

## SUMMARY OF PROFESSIONAL ACCOMPLISHMENTS

### 1. Tomasz Chłopecki

### 2. Diplomas and academic degrees

Master's degree diploma in Law obtained at the Faculty of Law, Administration and Economics of the University of Wrocław in 2011.

PhD degree in Legal Studies conferred by the Council of the Faculty of Law, Administration and Economics of the University of Wrocław on June 23, 2014 (based on the dissertation: *Political and legal thought of the ruling camp in Poland in 1935-1939*)

### 3. Information on previous employment in scientific units

2011-2014 – full-time PhD studies at the Faculty of Law, Administration and Economics of the University of Wrocław.

October 2017 – now – assistant professor at the University of Law in Wrocław

### 4. Scientific achievements within the meaning of art. 16 sec. 2 of the Act on academic degrees and the academic title as well as on degrees and title in the field of art – monograph

*Concepts of the Profession of Notary and Its Institutions in the Years 1918-1951. State or Private Notary Institution?*

"TUM" Publishing House, Wrocław 2019, pp. 452 (reviewers: ks. Prof. Wiesław Wenz, Prof. UKSW Elżbieta Karska), ISBN 978-83-7454-450-4.

The monograph is the result of scientific research in the field of evolution and development of the notary system, which I have been doing since the beginning of my scientific work. Notaries as "judges of no dispute" undoubtedly contributed to the development of Polish legislation not only within the work on the unification of the law on notaries, but also in other branches of law that had a fundamental impact on the development of the profession of notary and its institutions, both in historical and contemporary terms. The paper was based on numerous researches and scientific queries. Archival materials, old prints, manuscripts and literature were used in the research, available at scientific centers and

archives in Poland and abroad, including in Wrocław, Kraków, Warsaw, Poznań, Lviv and Vilnius.

The starting point for the considerations contained in the publication is drawing attention to the question whether and to what extent Roman law influenced the development of law on Polish lands – especially during the Middle Ages. In my opinion, the emergence of Roman law in the period in question definitely contributed to the growth of the position of the notary as a legal institution, as well as the role of a notary in Poland. The following elements contributed to this situation: law studies at Italian and French universities, presence of educated lawyers in European mansion law offices, the influence of canon law, applied in ecclesiastical tribunals and by notaries educated in canonical and Roman law. Against the background of my considerations presented in the work, I would like to affirm that the research of phenomena in legal and historical terms allows us to see that these laws have grown out of the common roots of Mediterranean culture and have survived to this day in the traditions, customs and mentality of society.

The scientific goal of the monograph is not only to present the concept of shaping of the profession of the notary in the Polish territory in legal and historical terms, but above all to indicate general legislative solutions regarding the profession of the notary and its institutions during the interwar period as well as to present their impact on interpretations and legal concepts applicable after the Second World War – until the adoption of the Act of 25 May 1951 – the law on notaries. The aim of the paper is to discuss the presented concepts regarding the legal position of the notary and the fundamental issue, which are considerations regarding whether the notary should be a state or private institution. Certainly, this discussion is up-to-date and requires a broader presentation and commentary. In the paper, I also presented the concepts of development of legal institutions, which undoubtedly played a significant role in shaping the notary institution, as well as the influence of the notary on the development of many branches of law. It is worth noting that created legislation, such as the provisions of the bill of exchange and cheque law, the Commercial Code, solutions for stamping regulations, regulations regarding commercial law companies and solutions for the Civil Code were of fundamental importance in the formation and development of notarial activities and the notary's position in the post-Second World War period.

The above elements confirmed my conviction that one of the research problems indicated directly in the title of this publication requires a broader approach, going beyond the legislation regarding the notary institution itself and its development during the Second Polish Republic. In order to fully present issues of the notary institution, what was carried out in the

Imię <sup>2</sup> CT

paper was an in-depth analysis of many areas of law, whose emergence and formation were considerably influenced by the notary institution. I am referring here to the concepts of civil law, commercial law, including joint-stock companies and limited liability companies, bill of exchange law, cheque law, stamping and bankruptcy law as well as arrangement law. Here I put forth another thesis that the development of these branches of law had a direct impact on the shaping of solutions for the law on notaries (*atque inter*).

The paper consists of five chapters, in which I discussed the concepts and interpretations of legal solutions of the Second Polish Republic ended after the so-called "great break" in the years 1939-1945 with the adoption of the Notaries Act of 1951. Such division of paper allows for the presentation of considerations from the period of the Second Polish Republic and their direct comparison with the solutions presented in 1945-1951, which highlights the timelessness and importance of solutions adopted in the period of the Second Polish Republic. It is worth noting here that many legal solutions regulated in the interwar period, despite the change in the political, legal, social and economic situation in the Polish territories after the Second World War, were still in force.

