



ANNA CEGLARSKA  
 <https://orcid.org/0000-0003-0868-6097>  
Jagiellonian University in Kraków

## *The Chronicle of Research and Scholarly Events in Legal and Constitutional History at the Faculty of Law and Administration of the Jagiellonian University in 2021/2022*

**Keywords:** scholarly research, Legal and Constitutional History, Faculty of Law and Administration, Jagiellonian University

**Słowa kluczowe:** badania naukowe, historia państwa i prawa, Wydział Prawa i Administracji, Uniwersytet Jagielloński

### Joint initiatives

The research project regarding studies on legal heritage, conducted in the previous year by scholars representing various units of the faculty, continued to develop.

On May 26 to 28, 2021, the conference “Legal Heritage. Ideas – research – education” organized in cooperation with the Departments of Legal and Constitutional History, the Department of Sociology of Law and the Department of Copyright of the Jagiellonian University (JU) took place. As part of it, a panel debate entitled “Legal Heritage. What is it, who is it, what is it for?” was held, in which Dr. hab. Iwona Barwicka-Tylek from JU, Dr. hab. Karol Łopatecki, Prof. of the University of Białystok, and Prof. Dr. hab. Kamil Zeidler from the University of Gdańsk took part.<sup>1</sup>

In 2022, Dr. hab. Jan Halberda from the Department of General Legal History coordinated the project of creating the R2R research platform “HECTOR: Heritage, Culture, Norms”. “HECTOR” is an innovative, interdisciplinary, international research platform project sponsored by the JU within the framework of the programme “Initiative

---

<sup>1</sup> The transcription from this debate was prepared by Dr. Anna Ceglarska (Department of the History of Political and Legal Doctrines), and published in *Cracow Studies of Constitutional and Legal History* 15, issue 4 (2022): 625–43.

of Excellence – Research University”. “HECTOR” has been granted funding in the “Research platforms in the Heritage PRA (2<sup>nd</sup> edition)” competition for the period of 24 months since October 1, 2022. The “HECTOR” project aims to provide a proper venue for academic discussion on a wide range of topics on legal heritage: from transforming fundamental/universal values into norms, through the consolidation of the latter into artifacts, to their presence in the present, as well as their role in the future. As part of it, among others, there are prepared debates, workshops and seminars, both for guests from Poland and abroad.

Research on legal heritage has reached its more institutionalised form in the framework of the “Legal Heritage Lab” (LHL)<sup>2</sup> – a research and educational team open to cooperation, whose activities focus on the broadly understood legal heritage. Activities undertaken within the LHL are mainly financed from the funds of the Strategic Programme Initiative of Excellence of the JU. Furthermore, the legal heritage, as a priority research domain, was indicated in the Strategy for the Development of the Discipline of Legal Sciences, adopted by the Council of the Discipline of Legal Sciences of JU. LHL continues to hold regular monthly meetings within the “Legal Heritage” series, coordinated by Dr. hab. Jan Halberda. In 2021–2022, lectures were delivered by, among others: Dr. Piotr Michalik (Department of General Legal History): “Inheritance Law of the Free City of Kraków in the Years 1815–1833 – an Attempt at a Synthesis”; Dr. Grzegorz Blicharz (Department of Roman Law): “Sharing Asset Value – *Locatio Conductio* as a Paradigm of Sharing Economy”, or Dr. Anna Karabowicz (University of Seville): “Stefan Batory: a Man of Law and Action”. On December 13–14, 2022, Professor James Gordley from Tulane Law School also gave guest lectures: “The Betrayal of the French Civil Code: A Tragedy in Three Acts”<sup>3</sup> and “Civil Code and Common Law in Louisiana: a Mesalliance”. LHL is also intensively working on the preparation of the Massive Open Online Course (MOOC) – online educational classes, widely available to an unlimited number of people, based on active and interactive learning. The leitmotif of the course is the legal heritage of the continent and its impact on modernity.

Members of the Faculty of Law (among others Prof. Maciej Mikuła from the Department of Church Law and the Law of Religious Denominations, Dr. Anna Ceglarska from the Department of the History of the Political and Legal Doctrines, and Dr. Bohdan Widła from the Department of Copyright) also actively participated in the establishment of an interdisciplinary, interdepartmental “Critical Heritage Studies Hub” (CHSH).<sup>4</sup> Prof. M. Mikuła holds the position of the Flagship Project Manager. CHSH emerged as an initiative bringing together representatives of various disciplines involved in heritage research at the JU. It is meant to be a platform for creative cooperation to connect the academic community with educational institutions, cultural institutions, non-governmental organizations, government entities, and the business community. Its objective is to develop and strengthen the social involvement of the University in the broader social environment, thus supporting the expansion of “applied” research,

<sup>2</sup> <https://lhlab.wpia.uj.edu.pl/> (accessed: 1.06.2023).

<sup>3</sup> The paper based upon this lecture was recently published: Gordley, “The Betrayal of the French Civil Code: A Tragedy in Three Acts”. *Krakowskie Studia z Historii Państwa i Prawa* 16, issue 2 (2023): 163–80.

<sup>4</sup> <https://crihestu.id.uj.edu.pl/> (accessed: 1.06.2023).

and responding to the needs of the present. Four research groups have been established within the CHSH, and currently the MOOC and the winter school are being prepared.

