discussions unfolding and to obtain the correct conclusions. **The scientific novelty** is that for the first time in historiography, the scientific controversy in the beginning of the XXth century concerning the state system of the ancient Polish state, which was developed between the scientists O. Balcer and S. Kutrzeba and was supported by other researchers, is regarded as a worldview controversy of the numerous historiographic centers and generations representatives. **Conclusions.** *The essence of the*

scientific conflict between the researchers O. Balcer and S. Kutrzeba consisted in the theoretical and methodological aspects, as it arose because of the conceptual differences within the classical positivist model of historiography that at the beginning of the XXth century stepped into the phase of the modernist transformations. As far as we are concerned, such conflicts have rarely a destructive nature, but rather contribute to the fruitful competition of ideas, since «the minimum level presence competition creates the conditions for the new ideas birth» (Collins, 2002). Therefore, it is undisputed that the above-mentioned controversy contributed to the further scientific progress significantly, as it inspired scientists to study the ancient Polish state nature more thoroughly, as well as raised the new issues, revised many fundamental problems, and even led to the introduction of new numerous views into the historical science in the participants' publications.

Key words: Polish historiography, historical legal research, scientific discussion, scientific conflict.

ДЕРЖАВНИЙ УСТРІЙ ДАВНЬОЇ ПОЛЬЩІ У НАУКОВИХ ДИСКУСІЯХ ПОЧАТКУ XX ст.

Анотація. Мета дослідження – показати розгортання у польській історіографії дискусій довкола питань про державний устрій давньої Польщі у контексті сучасної типології наукових конфліктів. **Методологія дослідження** ґрунтується на застосуванні загальнонаукових та спеціально-історичних методів. Дотримано принципи історизму, об'єктивності та ціннісного підходу до досліджуваних явищ. Коректність вивчення джерельної бази забезпечена застосуванням евристичного методу. Використання історико-генетичного, історико-типологічного та історико-системного методів дало змогу достовірно відтворити та прослідкувати розгортання наукових дискусій та отримати коректні висновки. **Наукова новизна** полягає в тому, що вперше в історіографії наукова полеміка поч. XX ст. про державний устрій давньої польської держави, що розгорнулася між О. Бальцером та С. Кутишебою і була підхоплена іншими тогочасними дослідниками, розглядається як світоглядне протистояння представників різних історіографічних осередків та поколінь. **Висновки.** Науковий конфлікт О. Бальцера з С. Кутишебою лежав у теоретико-методологічній площині, оскільки виник через концептуальні розбіжності в рамках класичної позитивістської моделі історіописання, що на початку XX ст. вступила у фазу модерністичних трансформацій. Як відомо, такі конфлікти рідко мають деструктивний характер, а радше сприяють плідній конкуренції ідей, оскільки «наявність деякого мінімального рівня конкуренції створює умови для народження нових ідей» (Коллінз, 2002). Відтак незаперечним є твердження, що ця полеміка значно сприяла подальшому науковому поступу, позаяк інспірувала вчених на більш детальні дослідження характеру давньої польської держави, а також оприявила нові питання, піддала ревізії багато засадничих проблем і навіть спричинилася до впровадження в історичну науку багатьох нових поглядів, представлених у публікаціях її учасників.

Ключові слова: польська історіографія, історико-правові дослідження, наукова дискусія, науковий конфлікт.

The problem statement. The most specific feature of the scientific synthesis process of the Polish history creation is that it was first declared at the beginning of the XXth century in the writings of the law historians, and subsequently, evolved in the economics history studies and developed through a rather heated discussion. Sharing point of views, proving one's correctness, and even arguing, are usually considered to be the indicative of a broad view issues which involved and the participants erudition, but first and foremost they serve as a good incentive to deepen the study of the subject. According to the researcher R. Collins, the big scandals and controversies mark significant historical shifts in the science social organization (Collins, 2002). In this sense, a vivid example of a large-scale discussion is the intellectual confrontation concerning the state system of the ancient Poland issues between the law historians: O. Balcer and S. Kutrzeba, which broke out in the early XXth century and many researchers decided to join this subject at that time.