The paper presents a thesis that the legal solutions adopted in 1918-1939 were undoubtedly one of the most modern in the period in question in Europe and for many years were a model to follow – this applies not only to the provisions of the notaries law, but also to many other legal solutions discussed in the paper, in the creation of which many notaries took part. These solutions are also presented and discussed in the publication.

Chapter I contains considerations regarding the organization of a notary institution. The reading of this part of the thesis also allows for answering the question why the notarial legislation in force in Poland was regulated by three notarial organizations, sometimes treating the notary's function differently. The variety of basic assumptions regarding the notary was also highlighted. In the areas of the Austrian partition, a notary was not considered an official, in the Prussian partition notary was connected to the bar, and only in the Russian partition the notary was included in the group of officials, as they were considered a titular official.

Chapter II considers the need for the existence of a notary. I paid attention to the notary institution and the position of a notary in the shaping and development of Polish statehood. The life of the state and its citizens had to be based on law, which is why from the very beginning of the existence of an independent state, the idea of replacing various district laws with the state's own law and striving for its implementation was commonplace. The essence of the notary's office was often compared to the function of the legislator in the

discussed period: "under the leadership of a notary or their deputy authorized by them, a miniature parliament took place composed of two, several, or several dozen people whose resolutions were to be adopted unanimously"<sup>1</sup>. Without the notary's signature, the law did not become a "law", despite the observance of all other provisions of the law on notaries. The use of this comparison undoubtedly proved the importance of the notary institution and the role of the notary after Poland regained its independence.

This chapter presents the most important concepts presented by the Codification Committee, in which two fundamental issues played a special role – the notary's official position as well as the functioning and tasks of the notarial self-government. In the first issue, the problem boiled down to the question whether the state considered it appropriate to include notaries in the group of state officials and whether the notary was supposed to be a representative of a freelance profession – this question is still valid nowadays. The paper discussed in detail the debates on this topic that took place during the Second Polish Republic. Certainly, the recognition of notaries as representatives of the freelance profession created a certain "safety buffer" in business transactions – giving a special guarantee of the activities performed, as well as the certainty of compliance with the law of trading itself. This part of the paper presents and discusses (also critically) the concepts presented by eminent Polish lawyers, representatives of the world of science and politicians, such as Władysław Leopold Jaworski, Szymon Landau, Stefan Góra, Jakub Glass, Stanisław Stein, Stefan Breyer, Jan Grzyboczyk, and members of the chambers of notaries.

Chapter III presents regulations regarding the system of a notary institution, including a very important issue of notarial compulsion. Almost all legislation on the European continent and US legislation as well as legislation based in particular on Roman law have accepted and acknowledged the compulsion of containing public deeds in specific cases in order to avoid doubts as to the will of the parties containing a notarial deed. In this part of the paper I put forward the thesis that the law on notaries of 1991 was to a large extent modeled on the provisions of the regulation of 1933 – also in the discussed matter, it did not diverge significantly from the systemic function of the notary provided for in the above regulation – in Art. 1 § 1 it was stated that the notary public was appointed to perform activities to which the parties are obliged to, or wish to give, a notarial form. Concepts regarding the creation and functioning of the chamber of notaries were very important, and were also discussed in this part of the work. Nowadays, there are discussions about the unification of the form of a

---

<sup>1</sup> T. Nawrocki, *O właściwą obsadę kancelarii notarialnych*, „Przegląd Notarialny”, 1938, no. 22, p. 10.

notarial deed, which would cause, among others, its greater transparency. In a similar fashion, there were also discussions during the Second Polish Republic. This issue was repeatedly raised by the notaries themselves, being the subject of numerous debates, during which the willingness to introduce far-reaching changes in this matter was expressed.