## Research projects

Prof. M. Mikuła led an 18-month project funded by the International Visegrad Fund “Continuity and Discontinuity of Pre-war Legal Systems in Post-war Successor States (1918–1939)” (Visegrad Grant No. 22030159). The objective of the project was to integrate the Czech, Polish, Slovak, and Hungarian academic community around the issues of the legal heritage of the interwar period and to popularize joint research on this issue. This heritage can be described as difficult, because after the end of World War I, the countries of Central Europe faced the necessity of either building new legal systems or thoroughly rebuilding the existing ones. The research questions included, in particular, whether there are any similarities and what the differences were in dealing with problems with the codification of law in the countries of the V4 in the interwar period. It was also necessary to undertake efforts to popularize the legal identity of V4 countries through access to English-language open lectures devoted to this subject. In the dynamics of research and the dissemination of knowledge about the legal culture and identity of the V4 countries, an invaluable help will be the action of translating important interwar legal acts into English and ensuring access to them in an open access format ([www.iura.uj.edu.pl](http://www.iura.uj.edu.pl)).<sup>5</sup> In particular, there are links to the lectures recorded by Dr. hab. Jan Halberda and Dr. Jakob Maziarz (Department of Polish Legal History), who were members of the Project. A detailed report on the conference held in Kraków on October 7, 2021 has already appeared in *Cracow Studies*.<sup>6</sup>

Worth mentioning is the project “Ius commune and local testamentary succession laws in the periphery of the European academic tradition. A comparative analysis of the Polish-Lithuanian Commonwealth and the Low Countries,” funded by CELSA (Central Europe Leuven Strategic Alliance). The project is implemented by the KU Leuven (co-ordinator Prof. Wouter Druwé) in conjunction with JU (coordinator Prof. M. Mikuła). During the first year of the project, Dr. Kamil Sorka collaborated with the Laboratory for Source Editions as part of a one-year assignment, during which he prepared a paper “Ius commune on the Periphery? A Study of Peasants’ Wills in Poland in the XV–XVII centuries” (submitted to *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Germanistische Abteilung*, currently awaiting reviews). During the second year of implementation,

<sup>5</sup> All project results are available at <https://wyznaniowe.law.uj.edu.pl/visegrad> (accessed: 1.06.2023).

### • Visegrad Fund

<sup>6</sup> The project “Continuity and Discontinuity of Pre-war Legal Systems in Post-war Successor States (1918–1939)” is co-financed by the Governments of Czechia, Hungary, Poland and Slovakia through Visegrad Grants from International Visegrad Fund. The mission of the fund is to advance ideas for sustainable regional cooperation in Central Europe. Visegrad Grant No. 22030159.

Dr. Mark Vermeer was employed by the KU Leuven. The aim of the project is to reflect on the impact of scholar's law on local law in the area of testamentary inheritance in the late medieval and early modern periods. The results of the project will be building a research consortium. Already, the aforementioned two universities have also been joined by other universities: the Friedrich Schiller University Jena, working with Prof. Adrian Schmidt-Recla; Charles University in Prague, working with Prof. Marek Starý; and the University of Warsaw, working with Prof. Agnieszka Bartoszewicz. The goal of the consortium will be to submit a joint application to the European Commission "Doctoral Networks" in the framework of the Marie Skłodowska-Curie Actions. On January 12–13, 2023, a workshop was held with the participation of 15 speakers from Belgium, Poland, Portugal. The workshop will result in a collective monograph.

Dr. hab. Krzysztof Fokt, Dr. Kacper Górski, Dr. hab. Łukasz Marzec and Prof. Maciej Miłkuła (PI) were involved in the international project "FONTES. FOstering iNnovative Training in the use of European legal Sources." The leader of the project is the University of Palermo (PI Prof. Beatrice Pasciuta), and researchers from the École des hautes études en sciences sociales (EHESS) in Paris (PI Prof. Emanuele Conte) and the University of Geneva (PI Prof. Noëlle-Laetitia Perret) are also participating. The project is articulated in three main components: taught courses (both master's and intensive courses), a comprehensive and interactive handbook, and an online digital platform. Project work began in the late 2021. In the coming months, the first results of the joint activities will be published, including on the website <https://fontes.project.uj.edu.pl>.<sup>7</sup>

Further work is also being carried out under the project "IURA. Sources of Law from the Past." IURA is a project aimed at facilitating access to sources of law from the past. Its main intention is to include critical editions of law sources in the database. Recently, work on the "Magdeburg Weichbild; Sandomierz version" was completed, works by Old-Polish lawyers have been included in the database, and work on new collections has begun, including translations of selected legal sources into English, the legacy of the Old-Polish Sejm, rural books, rural laws. For the IURA, also a project involving the digitization of *Volumina Constitutionum* was carried out. Additionally, *Volumina Constitutionum* t. V (1669–1696), vol. 1 (1669–1676), edited by Stanisław Grodziski, Krzysztof Fokt, and Marcin Kwiecień, with foreword by Waław Uruszczak, was pub-



Co-funded by  
the European Union

7

This project has been funded with support from the European Commission. KA220-HED – Cooperation partnerships in higher education under grant agreement No 2021-1-IT02-KA220-HED-000032190.

**movetia** Austausch und Mobilität  
Échanges et mobilité  
Scambi e mobilità  
Exchange and mobility

This project is financially supported by Movetia. Movetia promotes exchange, mobility and cooperation within the fields of education, training and youth work – in Switzerland, Europe and worldwide. [www.movetia.ch](http://www.movetia.ch). Movetia is the Swiss agency for exchange and mobility. It is sponsored by the Swiss Foundation for the Promotion of Exchanges and Mobility (SFAM). <https://www.movetia.ch/en/>

lished in 2022 as a result of the NPRH grant “Źródła do dziejów parlamentaryzmu polskiego” (no. 1aH 15 0014 83).