The analysis of sources and recent researches. The above-mentioned topic was incredibly resonant, hence aroused some interest in the historiography from the very fact of its appearance. Therefore, in the early XXth century there were the first attempts to analyze this discussion (Kętrzyński, 1909; Krzyżanowski, 1909; Krzyżanowski, 1913; Łodyński, 1914). Eventually, this interest was fueled up by the disputants themselves, who carried on exchanging the polemical remarks for a long time. In the 20–30ies of the XXth century, while analyzing O. Balcer's work there was an outburst of interest in this discussion (Wojciechowski, 1926; Adamus, 1933; Polackówna, 1933; Zajączkowski, 1933). From the point of view of time, the first attempts to summarize the above-mentioned problem were made in the 1950-ies and 1960-ies of the XXth century, when the Slavic generic theory underwent the revision, as well as the model of the state system of the ancient Poland in its context (Bardach, 1957; Adamus, 1958). In the late 1990-ies, R. Nowacki, the researcher of O. Balcer's biographical essay, paid a considerable attention to the controversy of his character with S. Kutrzeba (Nowacki, 1998). The researcher P. Biliński did not address this topic in S. Kutsheba's biographical essay as R. Nowacki comprehensively analyzed the following issue (Biliński, 2011). A detailed overview of the problem can be also found in the collective monograph, dedicated to the activities of O. Balcer Law School in Lviv, where this controversy is analyzed in the context of Lviv historians discussions with the representatives of the other academic units (*Oswald Balcer i lwowska szkoła historycznoprawna*, 2010). However, no one has addressed to this topic in the context of the contemporary historical conflictology development, which allows to typologize the following intellectual confrontation by considering its internal mechanisms and taking into account the broader historical context.

The purpose of the article. We would like to focus our attention on the key issues concerning the discussion on the state system of Poland, the core of which was the intellectual confrontation between Lviv and Krakow historians O. Balcer and S. Kutrzeba, in the context of the current scientific conflicts typology.

The statement of the basic material. Having considered the initial motives of the scientific activity, the conflicts that accompany it are conditionally divided into cognitive, cognitive-psychological, ethical, social and social-psychological (Baranets, Verevkin, Savinova, 2012). In a real life, they are usually intertwined and disguised. However, there are three types of confrontation: conceptual (theoretical, dogmatic and ideological), status (struggle for resources, prestige and social status) and personal (incompatibility of temperament and character). In order to find out the essence of the scientific controversy between O. Balcer and S. Kutrzeba, it is important to look at them more closely as the representatives of the particular historiographic centers and different generations with their own views on the history researcher.

Oswald Balcer belonged to the older generation of the historians, who began their scientific careers in the 1970-ies and 1980-ies and were influenced by the positivism methodology. They were better than the previous generation of the researchers of the past, professionally trained, but, with a few exceptions, remained the old methodological positions. And among these «exceptional» scientists, the researcher E. Maternicki also includes O. Balcer, whose views at the beginning of the XXth century have evolved significantly (Maternicki, 1982, p. 8).

O. Balcer began his studies at the Lviv University, Law Faculty (he also attended Ksawery Liske's Historical Seminar) and later on carried on studying at Jagiellonian University in Krakow (under Michał Bobrzyński's supervision). O. Balcer is regarded as one of the

most prominent Polish scholars in the history of law, whose scientific career began with the publication of the generous monograph «Genesis of the Crown Tribunal» («Geneza trybunału Koronnego») in 1886, in 1895 Genealogy of Piastów («Genealogia Piastów») took the world by storm and in 1919 – 1920 resulted in the three volumes appearance of the «Kingdom of Poland 1295 – 1375» («Królestwo Polskie 1295 – 1370»). It is believed that with the advent of his first works, a new stage in the development of the history of the Polish state and law took place (Maternicki, 1982, p. 112). It is captivating that among all O. Balcer's works, concerning the state system matters, the closest to a generalized view on the character of the Polish state were his university lectures, which were first printed in lithographic way in 1898.