In Chapter IV, issues relevant to the notarial practice are considered. Unification of regulations in the territory of the Republic of Poland was very difficult. The legal systems different from each other, under which Poland remained for over one hundred years, managed to develop a very different practice. Unification could not, of course, consist of imposing the law of one district entirely on the other districts. It was also a very big challenge for the whole notary community. The validity of many legal regulations also after the Second World War indicated the practical significance of the reforms planned on a national scale. It should also be noted that the history of the regulation of the bill of exchange and cheque law discussed in this chapter was varied. The bill of exchange law was taken from the text of the so-called Hague Convention of 1912, whereas the cheque law was not codified at the Hague conference, it only defined its main principles in 34 articles, which is why the Codification Committee had more freedom in drafting the cheque law than in drafting the bill of exchange law. The adoption by the Geneva Conference in 1930, following the Hague Conference, of the unified bill of exchange and cheque law was undoubtedly the first attempt to unify private law, enabling easy and direct international economic transactions. The proposed changes introduced completely new solutions to the Act. It should be noted that the bill of exchange and cheque law were based on legitimate legal and economic principles and certainly their introduction further strengthened the proper formation of economic relations, both within the country and on the international arena.

In this chapter, apart from the above issues, the issues of commercial law, shaping of the provisions on limited liability and joint-stock companies as well as bankruptcy and arrangement law were also discussed. I put forward the thesis that the mentioned branches of law were fundamental to the development of the notary institution, and their mutual formation and permeation during the Second Polish Republic certainly did not have any impact on the development of law in later years. If we are talking about the period of the Second Polish Republic, it should be pointed out that the legal solutions of the presented period were of particular importance in terms of perceiving the notary institution and the notary's position, and in many cases they were ahead of the era. Undoubtedly, this is evidenced by the fact that many provisions, such as the bill of exchange law or cheque law, have kept their solutions to this day, and many solutions in the following decades were modeled on those of this period.



Chapter V presents the concepts of the notary institution after the Second World War. After the "great break" period, the first stage of the unification of private law in Poland included the unification of all basic areas of this law. In the field of substantive civil law, pre-war provisions were in force (Code of Obligations was partly amended and supplemented during the unification works), while, taken from the period 1945-1946, general regulations, personal and property law, family law, guardianship law and inheritance law were binding. In the field of commercial law, from the pre-war period, the Commercial Code was in force along with the bill of exchange, cheque and bankruptcy law as well as other special laws in the field of social and economic life.

The Second World War changed the collective life of society and revised many common views on legal, social, or economic relations, not sparing the notary institution. The assumptions of the decree of January 24, 1946 provided for the temporary assignment of duties of notaries to judges and prosecutors, and they changed the principles expressed in the law on notaries of 1933. Under the law on notaries, the notary was not a public official, they were a private person, given public trust, a public officer appointed to draw up acts and documents under the law and to perform other activities ordered by law. In the discussed period, State Notary Offices were established, which were bodies appointed to draw up and certify acts and documents of a civil law nature to give credibility as well as confirm facts of legal significance. The creation of a common post-war law was one of the most important postulates.

Attention should be drawn to the clear antinomy that emerged in terms of the notary's position between the 1933 and 1951 regulations. According to the law of October 27, 1933, "notary is a public officer" (Art. 1), appointed by the Minister of Justice (Art. 7), operating under its supreme supervision (Art. 42§1) and direct supervision of judicial authorities (Art. 37), appointed to draw up documents bearing a mark of the public trust and to perform other activities of a public nature (Art. 1 and 63), benefiting from the legal protection afforded to state officers (Art. 23), using a seal with a state emblem (Art. 5(1)), whereas based on regulations regarding notarial issues after the Second World War, notaries were appointed as acting district judges – as part of the reform of the judicial system – as *sui generis* notaries-judges and delegates to municipal courts to perform non-contentious proceedings in the specified scope. However, the merger of the notary public with a judge or prosecutor's office opened up a wide scope for abuse.

To sum up the above considerations, the paper presents conclusions that the notary's position was functionally identical to the position of the judge for uncontested matters. The

notary institution played an extremely important role in legal life – the Act of 1933 entrusted the notary with uncontested jurisdiction, including preventive jurisdiction, consisting in drawing up acts to which the parties are obliged to give the marks of public trust or wish to do it. The Polish "notary constitution", recognizing the role of a notary public in the aforementioned way, entrusted the notary with that jurisdiction in an exclusive way and thus ended the parallel activities of the court, known to former district legislations. This jurisdiction was of high importance from a social and public point of view, hence the notary's position entailed many provisions in line with the judge's position, which was reflected in the constitutional provisions. However, the system of the notary institution in its basic assumptions was different from the system of courts, which resulted from the different purpose for which a notary was appointed. In order to safeguard the certainty of legal and economic transactions, which was an important goal of the notary institution, it carried out the task of legal prevention. Władysław Leopold Jaworski also justified the need for the existence of the notary institution because of the important function of executing the so-called preventive jurisdiction in the sphere of property law by drawing up acts (documents) constituting or confirming legal activities. The independence of this function consisted in the fact that the notary, as the organ of preventive jurisdiction, gave legal activities such form and content as were necessary to ensure that the parties' will complies with applicable law and to prevent a divergence between intentional effects and those resulting from activities. For these reasons, there was a need for a notary as a separate institution.