Dr. hab. K. Fokt (Laboratory of Source Editions) also participated in the NCN project entitled “Metrologiczne aspekty badań nad średniowiecznymi miastami i wsiami. Śląsk na tle rozwiązań europejskich” (“Metrological Aspects of Research on Medieval Towns and Villages. Silesia against the Background of European Solutions,” grant no. 2020/39/D/HS3/01549) under the direction of Dr. Maria Legut-Pintal from the University of Wrocław.

In the Department of General Legal History, a research project entitled “Prawo własności w orzecznictwie sądów Wolnego Miasta Krakowa. Z dziejów stosowania Kodeksu Napoleona (Code civil)” (“Property Law in the Judicature of the Courts of the Free City of Kraków: From the History of Application of the Napoleonic Code Civil”) was brought to an end. The project was funded by NCN, grant no. 2017/27/B/HS5/0130, and directed by Prof. Dr. hab. Andrzej Dziadzio, with Dr. Mateusz Mataniak and Dr. P. Michalik as members of the project. The grant resulted in several articles published in specialist periodicals, as well as a source edition: *Protokoły posiedzeń Wydziału Profesorów i Doktorów Prawa Uniwersytetu Jagiellońskiego (1817–1833). Opinie o stosowaniu Kodeksu Napoleona przez sądy Wolnego Miasta Krakowa*, eds. Andrzej Dziadzio, Mateusz Mataniak. Kraków: Księgarnia Akademicka, 2022. The key result of the project is the finding that the application of the Code civil provisions by the judges of the Free City of Kraków encountered difficulties due to the differences between French and Austrian law, which was previously in force in Kraków and was accepted by the legal community.

Dr. M. Mataniak is also a member of the research project “Krakowskie tradycje nauk politycznych. Słuchacze Polskiej Szkoły Nauk Politycznych w Krakowie i Szkoły Nauk Politycznych przy Wydziale Prawa UJ. Słownik biograficzny,” being a part of the POB-Heritage mini-grant (3<sup>rd</sup> edition), under the direction of Dr. hab. Przemysław M. Żukowski, Prof. UJ. He also is the Chief investigator of the project “Słownik biograficzny sędziów Apelacji Wileńskiej (1918–1939),” held as a part of the POB-Heritage mini-grant (4<sup>th</sup> edition) for the years 2022–2023. In connection with this project, Dr. M. Mataniak made two journeys to the Lithuanian Central State Archives in Vilnius (LCVA) in August and November/December 2022. The project also received funding from the Dean of the Faculty of Law and Administration of the Jagiellonian University as part of the Travel Fund.

Dr. P. Michalik from the Department of General Legal History participated in the realization of the international project held by Dr. Norbert Varga from the University of Szeged, funded by the Hungarian Ministry of National Innovation and Technology, entitled “Development of the Law in the Interwar Period”, with individual research theme “The Law of Succession of the Napoleonic Code in the Polish Supreme Court Decisions in the Interwar Period.” In 2021 he also completed the research and teaching project entitled “Edition of Jeremiah Bentham’s letters regarding his project of codification for the Russian Empire located in the Czartoryski Library in Kraków”, carried out together with Kacper Kurc, a student of the Faculty of Law and Administration of the Jagiellonian University, as part of the “School of Eagles” programme of the Ministry of Science and Higher Education.

In the Department of History of Polish Law, two main research projects were brought to an end. In 2022 Dr. Jakub Pokoj finished the one entitled “Orzecznictwo wojskowych sądów rejonowych w sprawach politycznych – próba rozliczenia z perspektywy sprawiedliwości tranzycyjnej” (realized in cooperation with Krzysztof Bokwa and Radosław Pałosz) commissioned by the Justice Institute.<sup>8</sup> A year earlier, in 2021, Dr. Kacper Górski completed another, of which he was the manager, financed by the Minister of Education and Science under the Diamond Grant programme, entitled “Starosta krakowski jako organ sądownictwa w pierwszej połowie XVII wieku.” Moreover, during the years 2021–2022 he also participated in a project “Continuity and Discontinuity of Pre-war Legal Systems in Post-war Successor States (1918–1939).”

Finally, Dr. A. Ceglarska from the Department of the History of Political and Legal Doctrines received funding from NCN in the MINIATURA-5 programme (grant no. 2021/05/X/HS5/00293) for the research visit and consultations related to her research project regarding the role of myth and fiction in political and legal education. As part of this project, she held scientific consultations with Prof. Maksymilian Del Mar from the Queen Mary University of London.

## Conferences, seminars and lectures

Members of the departments of political and legal history participated in dozens of conferences, both domestic and foreign, where they presented results of their research and participated in discussions. Of such a large collection, it is worth mentioning at least some of them.

In 2021 and 2022 Prof. M. Mikuła (Department of Church Law and the Law of Religious Denominations) presented papers at international conferences held in Athens (72<sup>nd</sup> Conference of the International Commission for the History of Representative and Parliamentary Institutions – ICHRPI), Frankfurt am Main (“Digital Methods and Resources in Legal History”), Kraków (“Recovering Europe’s Parliamentary Culture, 1500–1700: Concepts, Methods, Approaches”), Prague (“Stadt und Handwerk in der Vorindustriellen Zeit”), St. Louis (“the 16<sup>th</sup> International Congress of Medieval Canon Law”), and Szeged (“the Hungarian Golden Bull and its European parallels”).