O. Balcer formed his own point of view concerning the tribal system issues (in particular the throne inheritance) that were inherent in the power institutions in the medieval state, as well as the history of ancient Poland periodization. The scientist believed that at the beginning of the Polish state formation there was a federation of families, some of which gave birth to the nobility. In accordance with the patrimonial theory, he interpreted the Polish state as the Piast dynasty property (Bardach, 1957, pp. 39–40). These O. Balcer's views concerning the state and law issues, he put on one level the social and the state system as two autonomous and equal factors, and considered the development of forms of the state as a result of the society union (as a whole) with the state as a phenomenon, were typical of his time (Bardach, 1957, p. 40). Actually, this theory, despite its ambiguous perception, had an important influence on the creation of synthetic concepts of the Polish history, as J. Maternicki notes, not only in the era of modernism and neo-modernism, but also in the time of Rzeczpospolita II (the Second Polish Republic) (Maternicki, 1982, p. 113).

However, Lviv scientist did not manage to create the syntheses of the Polish state history, despite the fact of grasping its millennial history, although he certainly contributed to a significant increase in knowledge about the field. It is noteworthy that O. Balcer and the school which he created, studied the state system issues on a broad background in comparison with the other spheres of a public life. Its representatives evaluated the importance of the economy, raised the questions on the border between the history of law and the history of the church and military history. This perception of the problem went far beyond the limits of «German historicism» and proved O. Balcer's belonging to the modernization trend in Polish historiography (Kolbuszewska, 2005, p. 184).

Stanislaw Kutrzeba, Krakow History School alumnus and B. Ulyanovsky's student was the representative of the «younger» generation of the historians. His interest in historical science began with the study of the socio-economic problems. And the works «Krakow's Finance in the Middle Ages» (1900) and «The Population and Property of Kazimierz at the End of the XVIth century» brought Stanislaw Kutrzeba to the pioneer of the contemporary historical and economic research in Poland (Maternicki, 1982, p. 119). According to the scientist Maternicki, the last work was marked by «courage», taking into consideration the statistics to the study of relations in a small town, which at that time was Kazimierz near Krakow. Another scientist, Y. Dombrovskyi, noted the following about another work written by S. Kutrzeba, devoted to the Krakow's trade in the Middle Ages: «In this work, he gave an example of how to study and represent the history of cities and commerce, dwelling on both the political material on the one hand and the economic on the other. Thorough interpretations of privileges, royal orders, and prohibitions against the backdrop of great public policy went hand in hand with honest city books, transactions, contracts, records, and bills analysis» (Maternicki, 1982, p. 119).

Soon, S Kutrzeba became interested in the state history and law issues, and in 1902 there was the emergence of the following works: «Zemsky and City Courts in the Middle Ages» and a number of other studies based on the study of all medieval court books available at that time (Kutrzeba, 1900; Kutrzeba, 1902. *Handel Krakowa...*; Kutrzeba, 1902. *Sądy ziemskie ...*). In 1905 he published «An Essay on the History of the State System of Poland», a work that became a phenomenon not only in scientific but also in social and cultural life (Kutrzeba, 1905). The author represented the work the following: «The history of the state system could not be a flow of information, it must represent the development of life and its forms, it should explain this development» (Kutrzeba, 1905, p. VI). The author created a textbook for a wide range people, who were interested in this issue, moreover, the above-mentioned textbook was supposed to promote Poland structure evolution. Hence, S. Kutrzeba made the final decision concerning the presentation form of the topic. Last but not the least, the material was well-organized, written in a comprehensible way, easy to understand. The following features distinguished the work from the typical monographs, concerning the state system history.

S. Kutzberba became famous and his book was translated and reprinted into other languages. Designed as a textbook, immediately after its release, it was evaluated by students as an academic publication. The above-mentioned work was the incentive, which triggered Polish historical and legal studies in the early XXth century. Because of the discussion started by O. Balcer, one of the most respected specialists of the time, such kind of development was possible. In fact, according to E. Maternicki, the scientific level of S. Kutzberba's work was reinforced by O. Balcer's polemical remarks, which opened a discussion on the fundamental problems of the Polish state system.