Based on the above considerations, I would like to state that the independence of the notary institution and its separation was not an artificial procedure, carried out solely on the basis of the legislator's order, but was a natural result of evolution in views on society's needs – the notary was an agent cooperating in private-law activities carried out by the parties. In connection with this, the role of the notary institution was particularly highlighted as an important link in preventive jurisdiction as an autonomous, independent legal profession, requiring not only excellent professional preparation, extensive knowledge of economic and social relations, life experience, but also good character that served as the basis to gain full trust from the public. The notary institution was a necessary factor in the legal circulation and played in this field an independent role, the essence of which was rightly described by Władysław Jaworski as a preventive jurisdiction. The state therefore had to develop a notary institution, whose main function was to draw up documents stating the creation, change or abolition of some private-law relations of particular importance from a public interest

standpoint. The role of a notary specified in the Act was completely separate from the role of other bodies associated with the administration of justice.

I would like to state that the notary institution has a centuries-old tradition, and it has survived to this day in its form not because there was no attempt to reform this institution, but thanks to its organization and its proper and rational fulfillment of important functions in the life of societies and states. Therefore, this monograph is addressed to lawyers, historians, political scientists and to all those who want to discuss the development of a notary institution in a democratic state of law and the mechanisms of the occurring changes, which are to strengthen the position of the notary institution and notaries themselves.

## **5. Discussion of other scientific and research achievements**

In addition to the scientific achievement discussed above, my scientific output includes 3 monographs issued after obtaining the degree of Doctor of Law and nearly 60 articles published in scientific journals or as chapters in monographs, including over 30 after obtaining the degree of Doctor of Law. Articles published in Polish and English are focused on several complementary issues that substantively form one whole. I would like to emphasize that the research and scientific areas presented below supplement and develop in terms of concepts and law the achievement described in point 4 of this application. The first area of scientific research being an introduction to the subject of development of the concept of the notary institution is research on political and legal concepts of the Second Polish Republic. Another area of my interest is the considerations regarding the development of the profession of the notary and its institutions in the period of the X-XX centuries. The third area of research, also affecting notarial issues, is research on economic and social concepts in the period of the Second Polish Republic. The subject matter is particularly important from the point of view of the certainty of business trading and the special role of the notary in this matter. The culmination of research on the multifaceted development of the notary institution during the post-war period and its relationship with the bar are scientific queries regarding the development and legal concepts of corporate governments after the Second World War, the results of which were published in the form of two reviewed monographs.

At this point I would like to present my most important scientific and research achievements. At the same time, I would like to point out that I am not discussing all my achievements here – a detailed list of publications and other achievements is contained in Annex 4 to the postdoctoral application.



## **I. Scientific research on political and legal concepts of the Second Polish Republic.**

**Monograph:** *Political and Legal Thought of the Ruling Camp in Poland in the Years 1935-1939. State, Law, Economy*, Poznań 2018. (pp. 605).

This publication is a supplemented and extended version of the PhD thesis defended at the Faculty of Law, Administration and Economics of the University of Wrocław. The subject of the thesis is the political and legal thought of the ruling camp in Poland in the years 1935-1939, understood as a form of legal and political activity, implemented through relations and mechanisms related to the exercise of power, and aimed at realizing a specific legal and political order.

The purpose of the paper is to try to answer the question of how the political and legal thought of the ruling camp in Poland was shaped after the death of its spiritual leader, to what extent constitutional and legal changes initiated immediately after the May coup in 1926 influenced the formation of the Polish state after 1935, and whether the introduction of a strong executive authority brought Poland closer to authoritarian states, or allowed to maintain its independence and relative security in the international arena. The paper presents an analysis of a political and legal thought of particular groups of the ruling camp in order to show common elements of politics until 1935 and after that date, as well as doctrinal differences, which did not allow for the introduction of uniform systemic and legal solutions.

Of course, in many contexts it is perfectly clear that the topics discussed during the interwar period are still valid. It is worth mentioning the economic crisis and actions taken to prevent and minimize its negative effects. It is also noteworthy that many legal solutions created by prominent Polish lawyers were in force in Poland after the Second World War. The four years of the camp's exercise of power during the years 1935-1939, although they led to economic growth, improved position of the army and strengthening of Poland in the international arena, were not fully used.