Prof. Marian Małecki (Department of General Legal History) participated in scientific conferences held in Greece (Athens), Turkey, Hungary, and in the Czech Republic, as well as several ones from Poland in Poznań, Katowice, Świętochłowice, Pszczyna, Bielsko-Biała, Oleśnica Mała, Pawłowice.

Dr. K. Sorka took part in the national conference “Polska romanistyka prawnicza. Historia – stan obecny – perspektywy. Urzędy rzymskie na styku prawa publicznego i prywatnego” (Mrągowo, September 2–4, 2022), where he delivered a paper „Rzymski sędzia od osoby prywatnej do cesarskiego urzędnika”.

Furthermore, Dr. K. Górski (Department of Polish Legal History) prepared a speech “Mikołaj Zebrzydowski starostą generalnym krakowskim (1585–1620)”, which he deliv-

<sup>8</sup> <https://iws.gov.pl/> (accessed: 1.06.2023).

ered during the conference “Mikołaj Zebrzydowski – biografia i jej konteksty” (Mikołaj Zebrzydowski – Biography and its Contexts), which took place on November 19, 2021, at the Pontifical University of John Paul II in Kraków.

During the conference “Społeczności przedpaństwowe w Europie Środkowej” (Adam Mickiewicz University in Poznań, June 30 – July 1, 2021) Dr. hab. K. Fokt (along with Dr. hab. Piotr Boroń – Katowice; Dr. Ivo Štefan – Prague; Prof. Dr. hab. Przemysław Urbańczyk – Warsaw, and Prof. Dr. hab. Zbigniew Dalewski – Warsaw) was one of the main disputants in the initiating panel and debate “Plemiona, wspólnoty terytorialne, wspólnoty komunikacyjne? Wokół definicji i charakterystyki organizacyjnej społeczności przedpaństwowych.” During the debate, the issue of the organization of early societies in this part of Europe was discussed, primarily in the context of possible ways of distinguishing and describing pre-state communities on the grounds of archaeology, history, linguistics and anthropology. In November 2021 Dr. hab. K. Fokt also attended the conference held by Górnśląski Park Etnograficzny w Chorzowie and later actively participated in international conferences in Graz, organized by Karl-Franzens University, with the paper “Digitisation of the oldest Heritage of Polish Diet (Sejm) in the framework of the IURA-Project: Dilemmas, Limitations, Perspectives,” and in Prague, where he delivered a speech entitled “A few unconcluded legal-historical problems of Polish rural studies.” Also in September 2022 he took part in 7<sup>th</sup> Congress of Polish Medievalists in Katowice, where, in cooperation with doc. PhDr. Tomáš Klír, Ph.D. (Charles University in Prague) and Dr. Maria Legut-Pintal (University of Wrocław) he presented a paper “Na styku przestrzeni, uprawnień i miar. Przyczynek do kwestii formowania się wsi czeskich, morawskich.”

Meanwhile, Prof. Dr. hab. Andrzej Bryk from the Department of General Legal History presented papers at international conferences “Zderzenie kulturowe w UE” (paper: “I Rzeczpospolita – światowa potęga wolności i zasad”), “Wolność we współczesnej Europie. Unia Europejska i jej liberalizm” (paper: “Czy problemy kulturowe współczesnej Europy to wynik «amerykanizacji?»”) as well as “Historical-comparative aspects of European public law: the Polish Constitution of 1921” held by University of Bergamo on April 23, 2021, where he authored a speech “European and Polish Constitutionalism in the aftermath of the WWI”. He also took part in the International Interdisciplinary Seminar “Idee – Człowiek – Filozofia” with the paper “Liberalne prawa naturalne i autokreacja moralna.”

From the same department, Dr. hab. J. Halberda was present during a Legal History Seminar at Glasgow University of Glasgow (May 11, 2022) with a speech “Estoppel in Anglo-American Private Law,” as well as during the international conference “English Law and Colonial Connections: Histories, Parallels, and Influences” held by University of Łódź and Northumbria University, where he delivered a paper entitled “The Principle of Good Faith and Fair Dealing in Anglo-American Contract Law.” Dr. P. Michalik and Dr. M. Mataniak participated in the 28<sup>th</sup> National Congress of Legal Historians held in Warsaw on September 22–24, 2021, where they delivered papers “Stosowanie przepisów prawa spadkowego Code civil przez sądy Wolnego Miasta Krakowa (1816–1833)” (Dr. P. Michalik) and “Egzekucja z nieruchomości w Wolnym Mieście Krakowie (1815–1846) – w świetle ustawy Prawo o egzekucji sądowej z 17 czerwca 1823 r. i orzecznictwa. Zarys problematyki” (Dr. M. Mataniak). They also attended the 15<sup>th</sup> International

Legal History Conference “*In toto et pars continetur* – influence of codification processes on legal system over the centuries” in Kraków and National Scientific Conference “Christianity. Country. Society,” organized by the Institute of Law and Economics, of the University in Bydgoszcz.

Dr. P. Michalik also actively participated in the 18<sup>th</sup> National Symposium on Religious Law and national conference “Status prawny cudzoziemca – historia i współczesność” held by Adam Mickiewicz University in Poznań (March 29, 2022, paper “Status prawny cudzoziemców w Wolnym Mieście Krakowie – wybrane aspekty w teorii i praktyce.”) Meanwhile, Dr. M. Mataniak delivered a paper “Przestępstwa urzędników Wolnego Miasta Krakowa w świetle orzecznictwa Najwyższego Sądu Karnego (1839–1847)” during the conference “Ewolucja prawa karnego na przestrzeni wieków – *Malorum poena praesidium est bonis*,” held in Kraków, September 16–17, 2022 as well as “Badania nad orzecznictwem sądowym Wolnego Miasta Krakowa (1815–1846) jako źródło wiedzy o stosowaniu Kodeksu Napoleona na ziemiach polskich w I poł. XIX w.” during the conference “Nowe kierunki i metody badań nad historią państwa i prawa polskiego” held in Łódź on October 24, 2022.