As it was mentioned above, the scientist, O. Balcer did not create a synthetic work on the history of Polish state system, but, according to R. Nowacki, for a long time O. Balcer was preparing for this and the researcher even published his own university lectures, which recorded his generalized view on this topic (Nowacki, 1998, p. 101). The acquired «positivist» habit concerning exploring the facts meticulously and thoroughly in order to clarify the unexplained issues, hindered the implementation of this project, but did not interfere with S. Kutzberba's debate over the synthesis of the history of the Polish state system.

The structure of the Polish state system during the Middle Ages became the cornerstone of the intellectual confrontation between two famous historians. The core of the scientific debate was dealing with the status of the kingdom in the XIII – XIVth centuries, as from time to time, other ethnic territories for various political and dynastic motives were included into the Polish kingdom, whether it was a «general» Polish kingdom (*Królestwo Polskie*) or the regional Greater Poland kingdom (*Wielkopolska*), around which the rest of the regions were grouped and the individual principalities, were united with the Greater Poland kingdom under the authority of a single ruler «automatically».

In 1906 there was published a large and the most critical review written by O. Balcer (more than 100 pages), which appeared in *Kwartalnik Historyczny* as the response to the S. Kutzberba's work appearance in 1905: «The History of the Polish State System» (*Historia Ustroju Polski*) (Balcer, 1906). O. Balcer, in his opinion, put an emphasis on false S. Kutrzeba's statements, which did not have any reference confirmation, the scientist also drew attention to the infringement, made by the Krakow researcher concerning his copyright. O. Balcer's main focus was on the particular periods of Polish history characterization and he also paid attention to the peculiarities of the social and state-administrative structure of the medieval Polish state system.

The question of criteria periodization of the history of the Polish state received a negative remark from the reviewer. O. Balcer upheld his version of periodization, which he had already given in the course of lectures for students (1898), and criticized the criteria of dividing Polish history into shades and interpretations of their significance by S. Kutrzeba. For instance, Balcer disagreed with Kutrzeba regarding the chronological boundary that separated the period of the society primary organization from the time of the class society formation. S. Kutrzeba believed that the states formation of the lasted for two centuries and ended with the granting of the Kosice privilege in 1374. Instead, according to Balcer, the separate states were formed earlier (the noble state became isolated at the end of the XIIth century, as there were the townspeople and the mayors, who appeared long before 1374), and the above-mentioned privilege only stated this process and was no more than an administrative and legal act. The following fact, according to O. Balcer, was the evidence of the adoption at that time by the majority of Polish cities in German law, which contributed to the development of the economic institutions (Balcer, 1906, pp. 9–13).

Much attention was paid to the character issues of the Polish state under the last Piast dynasty in the XIVth century. According to S. Kutrzeba, the united state of the last Piast dynasty was not a monolithic organism, but a federation of lands, which in the time of Casimir the Great, began to unite (Kutrzeba, 1905, pp. 45–46). O. Balcer, appealing to the analysis of the title, pointed out that the idea of defining the first Polish monarchs as kings of one particular land after the kingdom restoration appeared in the first half of the XIVth century (Balcer, 1906, pp. 22–23). S. Kutrzeba tried to prove the lack of the Polish lands unity relying on the fact of Piast joint international representative bodies scarcity at that time. Instead, his opponent explained the following situation by the fact that the ruler had not only the supreme state power in his hands, but also was implementing the executive, the legislative and the representative powers.

