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C O N F E R E N C E R E P O R T

Contemporary Challenges in Civil Law Transactions and Notarial Practice

In Tribute to Prof. dr hab. Edward Drozd — Academic Conference, Cracow, 12 December 2025

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ABSTRACT

The report describes the academic conference “Contemporary Challenges in Civil Law Transactions and Notarial Practice”, held in Cracow on 12 December 2025 and organised by the Association of Notaries of the Republic of Poland, the Department of Civil Law of the Jagiellonian University and the Council of the Notarial Chamber in Kraków in tribute to Professor Edward Drozd (1942–2025). The programme was divided into a commemorative part, portraying the scholar as teacher and practising notary, and an academic part devoted to the problems that occupied him. The paper accounts for the successive lectures, concerning his contribution to private international law, liability for inheritance debts and the protection of the estate, the purposes served by the form of the notarial deed, and the influence of causation upon the termination of an agreement transferring ownership of real property. It also situates his work within the Cracow school of civil law and the tradition of the Jan Kazimierz University in Lviv.

KEYWORDS

Edward Drozd; notarial law; form of the notarial deed; private international law; causation; transfer of ownership of real property; liability for inheritance debts; Cracow school of civil law.

On December 12, 2025, an academic conference titled “Contemporary Challenges in Civil Law Transactions and Notarial Practice,” organized by the Association of Notaries of the Republic of Poland, the Department of Civil Law at the Jagiellonian University, and the Council of the Notarial Chamber in Kraków.¹

The purpose of the event was to honor the memory of an outstanding individual—the great legal scholar Prof. Edward Drozd, Ph.D., born in Zboiska near Sanok (October 27, 1942), an eminent civil law scholar and notary, who passed away on June 8, 2025. Remembrances and presentations dedicated to his scholarly and professional achievements highlighted the professor’s immense influence on the development of civil law and notarial practice.

It is worth noting that, around the same time, Prof. dr hab. Sylwester Wójcik, Ph.D. (born March 14, 1931, in Babica; died May 29, 2005, in Kraków) and Supreme Court Judge dr hab. Zdzisław Świeboda, Ph.D., who later became a professor at UMCS (born January 1, 1931, in Palikówka, Krasne municipality; died April 13, 2005, in Ciechocinek).

Their lives were intertwined, to a greater or lesser extent, with their academic work and professional practice in southeastern Poland, contributing to the development of the Kraków, Rzeszów, and Lublin schools of legal thought within the field of private law.

As I mentioned earlier, Prof. dr hab. Edward Drozd, Ph.D., was born on October 27, 1942, in Zboiska near Sanok. He remained symbolically connected to the Krosno-Sanok region even at the end of his life, after his death on June 8, 2025, he was buried on June 11, 2025, at the parish cemetery in his hometown of Zboiska (Bukowsko municipality). His professional career, however, was primarily centered in Kraków and at Jagiellonian University, to which he devoted nearly his entire academic life.

In 1959, he graduated from the Sanok Boys’ High School, and in 1966, he completed his studies at the Faculty of Law and Administration of Jagiellonian University. He was a student of Prof. Kazimierz Przybyłowski, one of the most important figures in Polish civil law and private international law, who carried on the academic traditions of the Jan Kazimierz University in Lviv. Edward Drozd earned his doctorate in law in 1972, completed

¹This report also drew on materials distributed during the conference held on December 12, 2025.

his habilitation in 1977 in the fields of civil law and private international law, and was awarded the academic title of professor in 1989.

The professor was a full professor at Jagiellonian University and head of the Department of Civil Law. His primary research interests included property law, inheritance law, private international law, and notarial law. He served on the Legal Commission of the Polish Academy of Arts and Sciences and was also a member of the Editorial Board of the monthly journal *Rejent*. He left behind numerous publications, among which his studies on the transfer of real property ownership, the causality of legal acts, conflict-of-laws aspects of property law, liability for inheritance debts, and notarial acts involving a foreign element hold a special place.