In the paper I put forward the thesis that, until the outbreak of the Second World War, the ruling camp did not have a uniform and coherent vision of state and law. It should also be noted that in the organization of the then social life there were signs of decomposition. By the concept of decomposition, I mean the breakup of a homogeneous group of the ruling camp after the death of Józef Piłsudski. The ideological and organizational decomposition, as a characteristic feature of this period, occurred, however, much earlier – already in the lifetime

of Piłsudski, but was not disclosed. Based on the research carried out using documents available, among others, in the Archive of New Files in Warsaw, the National Library in Warsaw, the Jagiellonian Library in Krakow, the State Archives in Krakow, the Vasyl Stefanyk Lviv National Scientific Library of Ukraine, the Central State Archives in Vilnius, and the Wroblewski Library of the Lithuanian Academy of Sciences in Vilnius, I determined that the constitutional program of the ruling camp, realizing the state idea of Józef Piłsudski, was not created ad hoc to support the then current political interest. It was created under the influence of the analysis of state relations and expressed the desire to achieve an internally resilient state organization. According to the presented concepts of revision of the Constitution, the Polish state could not be a liberal state, placing individual rights over the interests of the state, nor an imperious state, limiting the freedom of private initiative.

In my opinion, attention should also be paid to the international context. It is easy to accuse the Second Republic of Poland of authoritarian tendencies. They refer to the May coup, the colonels rule or the political ambitions of Edward Rydz-Śmigły. Certainly the violation of the binding legal system was the basis for the creation of the camp in Bereza Kartuska – and this decision caused constant objection. Nevertheless, these phenomena should be seen in the right proportion. Against the background of terror, treated in many countries as a permanent, systematic way of governing, Polish matters take on a proper dimension.

In my paper I also advanced the thesis that the program activity of the ruling camp was characterized by specific particularism – individual political and legal programs were built separately, somehow parallel to each other as, for example, in the systemic or economic aspect. Attempts to combine these considerations were incidental and did not affect the formation of coherent thought. In this situation, it can be seen that, apart from ideological and programmatic considerations, attempts were made by the ruling camp to build its own political doctrine, based on the already existing principles – it was most apparent in the April 1935 Constitution.

In the course of the research, I found that in the legal, scientific and journalistic discussion, one can see a characteristic for this period tendency that apart from the state and economic crisis, there was also a crisis that can be described as a moral one. The causes of economic, systemic and legal difficulties were agreed on in a consistent manner, while the sources of the moral crisis were not presented. The moral crisis or the crisis of trust in the state had its various causes. The moral crisis within the ruling camp can be determined by the

situation in which the unified system of governance has fallen apart. This crisis was also manifested in the "power games" taking place inside the camp.

In the course of the research, I put forward the thesis that the regime under the April Constitution was not headed towards the dictatorship and rule of the individual, but towards creating and strengthening a strong executive power that would be able to cope with the difficult situation in which Europe and the world found themselves. Józef Piłsudski and the camp concentrated around him did not create, or, as Bogusław Miedziński put it, did not "adjust" the April Constitution neither to the Marshal, nor to his successors. The activities undertaken by the camp were to prepare Poland for the possibility of war, giving it not only a strong and modern army, but above all a stable state power, especially a strong executive. In years 1935-1939, legal regulations were passed, which granted Edward Rydz-Śmigły a stronger position compared to other representatives of the ruling camp. It was an unprecedented situation because the April Constitution did not provide for such a solution. This led to the formation of further concepts that sought to justify the position of the General Inspector of the Armed Forces in the state system. According to the "shogunate" concept of Bogusław Miedziński, "the president reigned, but another marshal ruled."

A number of articles presenting political and legal concepts of the Second Polish Republic were also created on this topic. These include, among others: *Ewolucja stosunków politycznych i prawnych w Polsce po śmierci Marszałka Józefa Piłsudskiego*, [in:] *Pióro mocniejsze niż miecz. Studia z zakresu historii o prasy II RP*, ed. by K. Kofin, M. Kofin, Łódź 2018, pp. 43–57, *Koncepcje obozu rządzącego w Polsce wobec mniejszości narodowych w latach 1935–1939. Zarys problematyki polityczno-prawnej*, "Perspectiva. Legnickie Studia Teologiczno-Historyczne", chapter XVI, no. 1 (30), Legnica 2017, pp. 5–19, *Myśl polityczna i prawna obozu rządzącego w Polsce w latach 1935–1939. Zarys problematyki*, "Zeszyty Naukowe Państwowej Wyższej Szkoły Zawodowej im. Witelona w Legnicy", no. 23(2)/2017, Legnica 2017, pp. 179–195, *Koncepcje ustrojowo-prawne obozu rządzącego w II Rzeczypospolitej w latach 1926–1932*, [in:] *Rodzinna Europa. Europejska myśl polityczno-prawna u progu XXI wieku*, ed. by P. Fiktus, M. Marszał, H. Malewski, Wrocław 2015, pp. 257–269 (co-authorship), *Polityczno-prawne uwarunkowania stosunków polsko-niemieckich przed wybuchem drugiej wojny światowej i ich współczesne interpretacje*, Bańska Bystrzyca 2015, pp. 79–106 (co-authorship).