Finally, Prof. A. Dziadzio from the Department of General Legal History participated in a conference organized by Prof. Mauro Mazza from the University of Bergamo, entitled “Historical-comparative aspects of European public law: the Polish Constitution of 1921” (April 23, 2021) during which he delivered a paper “The system of government in the Polish Constitution of 17 March 1921: remarks to the essay by Professor Angela Orlandi.” The aim of the conference was to carry out a multifaceted analysis of the content of the March constitution on the centenary of its adoption. He also delivered papers during conferences held by the Institute of Law and Administration of the Pomeranian University in Słupsk, both on the one entitled “Wielcy kodyfikatory i wielkie kodyfikacje. W 250. rocznicę urodzin Michała Speranskiego” on May 31 – June 3, 2022 (paper “Powstanie austriackiego kodeksu ABGB i jego twórca”) as well as during the congress of historians of political and legal doctrines (September 20–23, 2022), when he prepared a speech “Zasada monarchiczna a suwerenność w niemieckiej myśli prawno-ustrojowej XIX w.”

During the same congress, members of the Department of the History of Political and Legal Doctrines (Dr. hab. Iwona Barwicka-Tylek, Dr. Anna Ceglarska, Dr. Marcin Tomaszewicz) were also present and delivered their own papers regarding the concepts of prudence and relational subjectivity, role of mythological hero in political thought and the early modern concept of subjectivity. In addition to that, Dr. hab. I. Barwicka-Tylek attended the ELSA conference on human rights (with the paper “Evelin Lindner: godność i prawa człowieka,” December 10, 2021) as well as the Inaugural Conference of “Nomos: Centre for International Research on Law, Culture and Power,” held in Kraków on May 13–14, 2022, with the paper “Still in the Shadow of Hobbes: A Historian’s Complaint About Critical Juris(Im)Prudence.” Dr. hab. I. Barwicka-Tylek is also a member of the scientific council of said centre.

Furthermore, both Dr. hab. I. Barwicka-Tylek and Dr. A. Ceglarska participated in the International Conferences “O pojmowaniu prawa i prawoznawstwa” organized by the University of Szczecin: Dr. hab. I. Barwicka-Tylek in its 3<sup>rd</sup> edition (paper “Edukacja prawnicza i problem brakującego ogniwa”) while Dr. A. Ceglarska in the 1<sup>st</sup> (with paper



“Czy prawnu potrzebny jest heros?”). In 2021 Dr. A. Ceglarska participated as well in the international conference in “Legal Science in Practice” in Pilsen, where she discussed tales and fiction in political education, based on the case of Lucian of Samosata.

On September 2–5, 2023 one more congress, the annular national congress of Romanists was held in Mrągowo, in which most of the members of Department of Roman Law took part and presented their papers, that is, Prof. Dr. hab. Franciszek Longchamps de Bériér, Dr. hab. Tomasz Palmirski, Dr. Paulina Święcicka, Dr. Karolina Wyrwińska, Dr. Grzegorz Blicharz, Dr. Kamil Sorka, Mgr Grzegorz M. Tracz and Mgr Patryk Walczak. Members of the Department also participated in many other conferences and seminars. During the one entitled “Konstytucjonalizacja prawa prywatnego a europeizacja prawa prywatnego. Porównanie zjawisk,” held in November 2022 in Poznań, Prof. F. Longchamps de Bériér delivered a speech “Prawo a czas i władza – okiem prawnika historycznego.”

Prof. F. Longchamps de Bériér and Dr. G. Blicharz also participated in the debates during the Transatlantic Seminar Religious Freedom and Legal Education held on November 2022. Both have also participated in conference “XXXIX Dni Praw Człowieka: Amerykańskie Drogi i bezDroża prawa do urodzenia się od *Roe v. Wade* do *Dobbs v. Jackson*” organized by the Institute of Sociological Sciences of the John Paul II Catholic University of Lublin with papers “*Roe v. Wade*, sędzia Blackmun i prawo rzymskie” (Dr. G. Blicharz) and “Nie tylko co, ale i jak – *Dobbs v. Roe & Casey*” (Prof. F. Longchamps de Bériér). Similarly, during the international seminar “Human Dignity, Vulnerability, and Social Justice” at Harvard University, both Prof. F. Longchamps de Bériér and Dr. G. Blicharz delivered speeches entitled, respectively, “Laziness as an Anthropological Challenge for Law in the Time of the Pandemic”, and “Dignity at Work: Digital Platform Workers as Freedmen.”

During the 6<sup>th</sup> National Forum of Young Romanists, held on July 1, 2022, with the leitmotif “Roman Studies and Didactics of Roman Law”, JU was represented by Dr. K. Wyrwińska and Dr. P. Święcicka. Furthermore, on November 30, 2022, the International “Common Good” Conference organized by the Ludovika Collegium of the University of Public Service in Budapest was held. Its purpose was to discuss the role of Roman law in the 21<sup>st</sup> century. Dr. G. Blicharz delivered there a speech “*Locatio Conductio*: Roman Law as an Apolitical and Diachronic Example”.