A distinctive feature of the Professor's work was his consistent integration of theory and practice. From February 1996 to October 2012, he practiced as a notary in Kraków. As a scholar, he did not limit himself to analyzing doctrinal constructs but evaluated their functioning in legal practice, recognizing the importance of legal certainty, the notary's responsibility, and the proper structuring of documented legal acts. This dual perspective: academic and practical—was one of the most important themes of the entire conference.

Returning to the topic and the conference itself: in addition to the aforementioned Prof. dr hab. Andrzej Mączyński, Ph.D., the event also featured the doyen of Katowice's civil law scholars specializing in private international law, Prof. dr hab. Maksymilian Pazdan, Ph.D., who presented both reminiscences and substantive reflections. Other distinguished representatives of academia and the legal profession also participated in the event. Speakers included, among others: Prof. dr hab. Jacek Górecki, Ph.D. (University of Silesia), dr hab. Adam Bieranowski, Ph.D., Prof. UWM (University of Warmia and Mazury), and dr hab. Zygmunt Truskiewicz, Ph.D., Prof. UJ.

The conference began with a ceremonial welcome for participants and guests. Speakers included: Prof. dr hab. Piotr Dobosz, Ph.D., Dean of the Faculty of Law and Administration at the Jagiellonian University; Prof. dr hab. Jerzy Pisuliński, Ph.D., Head of the Department of Civil Law at the Faculty of Law and Administration of the Jagiellonian University; notary Aleksander Szymański, president of the National Notarial Council; notary Anna Dańko-Roesler, president of the Association of Notaries of the Republic of Poland; and notary Sławomir Gołąbek, president of the Council of the Notarial Chamber in Kraków. The presence of representatives from the academic community and the notarial self-government clearly underscored that the Professor's body of work belongs both to the history of Polish legal scholarship and to the living tradition of notarial practice.

The event program was divided into two complementary parts. The first was a tribute, portraying Professor Edward Drozd as a person, a teacher, and a practitioner. The second part was an academic exploration of the issues he addressed in his work. This structure ensured that the conference

was not limited to a mere commemorative retrospective. The remembrance of the professor was linked to a substantive discussion, focused on what was substantively important to him, regarding issues that continue to spark significant doctrinal and practical debates.

In the commemorative segment, the first presentation was delivered by Prof. dr hab. Andrzej Mączyński, Ph.D., from Jagiellonian University. The lecture, titled "*Prof. E. Drozd—A Great Scholar of Civil Law with a Modest Disposition*" was a testament to a friendship spanning several decades, which began during their undergraduate studies and continued during their time working together at Jagiellonian University, within an academic community shaped by Prof. Kazimierz Przybyłowski. The speaker outlined the successive stages of Edward Drozd's academic career—from his doctorate, through his habilitation, to his professorship—while also describing the political, organizational, and living conditions in which the academic world of that time developed.

The tribute to Prof. dr hab. Andrzej Mączyński, Ph.D was particularly valuable because it highlighted not only his scholarly achievements but also his personality. Modesty, objectivity, intellectual discipline, and an aversion to superficial judgments painted a portrait of a scholar whose authority stemmed above all from the quality of his arguments and his adherence to the standards of rigorous scholarly work. In this context, the conference also became a story about the university ethos—about accountability for one's words, the continuity of a scholarly tradition, and the personal master-student relationship.

The second speaker in the commemorative segment was retired notary Czesław Waldemar Salagierski, who presented a lecture titled "*Notary E. Drozd - Combining the Study of Civil Law with Notarial Practice.*" The presentation highlighted the professor's contributions to the Polish notarial profession: teaching a new course titled "Law on the Notarial Profession" at the Jagiellonian University's Faculty of Law in the 1990s, supervising master's and doctoral seminars, participating in work related to the Act on the Notarial Profession, and helping to develop the intellectual foundation of the monthly journal "Rejent."