O. Balcer highlighted also the difference of his views on a number of the following issues: the public relations in the post-state period, the Polish nobility origin, the legal relations with Lithuania, the throne's electivity genesis, etc. (Balcer, 1906). The reviewer also did not accept S. Kutrzeba's state and public authorities characterization of that time. In particular, the scientist S. Kutrzeba considered the signing of the Union of Lublin (Unia Lubelska) in 1569 as the defining date for the Polish state, O. Balcer, on the other hand, could not agree with his point of view. O. Balcer believed that the more important event was the organization of the Polish Seimas, which formed up in 1505, when they adopted the constitution *Nihil novi* (Full name: «Nihil novi nisi commune consensus» (nothing new without the general consent), known in historiography as the Radom Constitution – LL) and standardized noble privileges (Balcer, 1906, p. 52). Therefore, according to O. Balcer, the above-mentioned date that was crucial for the Polish history periodization. After all, since 1505 the term «Polish Commonwealth» (Rzeczpospolita) became widely used in relation to the Polish state system and the Sejm itself, though considered to be noble, was not dealing with the issues of the privileged exclusively, but was the legislature for all social groups that inhabited the country.

The Polish-German interaction issues were also the stumbling blocks in the discussion. Thus, O. Balcer did not agree with S. Kutrzeba's hypothesis that Mieszko I had sworn allegiance to the German Empire in 963. Lviv scientist believed that the Polish duke only had to pay tribute. Moreover, O. Balcer made the wrong decision considering S. Kutrzeba's lack of the interest in the The Congress of Gniezno (Zjazd Gnieźnieński) and other Polish-German relations manifestations (Balcer, 1906, pp. 408–413).

The root of evil and the paramount issue from which derived the negative remarks, according to O. Balcer were S. Kutrzeba's selection correctness, reading and interpretation of the historical sources. In particular, O. Balcer drew attention to the uneven processing of individual periods and the disproportionate nature of the materials presented within them. The scientist wrote the following: «The more ancient period, the more detailed it is discussed [...] As far as we are concerned, the source material relating to the ancient periods is more varied and detailed depicted, however, it does not explain the unevenness of processing when the task of the researcher is to concentrate it appropriately and in relation to all phases of the development, to extract and mark the phenomena evenly» (Balcer, 1906, pp. 431–432). While seeking for the causes of e Kutrzeba's textbook imperfections, O. Balcer wrote that he «sees the greatest problem in the large amount of material (both original and monographic – ed.), as there was no need to work on it, and the haste that followed to capture its integrity» (Balcer, 1906, p. 430).

The scarcity or the lack of the thorough ancient state and public life legal characterization phenomena the reviewer considered to be one of S. Kutsheba's work defects. The reasons for this the reviewer saw in the lack of clarity and over-generalization of the author's construction, the anachronistic criteria use or the peculiar analogies use, and, in some cases, not too detailed study of the source texts and their misinterpretation, which appeared and resulted in the single-mindedness of all facts and phenomenon.

Despite all remarks and reservations, O. Balcer's overall conclusion about S. Kutrzeba's work was positive. According to Lviv scientist, the work contained the valuable ideas that could only be fully disclosed in the future, with the advent of the historical science. The reviewer made the following conclusion: «Once again, the author will skip one or another piece of information, sometimes he will not see everything that could contribute to the issue clarification, neither the source will not be thoroughly considered, or its contents will be misinterpreted, nevertheless, the book is a vivid example of the author who feels free to in the rich source material of the documents» (Balcer, 1906, pp. 440–441).

S. Kutrzeba responded quickly to the criticism and decided to defend himself in the polemical article «A Few Questions on the History of Poland State System» (Kutrzeba, 1906), in which he simply rejected Balzcer's remarks without delving too deeply into their content. In particular, he wrote the following: «Whoever writes a popular textbook is not obliged to provide information more than the literature of the time [...] It is not necessary to turn to the sources, especially the manuscripts» (Kutrzeba, 1906, p. 590). Considering the criticism points, Kutrzeba took the position of «deaf defense», explaining his vision more detailed, but «defiantly» not deviating from it. He defended his version of the source material periodization and interpretation, and accused the reviewer of a baseless scrutiny beyond the scientific controversy.