Finally, Dr. hab. Ł. Marzec (“«*Sacrosanctis Evangelii propositis*». Sacrum in the formation of ancient lawyers’ ethical principles”), Dr. G. Blicharz (“*Locatio Conductio* as a Vehicle for Religious Freedom: Roman Jurisprudence in Context”) and Dr. P. Święcicka (“Roman jurist and the Sphere of Sacrum”) represented the Department of Roman Law during the 73<sup>rd</sup> World Congress of SIHDA (Société Internationale Fernand de Visscher pour l’Histoire des Droits de l’Antiquité).

Moreover, members of the departments not only actively participated, but also organised events and conferences related to law, doctrines and constitutional history. On October 8, 2021, a conference was held on the heritage of the March Constitution on the 100<sup>th</sup> anniversary of its establishment. It was organized by the Department of the History of Administration and Administrative Thought, the Department of the General History of Law and the Department of the History of Polish Law. The conference was attended by researchers from more than a dozen Polish academic centres. Post-conference materi-

als were published successively in the issues of *Cracow Studies of Constitutional and Legal History*.

The Department of Civil Procedure, together with the Department of Roman Law, in cooperation with the Departments of Roman Law and Civil Procedure of the University of Gdańsk and the University of Rzeszów, also organized a nationwide conference, the subject of which was civil recognition and enforcement proceedings: the Roman prototype and modern solutions.

Besides active participation and organization, members of the Faculty of Law and Administration were also frequently invited to deliver guest lectures at different universities and during various seminars. Among such, there can be mentioned two lectures by Dr. hab. I. Barwicka-Tylek, who conducted a seminar as part of the “School of Critical Legal Analysis” on the topic of “*Prudentia iuris*: myślenie krytyczne, etyka, polityka w zawodzie prawnika” as well as a lecture on political leadership as part of the training of young leaders in cooperation with the “Forum Kreatorów Przyszłości”, regarding prudence as the forgotten virtue of a good leader.

At the invitation of the Andrzej Frycz Modrzewski Kraków University, Dr. P. Michalik delivered a lecture “Stosowanie przepisów prawa spadkowego Code civil przez sądy Wolnego Miasta Krakowa (1816–1833)” and Dr. K. Sorka, invited by Prof. W. Druwé, delivered a guest lecture at the KU Leuven, entitled “*Ius Commune* on the Periphery: a Study of Peasants’ Wills in Poland in the XV–XVII Centuries”. Dr. hab. K. Fokt also delivered a lecture at the Evangelical parish centre Tivoli in Görlitz as part of the DenkMal project entitled “Górnołużyckie dziedzictwo sprzed 800 lat: samorządność miast i wsi.”

The Roman Law Department employees gave lectures during the postgraduate summer course “El cristianismo en la Historia de la Humanidad. Las Edades del Hombre” in July 2022 at the UNED University in Plasencia. Prof. F. Longchamps de Bériér presented the issue of European identity and the importance of Christianity for law, and Dr. G. Blicharz focused on the evolution of the legal concept of dignity since Greek and Roman times and the novelty brought by Christianity in this respect.

## Publications

In the previous two years, M. Mikuła published the monograph (*Municipal Magdeburg Law (Ius municipale Magdeburgense) in Late Medieval Poland. A Study on the Evolution and Adaptation of Law*. Leiden–Boston: BRILL, 2021 [Series: Medieval Law and Its Practice, vol: 30]) and two volumes of source editions – one with K. Fokt (*Oppidum nostrum Mislmicze. Dokumenty monarsze dla miasta Myślenic z czasów piastowskich i jagiellońskich*. Myślenice: Muzeum Niepodległości w Myślenicach, 2022)<sup>9</sup> and one independently (*Księga ławników myślenickich 1700–1713 (1725)*. Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego, 2022 [Fontes Iuris Polonici, Seria Prawo miejskie, t. 8]). He is participating as a contractor in a research project funded by the NCN entitled

---

<sup>9</sup> The project “Where did Myslenice come from” was co-financed by the Polish History Museum as part of the Patriotism of Tomorrow Program.

“Natural History of Law” (PI Prof. Dr. hab. Bartosz Brożek). He also implemented a project funded by the Strategic Program “Excellence Initiative. Research University” titled “Edition of Polish Legal Writings 16<sup>th</sup>–18<sup>th</sup>: Preliminary”. Jagiellonian University law students and graduates took part in this project: Weronika Barabasz, Piotr Drążyk, Damian Klimczak, Anna Marcol, Arkadiusz Piskorz, Izabela Wasik.<sup>10</sup>

Dr. hab. K. Fokt published a book entitled *Organizacja grodowa w Drugiej monarchii piastowskiej. Studium krytyczne*. Kraków: Societas Vistulana, 2022. It is an attempt of reconceptualization of the predominant view of the institutions of governance existing in the polity of the Piast dynasty in the 11<sup>th</sup> to 12<sup>th</sup> centuries, aimed at elimination of redundant assumptions of their stability and hierarchical structure.

A scientific monograph was also published by Dr. K. Sorka, entitled *Veritatem esse quaerendam. Prawda w rzymskim procesie cywilnym*. Kraków: Księgarnia Akademicka, 2021.

Furthermore, Prof. M. Małecki during the last two years published three books: *Nie tylko muzeum. O działalności „Pro Memoria. Stowarzyszenia bitwy pod Pszczyną 1939” w pierwszej dekadę powstania*. Pszczyna 2021; *Muhi. Z dziejów obecności Mongołów w Europie*, vol. I: *Wojna – prawo – obyczaje*. Tarnowskie Góry: Infort Editions, 2022; and *Z dziejów wojny obronnej Polski 1939 r. Bitwa graniczna pod Pszczyną*. Pszczyna 2022, 2<sup>nd</sup> edition.