The significance of the Professor's publications was also emphasized, in which he addressed issues of concern to the notarial community and responded to challenges arising from changing laws. His experience running his own notary office allowed him to offer insights grounded in the realities of legal transactions. His presence at conferences, bar association meetings, and in professional debates built a bridge between civil law doctrine and the responsible practice of documenting legal acts.

In the second part of the conference, Professor Edward Drozd was presented as an outstanding scholar of conflict of laws. Prof. dr hab. Maksymilian Pazdan, Ph.D., presented a lecture on Edward Drozd's contributions to private international law. He noted that although the professor is commonly associated with civil law, his contributions to the field of conflict of

laws were significant and original. Of particular note was his 1977 habilitation monograph, *"Acquisition and Loss of Property Rights in Movable Property under Private International Law (The Impact of a Change in the Location of the Property on Jurisdiction)."*

In his speech, Prof. Pazdan also mentioned works concerning the disposition of goods through documents in international trade, conflict-of-laws issues regarding goods in transit, the applicability of the law of property and the law of obligations, the applicable law governing the transfer of ownership, pledges in private international law, and notarial acts with a foreign element in real estate transactions. This body of work demonstrated Professor Drozd's interest in the intersection of classical civil law doctrine, international trade, and notarial practice. Professor Maksymilian Pazdan's presentation also highlighted the fruitful collaboration between the academic centers in Kraków and Upper Silesia.

Next, Prof. dr hab. Jacek Górecki, Ph.D., from the University of Silesia discussed Edward Drozd's contribution to the development of inheritance law, focusing on liability for inheritance debts. He noted that the professor's first publication dealt with the testamentary inheritance of a farm, and his subsequent works covered, among other topics, the spouse's right provided for in Article 939 of the Civil Code and gifts in the event of death.

His most significant achievements in this field remain the extensive chapters he authored for Volume IV of *"The System of Civil Law: Inheritance Law"*, devoted to the protection of inheritance, liability for inheritance debts, and the community of the estate. Despite the passage of many years, these works remain highly relevant and are still cited in the literature. The speaker noted that some of the critical remarks made by Edward Drozd can also be applied to the current legal situation, despite the 2015 reform of heirs' liability.

In particular, he highlighted the lack of clear regulations regarding the order in which heirs who accept an inheritance with the benefit of inventory must satisfy probate debts when the estate's assets are insufficient to cover all liabilities. The presentation thus had not only a historical dimension but also a programmatic one: it encouraged a rethinking of the liability model so as to protect estate creditors, creditors of the heirs, and the heirs themselves in a balanced manner.

Next to speak was dr hab. Adam Bieranowski, Ph.D., from the University of Warmia and Mazury, who addressed the issue of the purposes of the notarial deed's form. His starting point was to clarify the concepts and define what the phrase "purposes of the notarial deed's form" actually means. The speaker highlighted the difficulties in reconstructing the legislature's intent and the need to reassess the function of this form in the context of modern commercial transactions.

Professor Bieranowski categorized the purposes of a notarial deed into three basic groups: protection of the public interest, protection of the parties to the transaction, and protection of third parties. The notarial form

enables verification of a transaction's compliance with the law, reduces the risk of ill-considered decisions, ensures a professional explanation of the legal consequences and the proper drafting of the contract's content, and also serves as evidence. The lecture aimed to systematize and, in a sense, reevaluate these objectives in the context of socioeconomic changes, digitization, and new methods of recording declarations of intent. This topic corresponded particularly well with Professor Drozd's practical legacy.

The final presentation was delivered by dr hab. Zygmunt Truszkiewicz, Ph.D., Professor of Jagiellonian University. The subject of his presentation was the impact of causation on the termination of a real estate transfer agreement, including as a result of withdrawal from the agreement. The issue of causation is one of the most fundamental and at the same time most contentious topics in civil law. Edward Drozd devoted his doctoral dissertation and a highly regarded monograph on the transfer of real estate ownership to this topic.