Obviously, such a superficial, even «frivolous» response with the transference to the personality most affected the reviewer, and he published in the next year journal his reply to this response, which was no less than the previous volume (Balcer, 1906, p. 1–58). O. Balcer expected the heated discussion, but not the defense built on the objections alone, hence, he was perturbed by the lack of controversy «in essence», O. Balcer wrote the following: «[I] expected a truly contentious controversy from which true science could benefit [...] but the author did not even read carefully everything that I have written» (Balcer, 1906, p. 2). Obviously, the above-mentioned situation was the main O. Balcer's reason for publishing his paramount observations once again, focusing mainly on the medieval period. He replied

to the accusation of «scrutiny» the following: «There are as many reasons as needed for the controversy» (Balcer, 1906, p. 1). In this text, O. Balcer has heard other rather prescient phrases: «Sometimes it happens that the author does not pay attention to the sources cited, in order to verify my statements and not to deny them vociferously»; «The author applies a specific research methodology, which lies in presenting evidence based on the prevalence of assertions»; or «lacks accusations that are «playing» on the feelings of the reader: e.g. «Prof. Balcer tries to downsize the value of the Union of Lublin (Unia Lubelska)» (Balcer, 1906, pp. 6, 10, 11).

As a result, the discussion has slowly moved on to ad personam. S. Kutrzeba blatantly criticized O. Balcer that he could have presented the programmatic aspects of the Polish law history in a textbook rather than a university lecture. O. Balcer justified that they had lost some relevance, and so he did not even publish them, but was forced to turn to the issue in 1905 – after his ideas began to appear in the writings of some scholars without mentioning the source, etc.

O. Balcer, in the context of the controversy, published the second part of his «response to reply» written by S. Kutrzeba, which also appeared on the pages of *Kwartalnik Historyczny* under the title «The Polish State in the First Decade of the XIVth and the XVth Centuries» (Balcer, 1907). In this critical essay, Lviv researcher focused mainly on questions of the character of the Polish state in the XIVth and XVth centuries. In particular, the essay depicted a more detailed interpretation of the meaning of the *Nihil novi* constitution, that was Lviv scientist's principal cause of immersing himself in a detailed analysis of the text of this document, appealing to the linguistic features of classical Latin, which, according to the contemporaries, he knew perfectly well.

The further discussion, in general covered 5 notebooks of *Kwartalnik Historyczny* periodic, the numerous researchers took part in it: S. Kętrzyński – twice, M. Łodyński and Z. Wojciechowski – once. Later on the discussion was moved from the «Articles» section to the smaller volume of the section «Polemics» (Kętrzyński, 1909; Krzyżanowski, 1909; Krzyżanowski, 1913; Krzyżanowski, 1914). The scientist S. Kętrzyński supported S. Kutrzeba's ideas concerning the restored Polish Kingdom importance and the interpretation of the last Piast dynasty (Piastowie) as a federal state, while O. Balcer's ideas were backed up by S. Estreicher and S. Krzyżanowski. The heated discussion slowed down slowly before World War I in order break out again in the period of Polish independence. According to S. Kutrzeba, the most notable in this controversy was that it was caused by the usual textbook written by the researcher, and O. Balcer's critical articles published in the journal were larger than the original source. Although, the participants' point of views remained uncoordinated in the controversy, but numerous topical issues were considered and a number of new research directions were outlined in the course of the following scientific debate (Polemika, 1907).

Diverse O. Balcer's works were based on the «Kutrzeba-Balcer» controversy, for instance, «Polish Capitals 1295 – 1370» (1916) and one of the most thorough works on the history of the Polish state and law «The Polish Kingdom 1295 – 1370» appeared, three volumes of which were published during 1918 – 1920 (Balcer, 1916; Balcer, 1919 – 1920). In this work, the researcher paid much attention to early Slavic history, the issue evolution concerning the significance of this period in the history of the Polish state, the state unity idea and the significance of Krakow as the core of the above-mentioned idea. However, according to critics, Balcer did not compile a final synthesis on these issues. After all, the author was not aimed at depicting the historical events integrity – it was rather the

background on which the state system of Poland issue was fundamental to O. Balcer's research (Tymieniecki, 1920).