Finally, Prof. Izabela Lewandowska-Malec from the Department of Polish Legal History finished a monograph «*Communis consensus – unanimes consensus*». *Sejm walny Rzeczypospolitej Obojga Narodów w latach 1586–1668*. Kraków: Księgarnia Akademicka, 2021.

Other publications included mostly articles in renown, peer-reviewed journals and review articles. Among them, two articles by Dr. hab. I. Barwicka-Tylek are worth mentioning:

“Przeszłość, która nie zaniedbuje przyszłości: o roztropnym korzystaniu z pamięci”. *Ethos* 34, no. 3 (2021): 67–84; “Innowacyjność współczesnych teorii demokracji w perspektywie historycznej”. *Horyzonty Polityki* 13, no. 44 (2022): 71–84; she is also a co-author, with Dr. A. Ceglarska, of an article “Does *la bouche de la loi* anything to say in democracy? An exercise in legal imagination and political geometry”. *Studia Iuridica Lublinensia* 31, no. 2 (2022): 85–99. In addition, Dr. A. Ceglarska also published the paper “Law as a fable: the issue of myth in the interpretation of law”. *Studia Iuridica Lublinensia* 30, no. 2 (2021): 49–61, and a chapter in a monograph “Początki idei społeczeństwa obywatelskiego w poezji Tyrteusza”. In: *Spółeczeństwo obywatelskie: historia, teoria, praktyka*, eds. Rafał Kania, Marcin Kazimierzczuk, 34–52, Warszawa: Difin 2021.

Dr. M. Tomaszewicz (Department of the History of Political and Legal Doctrines) published several articles, mainly concerned with Christian thought (i.a. “Heterodoksyjne



UCZELNIA  
BADAWCZA  
INICJATYWA DOBROCI

10

The research is supported by a grant from the Priority Research Area Heritage under the Strategic Programme Excellence Initiative at Jagiellonian University.

grupy wyznaniowe chrześcijańskiego dominatu w świetle monografii A. Dębińskiego”. *Polityka ustawodawcza rzymskich cesarzy chrześcijańskich* 15 (2021): 236–48; “Pseudo-Dionysius’ Concept of Hierarchy and the Imperial Cult in Early Roman Empire”. *Cracow Studies of Constitutional and Legal History* 15, no. 1 (2022): 1–15; “Pojęcie sprawiedliwości w historiozofii starożytnej”. *Gubernaculum et Administratio* 2 (2021): 357–71. However he also analysed more contemporary matters in: “Historiozoficzne znaczenie prawa na przykładzie psychologicznej teorii prawa Leona Petrażyckiego”. *Gubernaculum et Administratio* 1 (2022): 215–28 or “Cykliczny i linearny obraz dziejów w historiozofii XX wieku na podstawie myśli Oswalda Spenglera i Francisa Fukuyamy”. *Logos i Ethos* 58, no. 2 (2021): 107–26.

Prof. A. Dziadzio also published several articles (among others: “Urząd Generalnego Delegata Rządu dla Galicji (1919–1921)”. *Przegląd Sejmowy* 165 (2021): 37–64; “Vertragstypenzwang im Code civil: die Gültigkeit gegenseitiger Verträge in der Judikatur der Freien Stadt Krakau (1815–1846)”. *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Germanistische Abteilung* 139 (2022): 270–83; “The system of government in the Polish Constitution of 17 March 1921: remarks to the essay by Professor Angela Orlandi”. *DPCE Online*, no. 3(48), online: <http://www.dpceonline.it/index.php/dpceonline/article/view/1393>) as well as a review of the book “The academic portrait of the creator of the pure theory of law. Several facts from Thomas Olechowski’s book entitled *Hans Kelsen. Biographie eines Rechtswissenschaftlers*. Tübingen: Mohr Siebeck, 2020 (1027 pp.)”, which was published in *Cracow Studies of Constitutional and Legal History* 14, no. 3 (2021): 383–95. He also prepared two popular science publications, both published in the journal *Teologia Polityczna Co Tydzień*: “Konstytucja 3 maja 1791 a idee Oświecenia” (no 18(266)/2021: 1–6) and “Konserwatyści galicyjscy w służbie monarchii Habsburgów” (no 26(274)/2021: 1–10).

Prof. Dr. hab. Andrzej Bryk wrote a chapter in a monograph: “La démocratie libérale, l’oligarchisation et la prétendue révolte populiste en Europe”. In: *Le constitutionnalisme face Au populisme en Europe centrale*, eds. Nicolas Haupaïs, Tristan Pouthier, Piotr Szwedo and Wojciech Zagorski, Bayonne: Institut Francophone pour la Justice et la Démocratie, 2021. He also published three papers regarding the presidency of Donald Trump, that came out in 2021, in the journal *Krakowskie Studia Międzynarodowe*: “Donald Trump’s Presidency – an Impossible and Still Unfinished Rebellion: Introduction” (pp. 7–44); “Donald Trump and America Divided Against Itself” (pp. 47–84) and “Trump and the Conservative Movement” (pp. 195–227). His other publications from last years are an article in *Rzeczpospolita* (“Amerykańska kontrrewolucja w sprawie aborcji”) and an interview for *Tygodnik TVP* held by E. Pietryga (“Kliniki aborcyjne nie przypadkiem stanęły na obrzeżach murzyńskich gett”, July 8, 2022).