## II. Scientific research on the development of the profession of notary and its institutions in the period of the X-XX centuries

I would like to point out that the development of the profession of notary was inextricably linked to the reception of the provisions of Roman law. Research on this subject points to the special development of the profession of notary in Polish territory and its double track – the development of church notary institution and private notary institution. The solutions implemented in the notary institution in Poland were also based on modern solutions of Italy, France and Germany, which was undoubtedly one of the reasons for reaching for them after Poland regained its independence. The result of the research are the following articles in magazines published in Polish: *Kształtowanie się notariatu na ziemiach polskich od X do XVIII w. Zarys problematyki historycznej i prawnej*, "Zeszyty Naukowe Uniwersytetu Rzeszowskiego. Seria Prawnicza Prawo 21", 21/2017, Rzeszów 2017, pp. 31–47, *Ustawodawstwo notarialne na ziemiach polskich w okresie zaborów*, "Transformacja środowiska międzynarodowego i jego wielowymiarowość", vol. 4, ed. by R. Kordonski, Ł. Muszyński, A. Kordonska, D. Kamilewicz-Rucińska, Lviv–Olsztyn 2017, pp. 151–160. Articles on the development of the notary institution in English have been published, including: *The legal position of the notary in the Second Republic – reform projects. The period 1918–1923*, "Zeszyty Naukowe Państwowej Wyższej Szkoły Zawodowej im. Witelona w Legnicy", no. 25 (4)/2017, Legnica 2017, pp. 133–143, *Reform of the Notaries in years 1929 – 1933*, "Zeszyty Naukowe Państwowej Wyższej Szkoły Zawodowej im. Witelona w Legnicy", no. 26 (1) 2018, Legnica 2018, pp. 139–150.

This part of the achievements also includes articles in which I emphasize the special role of legal solutions having a direct or indirect impact on the shaping of notarial solutions. I am thinking here of solutions regarding mining law (both during the Second Polish Republic and after the Second World War), which was presented in English-language articles: *Mining law in Poland until 1939 - legal approach*, "Przegląd Naukowo-Metodyczny. Edukacja dla Bezpieczeństwa", chapter XI, no. 1/2018 (38), Poznań 2018, pp. 488–498, and *Mining legislation in Poland after 1945. An outline of the issues*, [in:] *Kontynent europejski wobec wyzwań współczesności*, vol. 1, ed. by R. Kordonski, A. Kordonska, Ł. Muszyński, Lviv–Olsztyn 2017, pp. 221–230. Undoubtedly, the solutions of stamping law, bankruptcy law and arrangement law were also important for the development of the concept of the 20th-century notary institution – especially in the interwar period. The relations of these legal solutions and notarial regulations have been discussed in two articles: *Stamp duties in notarial practice*

during the Second Polish Republic. "Modern trends in the international environment transformation: the identities, norms and values", "INTERNATIONAL RELATIONS REVIEW", 2018 (1), Lviv–Olsztyn 2018, pp. 217–228, and *Prawo upadłościowe i układowe w okresie II Rzeczypospolitej*, [in:] *Trendy przestrzeni międzynarodowej w wymiarze globalnym i regionalnym*, vol. 1, ed. by A. Kordonska, R. Kordonski, Ł. Muszyński, Lviv–Olsztyn 2018, pp. 180–198.