Despite the sharp criticism, S. Kutrzeba's views were a tremendous step forward not only for the historical studies, but also instigated the further research into the political, economic and cultural history of the era. His logical, comprehensible, realistic generalizations systematized the material perfectly and distinguished this work from the studies on the state and law history favorably at that time. Hence, the work was extremely popular, as it was reissued for dozens times and translated into other languages. S. Kutrzeba carried on working, he focused on the research in the direction of clarifying the legal and political relations between Lithuania and the Crown, and in 1914 the scientist published a second volume of the «Poland State History Essay». And during 1917 – 1920 appeared two additional parts of the above-mentioned essay (Kutrzeba, 1914). According to E. Maternicki, «an importance indicator for the science of S. Kutsheba's work is that his works were replaced by a newer collective study after half a century. Not many university textbooks have remained relevant for so long and have had such an impact on historical studies as the above-mentioned «Poland State History Essay» (Maternicki, 1982, p. 122).

Conclusions. The essence of the scientific conflict between the researchers O. Balcer and S. Kutrzeba consisted in the theoretical and methodological aspects, as it arose because of the conceptual differences within the classical positivist model of historiography that at the beginning of the XXth century stepped into the phase of the modernist transformations. As far as we are concerned, such conflicts have rarely a destructive nature, but rather contribute to the fruitful competition of ideas, since «the minimum level presence competition creates the conditions for the new ideas birth» (Collins, 2002). Therefore, it is undisputed that the above-mentioned controversy contributed to the further scientific progress significantly, as it inspired the scientists to study the ancient Polish state nature more thoroughly, as well as it raised the new issues, revised many fundamental problems, and even led to the introduction of new numerous views into the historical science in the authors' publications.

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BIBLIOGRAPHY

Adamus, J. (1933). Oswald Balzer [Oswald Balzer]. *Przegląd prawa i administracji*, 1–7. [in Polish].

Adamus, J. (1958). *Polska teoria rodowa [Polish family theory]*. Łódź: Wyd. Zakładu Narodowego im. Ossolińskich we Wrocławiu, 348 s. [in Polish].

Balcer, O. (1906). Z powodu nowego zarysu historii ustroju Polski [About the new outline of the history of the Polish political system]. *Kwartalnik Historyczny*, 20, 1–58, 397–441. [in Polish].

Balcer, O. (1907). Państwo polskie w pierwszym siedmiesięcioleciu XIV i XV wieku [Polish state in the first seventy years of the XIV and XV centuries]. *Kwartalnik Historyczny*, 21, 193–291. [in Polish].

Balcer, O. (1916). *Stolice Polski 963 – 1138 [Polish capitals 963 – 1138]*. Lwów: Wyd. Towarzystwa dla Popierania Nauki Polskiej, 74 s. [in Polish].

Balcer, O. (1919 – 1920). *Królestwo polskie 1295 – 1370 [Polish Kingdom 1295 – 1370]*. Lwów: Wyd. Towarzystwa dla Popierania Nauki Polskiej. T. VI, 448 s.; T. VII, 536 s.; T. VIII, 364 s. [in Polish].

Baranec, N., Verevkin, A., & Savinova, L. (2012). O prichinah nauchnyh konfliktov [About the causes of our conflicts]. *Vlast': Obshhenacional'nyj nauchno-politicheskij zhurnal*, 4, 115. [in Russian].

Bardach, J. (1957). *Historia państwa i prawa Polski do połowy XV wieku [The history of the state and Polish law until the mid-XVth century]*. Warszawa: PWN, 592 s. [in Polish].

Biliński, P. (2011). *Stanisław Kutrzeba (1876 – 1946). Biografia naukowa i polityczna [Stanisław Kutrzeba (1876 – 1946). Scientific and political biography]*. Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego, 236 s. [in Polish].

Kętrzyński, S. (1909). O królestwie wielkopolskim [About the Kingdom of Wielkopolska]. *Przeгляд Historyczny, VIII*, 129–153. [in Polish].