Dr. P. Michalik prepared a review of the book by Rebecca Probert, *Tying the Knot: The Formation of Marriage 1836–2020*. Cambridge Studies in English Legal History. Cambridge: Cambridge University Press 2021, XIII + 283 pp. which was issued in *Cracow Studies of Constitutional and Legal History* 14, no. 4 (2022), together with articles: “Wstrząsające wspomnienie uzurpacji Bonapartego? – uchwalenie zasad prawa spadkowego do kodeksu cywilnego Wolnego Miasta Krakowa.” *Studia z Dziejów Państwa i Prawa Polskiego* 25 (2022): 13–36; and “Stosowanie przepisów prawa spad-

kowego Code civil przez sądy Wolnego Miasta Krakowa – sprawa Sawiczewskich”, *Cracow Studies of Constitutional and Legal History* 14, no. 3 (2021): 307–30.

Additionally, an article by Dr. K. Górski was issued in *Miscellanea Historico-Iuridica* 21, no. 1 (2022), with the title “Zawieszenie jurysdykcji w grodzie krakowskim ze względu na sejmik lub sejm w świetle praktyki przełomu XVI i XVII w.” (“Suspension of Jurisdiction of Castrensial Courts of Law in Kraków Due to Sejmik or Sejm in the Light of Their Praxis at the Turn of 17<sup>th</sup> Century”).

In *Harvard Journal of Law and Public Policy* the article of Dr. G. Blicharz was published, entitled “Why Justice Blackmun’s Appeal to Roman Law to Justify *Roe v. Wade* is Wrong.” It is related to the discussion about the US Supreme Court and the abortion controversy. Besides that, Dr. G. Blicharz published a chapter in the monograph *Human Dignity and Law: Studies on the Dignity of Human Life*, ed. Jose María Puyol Montero. Valencia: Tirant Lo Blanch 2021) with the title “Humans as a Service: Ethics in the Sharing Economy and the Ancient Model” (pp. 134–62). In the same book there is also a chapter written by Prof. F. Longchamps de Bériet, entitled “Persona: Bearer of Rights and Anthropology for Law” (pp. 24–55). Furthermore, Prof. Longchamps de Bériet shared the results of his research in the article “Religious Freedom and Legal Education”. *Forum Prawnicze* 68 (2021): 22–33.

## Varia

It is worth mentioning here that during the last few years some personal changes have taken place. In 2022 Prof. Dr. hab. Krystyna Chojnicka, formerly chair of the Department of the History of Political and Legal Doctrines and Dean of the Faculty of Law, retired. Consequently, Dr. M. Tomaszewicz joined the Department. The year 2022 also bear witness to the passing of Prof. Michał Jaskólski, long-term chair of the said Department, who retired earlier in 2018.

In response to the growing demand and wide interest in the subject, a second scientific club also started its activity in cooperation with the Department. The Scientific Club of Eastern Slavic Culture and Law was founded in 2022 and brings together students from all over the University. Dr. A. Ceglarska is the scientific supervisor of the club. Dr. hab. I. Barwicka-Tylek also took part in the “School of Mentors” programme, organized by Collegium Wratislaviense in cooperation with ZintegruJ.

The Department of Polish Legal History was joined by new researchers as well. On June 29, 2021, Kacper Górski defended his thesis entitled “Jurysdykcja karna sądu i urzędu grodzkiego krakowskiego w latach 1585–1620. Studium z dziejów staropolskiego wymiaru sprawiedliwości” (“Penal jurisdiction of both judicial and official castrensial courts of law in Kraków (1585–1620). A study of Old Polish administration of justice”), which he prepared under the supervision of Prof. Dr. hab. Waław Uruszczak. The thesis was awarded by the President of the City of Kraków in 2022. It also took part in the prestigious competition for the best doctoral thesis in the field of legal sciences held by the *Państwo i Prawo (State and Law)* journal. Then, since October 2021, Dr. K. Górski started working at the Department of the History of Polish Law and became the secretary

of the *Cracow Studies of Constitutional and Legal History*. Meanwhile, on February 21, 2022, also Jakub Pokoj defended his doctoral dissertation, entitled “Zwalczanie lichwy wojennej na obszarze właściwości krakowskich organów sądowych i administracyjnych w latach 1920–1932” (“Combating of wartime usury in the jurisdiction of the Cracow judicial and administrative authorities in years 1920–1932”). It was prepared under the supervision of Prof. I. Lewandowska-Malec.

Additionally, members of the departments actively participated in education and promotion of young researchers. As a result, in 2022 Mgr Piotr Eckhardt defended his doctoral thesis written under the supervision of Dr. hab. I. Barwicka-Tylek, entitled „Ideologia Polski Ludowej w przepisach z zakresu mieszkalnictwa, budownictwa i urbanistyki (lata 1944–1989)”. Similarly, Prof. M. Małecki was a reviewer of the international habilitation of Dr. Vilem Knoll (University of Pilsen), and of Konrad Kałka’s doctoral thesis (from the Andrzej Frycz Modrzewski Krakow University). He is also the scientific supervisor of the scientific club of History of Legal Culture, as well as a member of several national and foreign scientific societies and associations. In 2021 he became an honorary member of the Hungarian Scientific Society in the field of History of Legal Culture and Ethnography of Law named after Ernő Szűcs Tárkány (Tárkány Szűcs Ernő Legal Cultural History and Legal Ethnographic Research Group). Dr. hab. J. Halberda also participates in several organizations. He currently holds the position of treasurer – member of the board of the Polish Society for the History of Law, while also being a member of the editorial board of *Cracow Studies of Constitutional and Legal History*, where he created and supervised the review department (2021–2022). In the meantime, Prof. A. Bryk was the main redactor of an issue of *Krakow International Studies*, published in 2021.