

Introduction

This special volume of *Archiwum Filozofii Prawa i Filozofii Społecznej*, the journal of the Polish Section of IVR, is devoted to issues of law and memory. Memory studies have long been an important paradigm for historians, sociologists, and cultural and literary scholars. Although lawyers joined this dialogue relatively late, the importance of the relation between law and memory becomes more and more visible. Thus, we are currently witnessing the creation of a research area within this paradigm.

One of the formal expressions of this inclusion of legal scholars was a panel *Juridization of Memory in Poland and Central and Eastern Europe* organized during the 2nd Polish Memory Conference *Studies on Memory in Poland and of Poland* (Warsaw, 5–7 December 2019). During the panel, four presentations on the role of memory in local legal regulations were given. The discussion which followed revealed the need to collect and systematize basic concepts and thematic areas of legal memory studies. This idea was turned into this volume, created under the auspices of the Centre for Legal Education and Social Theory at the Faculty of Law, Administration and Economics of the University of Wrocław.

In our papers, we assume that law (legal instruments, discourse or institutions) plays a significant role in shaping collective memory. This role is particularly evident during political transformations, such as the ones which took place in Central and Eastern Europe after 1989. During these periods, legal systems are faced with the task of assessing the past. Hence, the period of transformation and reconciliation creates the first thematic area of legal memory studies. However, the role of law in relation to collective memory does not end when the political transformation is over. The second thematic area is the current dispute about the general place, function and shape of memory in the social order, in which the law is almost automatically included. Legal discourse becomes a tool for shaping collective memory. Through its use, historical memory is formed, which in turn forms the identity of a society, a nation, or a community.

This volume contains papers dealing with the above issues from different perspectives. The issue begins with a theoretical study defining the area in which law and memory meet. The next three papers present problems encountered in judging the past of the previous non-democratic system. The following two texts are both case studies – detailed analyses of legal provisions and their connection with the broader social and political discourses. The last paper indicates the mutual dependence of collective memory and identity through law.

We would like to thank the editors of the journal of the Polish Section of IVR for their patience, and the authors for successful cooperation. We hope our readers will find inspiration in these texts.

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