Kolbuszewska, J. (2005). *Mutacja modernistyczna w historiografii polskiej (przełom XIX i XX wieku) [The modernist mutation in Polish historiography (turn of the 19th and 20th century)]*. Łódź: Ibidem, 253 s. [in Polish].

Kollinz, R. (2002). Piraty i polityki v matematike [Pirates and politics in a matematike]. *Otechestvennye zapiski, 7*. URL: <http://www.strana-oz.ru/?article=414&numid=8> (28.01.2018 p.) [in Polish].

Krzyżanowski, S. (1909). Regnum Poloniae [Regnum Poloniae]. *Sprawozdania AU, Kraków, 5*. [in Polish].

Krzyżanowski, S. (1913).). Regnum Poloniae [Regnum Poloniae]. *Sprawozdania AU, Kraków, 9*. [in Polish].

Kutrzeba, S. (1900). Finanse Krakowa w wiekach średnich [Cracov's finances in the Middle Ages]. *Rocznik Krakowski, 3*, 1–145. [in Polish].

Kutrzeba, S. (1902). *Handel Krakowa w wiekach średnich na tle stosunków handlowych Polski [Cracov's trade in the Middle Ages against the background of Poland's trade relations]*. Kraków: Nakładem Akademii Umiejętności, 196 s. [in Polish].

Kutrzeba, S. (1902). *Sądy ziemskie i grodzkie w wiekach średnich [The land and the town courts in the Middle Ages]*. Kraków: Nakładem Akademii Umiejętności, 123 s. [in Polish].

Kutrzeba, S. (1905). *Historia ustroju Polski w zarysie [An outline of the history of the Polish political system]*. Lwów, 261 s. [in Polish].

Kutrzeba, S. (1906). Kilka kwestii z historii ustroju Polski. Przyczynki i polemika [A few issues from the history of the Polish political system. Facts and polemics]. *Kwartalnik Historyczny, 20*, 589–626. [in Polish].

Kutrzeba, S. (1914). *Historia ustroju Polski w zarysie. Tom 2: Litwa [An outline of the history of the Polish political system. Volume 2: Lithuania]*. Lwów-Warszawa, 241 s. [in Polish].

Łodyński, M. (1914). Regnum Poloniae w opinii publicznej XIV [Regnum Poloniae in public opinion XIV]. *Kwartalnik Historyczny, 28*, 38–54. [in Polish].

Maternicki, J. (1982). *Historiografia polska XX wieku. Cz. 1. Lata 1900 – 1918 [XXth century Polish historiography. Vol. 1. The years 1900 – 1918]*. Wrocław : Zakład Narodowy im. Ossolińskich-Wydawnictwo, 246 s. [in Polish].

Nowacki, R. (1998). *Oswald Balzer (1858 – 1933) [Oswald Balzer (1858 – 1933)]*. Opole: Wyd. Uniwersytetu Opolskiego, 314 s. [in Polish].

Oswald Balzer i lwowska szkoła historycznoprawna (2010) [Oswald Balzer and Lviv historical law school]. (ed. M. Masłowska). Lublin: Katolicki Uniwersytet Lubelski, 406 s. [in Polish].

Połackówna, H. (1933). Oswald Marjan Balzer [Oswald Marjan Balzer]. *Archion. Warszawa, XI*, 7–19. [in Polish].

Polemika (1907). Kutszeba S. – Balzer O. [Polemics. Kutszeba S. – Balzer O.] *Kwartalnik Historyczny, 21*, 587–590. [in Polish].

Tymieniecki, K. (1920). Odnowienie dawnego Królestwa polskiego [The renewal of the former Polish Kingdom]. *Kwartalnik Historyczny, 34*, 30–87. [in Polish].

Wojciechowski, Z. (1926). *Oswald Balzer jako historyk ustroju Polski [Oswald Balzer as a historian of the Polish political system]*. Poznań, 25 s.

Zajączkowski, S. (1933) Ś. p. Prof. Oswald Balzer [Ś. p. Prof. Oswald Balzer]. *Ateneum Wileńskie, IX*, 436–442. [in Polish].

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