### III. Scientific research on economic and social concepts during the Second Polish Republic

I put forward the thesis that the economic development of the state has a direct impact on the formation of the notary institution and its solutions. Notaries as "judges of no dispute" monitored (and still keep on monitoring) the correctness and certainty of business transactions. For this reason, economic thought and presented concepts are invariably important. In connection with this belief, numerous queries and scientific studies on the development of economic concepts during the Second Polish Republic were carried out. Certainly, the solutions introduced have had an impact on the formation of legal solutions of the notary institution. The result of my research regarding this topic are, among others, the following articles: *Koncepcje gospodarcze w II Rzeczypospolitej w latach 1935–1939. Wybrane zagadnienia ekonomiczne i prawne*, [in:] *"Wpływ zmian społecznych, gospodarczych i ustrojowych na system prawa"*, ed. by U. Kalina-Prasznicek, Wrocław 2018, pp. 93–112, *Aspekty ustrojowo-prawne reformy oświaty w II Rzeczypospolitej w 1932 roku*, [in:] *Kontynent europejski wobec wyzwań współczesności*, vol. 3, ed. by A. Kordonska, R. Kordonski, Ł. Muszyński, Lviv–Olsztyn 2018, pp. 312–336, *Interwencjonizm jako próba systemu gospodarczego w II Rzeczypospolitej – ujęcie prawne*, [in:] *Kontynent europejski wobec wyzwań współczesności*, vol. 3, ed. by A. Kordonska, R. Kordonski, Ł. Muszyński, Lviv–Olsztyn 2018, pp. 216–229, *The condition of Polish economy in the first years after regaining independence. Political and legal outline*, "Facta Simonidis. Zeszyty Naukowe Państwowej Wyższej Szkoły Zawodowej w Zamościu", no. 1(11), Zamość 2018, pp. 243–256, *Rewizjonizm metod polityki ekonomicznej w koncepcjach Eugeniusza Kwiatkowskiego. Zarys problemu*, "Modern Geopolitics as a Challenge for International Security", Lviv 2018, pp. 133–141, *Gospodarka niepodległej Polski. Wybrane aspekty polityczne i prawne do 1926 roku*, [in:] *Kontynent europejski wobec wyzwań współczesności*, vol. 2, ed. by R. Kordonski, A. Kordonska, Ł. Muszyński, Lviv–Olsztyn 2017, pp. 205–214, *Koncepcje polskiej*



*gospodarki w latach 1926–1932*. [in:] *Paradygmat zrównoważonego rozwoju w świecie nieprzewidywalnych przemian*, ed. by R. Kordonski, A. Kordonska, Lviv–Olsztyn 2017, pp. 65–80. *Polscy liberalowie gospodarczy wobec polityki ekonomicznej rządu w latach 1935–1939. Wybór problematyki*, "Studenckie Prace Prawnicze, Administratywistyczne i Ekonomiczne", ed. by M. Winiarski, Wrocław 2014, vol. 14, pp. 57–73.

#### **IV. Scientific (mainly archival) research on the development and legal concepts of the self-governments of the legal profession after the Second World War**

##### **Monographs:**

1. *Adwokatura wroclawska w latach 1946–1958*, Poznań 2017 (p. 305).
2. *Z dziejów wroclawskiej Izby Notarialnej w latach 1947–1952*, Poznań 2017 (p. 194).

##### **Annotation 1**

The monograph *Adwokatura wroclawska w latach 1946–1958* presents the way the professional self-government of lawyers operated in an extremely difficult period not only for this group of people. The considerations presented in the publication are based on archival research, and many of them (on the basis of available record cards) have not been analyzed by the researchers before. The results of the research are aimed at introducing the reader to the manner of creation and reconstruction of the Wrocław Bar Association after the tragic events of the Second World War. The study was based on the analysis of thousands of minutes, reports, circulars, ordinances, communications, and many other documents that were created during the creation of the Wrocław Bar Association. Analysis of these materials (among which are also resolutions and documents of the Supreme Bar Council) allows for putting forward the thesis that the period described in the publication was particularly important for the formation of concepts that made it possible to save not only the Wrocław bar, but also the entire Polish Bar during the nationalization of almost all fields of life. I would also like to point to close relationships and jointly created concepts of legal solutions of the Wrocław bar and Wrocław notarial environment.

The years 1946 – 1958 is obviously the period of not only organizational and structural formation of the Chamber, its teams, branches, but also very important changes in legislation and, more broadly, in all political, social and economic life for all Polish citizens. These are

challenges for the bar regarding everyday life, issues with the seat of the Council, premises of teams, financial matters, training of trainees, entries in the list of attorneys or, finally, indoctrination of the existing socialist system. The aim of the publication is also to present the problems of everyday life, which the Wrocław bar faced. One can not ignore the fact that many pre-war lawyers entered the structures of the communist state or its justice – the Minister of Justice from May 2, 1945 to April 21, 1956, was Henryk Świątkowski, Deputy Ministers of Justice in that period were also pre-war lawyers: Tadeusz Rek and Leon Chajn. Another reason for choosing the years 1946-1958 and the start of research on this subject was also the fact that in 2016 the 60th anniversary of the first General Assembly of the Wrocław Chamber, that elected the Bar Council authorities, was celebrated.