The speaker highlighted a characteristic tension in the professor's position: on the one hand, a skeptical assessment of the usefulness of the principle of causality in explaining all civil law constructs; on the other hand, a consistent derivation of the consequences of the lapse of causality with respect to the transfer of ownership. According to the position presented, the lapse of the cause of action should lead directly to the loss of ownership, rather than merely giving rise to an obligation to transfer ownership back.

The presentation contrasted this concept with the prevailing approach in case law, according to which withdrawal from a contract obligating the transfer of real property gives rise to an obligation to retransfer the right. The lecture demonstrated how the ideas formulated by the Professor continue to inspire discussion on the relationship between obligatory and real effects, the role of the cause, and the consequences of withdrawing from a contract.

The conference had significance that went beyond simply honoring the memory of an outstanding Scholar. The combination of reminiscences with an analysis of issues in conflict of laws, inheritance law, property law, and notarial law demonstrated the internal coherence of Edward Drozd's body of work. At the center of his interests were the security of transactions, the proper allocation of risks and liability, and the relationship between legal doctrine and its practical application.

An important theme was the continuity of academic circles and schools of thought. Professor Drozd, as a student of Prof. Kazimierz Przybyłowski, belonged to a generation of Kraków civil law scholars who carried on the traditions of the pre-war Lviv school. In this context, it is also worth recalling lawyers associated with the Podkarpacie region who were active during a similar period: Prof. dr hab. Sylwester Wójcik, Ph.D., born in Babica, and dr hab. Zdzisław Świeboda, Ph.D., a Supreme Court judge and later a professor at UMCS, born in Palikówka. Their academic and professional

paths helped shape the legal thought of Kraków, Rzeszów, and Lublin in the field of private law.

From the perspective of southeastern Poland, the Professor's biography takes on an additional dimension. Born in Zboiska and educated in Sanok, he rose to the highest echelons of his academic career in Kraków, while at the same time remaining a scholar who exerted a strong influence on the practice of the entire Polish notarial profession. His story shows that regional roots and a nationwide scope of scholarly activity are not opposites, but can reinforce one another.

For me personally, the passing of Prof. dr hab. Edward Drozd, Ph.D., marks the end of an era... not only for legal scholarship at the Jagiellonian University but also for the civil law activities of the heirs to the Jan Kazimierz University in Lviv, including the school of Prof. dr hab.

Kazimierz Przybyłowski, Ph.D. It was an era of scholars shaped by their direct relationship with mentors who remembered the traditions of the Jan Kazimierz University in Lviv, and who were at the same time capable of building a modern Polish doctrine of private law in the wake of the war and postwar transformations.

The reminiscences shared during the conference highlighted that an academic tradition is not merely a collection of views set forth in publications. It is also shaped by standards of argumentation, the language of debate, personal responsibility for educating the next generation, and a work ethic passed down from generation to generation. Professor Edward Drozd left such a legacy both at Jagiellonian University and within the notarial community.

The conference *"Contemporary Challenges in Civil Law Transactions and Notarial Practice"* was an event worthy of the Professor's memory: it combined respect for him as a Person with a substantive analysis of the issues to which he dedicated his professional life. The organizers: the Faculty of Law and Administration at Jagiellonian University, the Department of Civil Law at Jagiellonian University, the Association of Notaries of the Republic of Poland, and the Council of the Notarial Chamber in Kraków; deserve our thanks for creating a space where academia and practice could meet, and for preserving the memory of a scholar whose body of work remains a living point of reference for future generations of lawyers.

Some time ago, I had the opportunity to review my family's graduation documents from the Faculty of Law at Jan Kazimierz University in Lviv. This led me to reflect: it is true what Prof. dr hab. Andrzej Mączyński, Ph.D., said that in reality, scholars and graduates of the Jan Kazimierz University in the field of legal studies, as a result of the tragic events following 1939 never felt at home anywhere, but they always remembered what the Lviv School of Civil Law, with "that" private international law component, was and what it still is.