## Annotation 2

The monograph *Z dziejów wrocławskiej Izby Notarialnej w latach 1947–1952* is an extension of my previous research on the legal concepts of a notary institution. The systemic and legal changes that took place after the Second World War caused the notary community to accept the need to adapt to the conditions of the functioning of the notary institution in Poland – many notaries from the Chamber of Notaries in Lviv found themselves within the borders of Poland after the Second World War, largely contributing to the organization of the Chamber of Notaries in Wrocław. Archival research made it possible to precisely present the situation of the Wrocław Chamber of Notaries during a very significant period of five years, during the development of solutions having a decisive impact on the functioning of the notary institution in its socialist version. Both the organizational issues concerning the council housing situation and the fundamental ones regarding the visits, proper supervision over the activities performed by notaries as persons of public trust as well as the proper functioning of notary offices are presented. The complete nationalization of the notary institution and the introduction of the State Notary Offices limited the development of the notary institution which was initiated in 1933. Based on the analysis of the results of the notarial questionnaire, I put forward the thesis that joining the functions of a notary and a judge led to many situations of being a "judge in one's own case". Certainly, one should remember about the past period, so that the currently introduced legal solutions could be the "driving force" of the Polish notary institution, as in the "Polish notary constitution" from 1933, effectively modernizing it and meeting the challenges posed by everyday life and the modern world.

## **V. Didactic and popularizing achievements and information concerning international cooperation of the person who submits postdoctoral thesis**

At the outset, I would like to point out that in this part I do not include all my didactic and popularizing achievements – a detailed list of achievements is contained in Annex 4 to the habilitation application. However, I would like to draw particular attention to selected aspects of my scientific and popularizing activity. Since I started working at the Higher School of Law in Wrocław (since October 1, 2017), I have held a number of important positions contributing to the development of the school and youth studying here. I am a coordinator of the preparation course for legal apprenticeship at the Faculty of Law and Administration (2017/2018, 2018/2019). The course prepares graduates of law studies for the entrance examination for legal apprenticeship. The course program prepared and proposed by me contributes to higher pass rates in the entrance exams. I also run a number of classes that can be divided into two groups. The first one includes theoretical classes, such as the history of Polish law, the history of law, political and legal doctrines, and the theory and philosophy of law. The second group consists of seminars and lectures in subjects that I deal with in my professional career, which concern: general part of civil law, civil law – property law, civil law – obligations, insurance law and business law. In the classes in subjects from the second group, I propose original solutions for students, which focus mainly on the practical aspects of the topics discussed, which undoubtedly better prepares students for future professional work. I also run M.A. thesis seminars in the fourth and fifth year, both full-time and part-time. My didactic work enjoys popularity among students and authorities of the higher education school, as evidenced by, among others, an Award in the category of "Golden Lecturer" of the Higher School of Law in Wrocław in the academic year 2017/2018. In addition, I am also a scientific supervisor of the Student Government of the Higher School of Law in Wrocław, with whom I jointly organize meetings and scientific discussions, including organization of the panel discussion *Development of legal professions in Poland*, Higher School of Law, Wrocław, 6 December 2018. At this higher education school I also develop cooperation between the world of science and business, as evidenced by the functions of the Rector's Proxy for Student Practices of the Higher School of Law and the Rector's Proxy for Business Cooperation. I would also like to draw your attention to the other functions I perform there, which include: the secretary of the "Państwo Prawne" editorial office, member of the Disciplinary Commission at the Faculty of Law and Administration at the Higher School of

Law in Wrocław, member of the Senate of the Faculty of Law and Administration at the Higher School of Law, Wrocław.

As part of the popularizing activity, I took part in national and international scientific conferences. In addition, I also participated in the Organizing Committee of the Nationwide Scientific Conference. I lectured and organized practical workshops as part of the Lower Silesian Science Festival: *Evolution of Bankruptcy and Reorganization Law in the Second Republic of Poland*, "Lower Silesian Science Festival", Wrocław, 22 September 2018, *Concepts of the notary profession in Poland*, "Lower Silesian Science Festival", Wrocław, 25 September 2017. I am also a member of Polish scientific societies and a reviewer in two recognized scientific journals.

A handwritten signature in black ink, reading "Tomasz Aniołowski". The signature is written in a cursive, flowing style with a large initial 'T'.