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## TADEUSZ SILNICKI'S SCHOLARLY PATH TOWARD THE DEPARTMENT OF ECCLESIASTICAL LAW AT THE UNIVERSITY OF POZNAŃ

## ABSTRACT

*This article seeks to illuminate the figure of Professor Tadeusz Silnicki – an eminent historian of law – and to retrace the scholarly journey that culminated in his appointment to the Department of Ecclesiastical Law at the University of Poznań. A student of two towering figures of the Lviv school, Oswald Balzer and Władysław Abraham, Silnicki brought with him to Poznań, in 1929, the academic ethos, methodology, and intellectual discipline imparted by his distinguished mentors. Drawing upon all extant archival materials and the essential body of relevant literature, the study aspires to a pioneering dimension. It employs the historical-legal method.*

**KEYWORDS:** *University of Poznań, historical-legal studies, Department of Ecclesiastical Law, research seminar*

## INTRODUCTION

The purpose of this article is to present the scholarly profile of Professor Tadeusz Silnicki and to trace the intellectual path that led him to assume the Department of Ecclesiastical Law at the University of Poznań. His academic journey began with studies in history at Jan Kazimierz University in Lviv, participation in research seminars, and his tenure as assistant to Professor Władysław Abraham. The final stage of his professional path was defined by his entry into the circle of law historians at Poznań University, where he actually co-created the local academic community and substantially contributed to the formation of the Faculty of Law. It must be emphasised that this paper does not engage with Tadeusz Silnicki's pedagogical work done for institutions other than those of Lviv and Poznań, such as secondary schools in Kyiv and Jarosław. Owing to the thematic boundaries of the inquiry, his didactic involvement at the Jagiellonian University is mentioned only in passing, limited to the most pertinent information.

The principal research question may thus be formulated as follows: To what extent did the academic milieu of Lviv, where Silnicki underwent his scholarly formation, shape his later academic activity at the opposite end of Poland, i.e. in Poznań? This study draws predominantly upon archival sources. The research material has been sourced from the State Archives of Lviv

Oblast (DALO), the Archives of the Adam Mickiewicz University in Poznań (AUAM), the Archives of Modern Records in Warsaw (AAN), and the Archives of the Jagiellonian University in Kraków (AUJ). It is complemented by the essential body of academic literature. The inquiry has been conducted in accordance with the historical-legal method.

## THE LVIV PERIOD

Tadeusz Jan Leopold Silnicki was born on 5 October 1889 in Wierzchosławice, a village back then within the confines of the Austro-Hungarian Monarchy (AUAM, ref. no. 126/43/63, *Akta kadrowe prof. Tadeusza Silnickiego*, fol. 5). At the age of nine, he relocated with his family to Lviv, where he completed his entire education up to the university level. During his secondary schooling, he first encountered members of the University of Lviv's academic staff who simultaneously held teaching positions at post-elementary and high schools, among them Władysław Witwicki, private docent in philosophy; Konstanty Wojciechowski, professor of Polish literary history; and the Rev. Adam Gerstmann, professor of theology and twice rector of Lviv University (ibidem, Draus, 2007). Upon completing his secondary education in 1908, Tadeusz Silnicki entered the Faculty of Philosophy of the University of Lviv, where his studies centred on history and historical-legal provinces. His principal mentor was the eminent law historian Professor Oswald Balzer<sup>[1]</sup>. Between 1912 and 1914, the young scholar served as an assistant at the Department of Art History. In 1913, while still a student, he published – under Professor Balzer's supervision – his first scholarly work, *The Law of Royal Elections in the Jagiellonian Era*. Silnicki concluded his university education by successfully passing the qualifying examination for secondary-school teachers in history and geography, along with the doctoral examinations in history (AUAM, ref. no. 126/43/63, fol. 7). The aforementioned dissertation served as the basis for earning the degree of Doctor of Philosophy. Between 1914 and 1919, Silnicki was employed as a teacher in private schools outside Lviv.

Upon his return to Lviv, he embarked on legal studies, remarking that *In the years 1919-[19]21 I completed the law programme, though only in the form*

*of a pre-degree certificate, without sitting the final examinations* (ibidem, fol. 5). Following the completion of this stage of his academic formation, Tadeusz Silnicki attended, between 1920 and 1928, the seminar in ecclesiastical law (Silnicki, 1947) held at the Faculty of Law of Jan Kazimierz University in Lviv. In the years 1924-1929, he served as an assistant at the Department of Ecclesiastical Law ...*under the supervision of Professor Władysław Abraham*. (DALO, f. 26, op. 5, *Teczka personalna Tadeusza Silnickiego*, fol. 3; Silnicki, 1947, p. 5; Pyter, 2002, pp. 107-128). The collaboration bore fruit in his nomination for advanced studies in France, during which he undertook research training at the National Library in Paris. *This work*, he later wrote in his autobiographical record, *exerted a profound influence on widening my intellectual and cultural horizons* (AUAM, ref. no. 126/43/63, *Akta kadrowe prof. Tadeusza Silnickiego*, fol. 5).

Back at Lviv, the young scholar embarked upon the process of obtaining the *veniam legendi*. On 2 April 1927, he submitted to the Faculty Council of the Faculty of Law a formal request seeking admission to the habilitation procedure in the field of ecclesiastical law. The supported his request by attaching the work, *Organizacja archidiakonatu w Polsce* [The Organisation of the Archdeaconry in Poland] (Lviv, 1927). In June 1927, the habilitation procedure was duly carried out, and three months thereafter the Ministry of Religious Denominations and Public Enlightenment formally endorsed Silnicki's new qualification (DALO, f. 26, op. 5, *Teczka personalna Tadeusza Silnickiego*, fols. 11 and 19). That same year, Tadeusz Silnicki was appointed senior assistant at the department led by Professor Władysław Abraham (ibidem, fol. 23). He taught at Lviv until 1929.

## TOWARD THE "OTHER END" OF POLAND

At the time when Tadeusz Silnicki, an emerging scholar of law and ecclesiastical law history, was perfecting his intellectual craft in the city on the Peltew River, a new centre of higher learning was being founded at the opposite end of Poland – the University of Poznań (Pilarczyk, 2019; Pilarczyk (Eds.) 2019). From the very outset of its operation, the Faculty of Law and Economic and Political Sciences formed an integral component of the institution (*Uniwersytet*

*Poznański...*, 1919, p. 35). Yet, owing to persistent organisational and staffing challenges, the process of establishing the individual academic departments spanned several years (Olszewski, Sikorska-Dzięgielewska, 2002, pp. 257-273).

The history of the Department of Ecclesiastical Law, to which Tadeusz Silnicki was ultimately appointed, was – like that of the other historical-legal units – marked by complexity<sup>[2]</sup>. Due to the absence of a qualified candidate for department head, the post remained unfilled during its early years, despite the compulsory nature of the subject<sup>[3]</sup>. Finding a qualified specialist in ecclesiastical law proved to be a considerable challenge for the university.

The formal engagement of Tadeusz Silnicki at the University of Poznań was effected in January 1929. It is noteworthy, however, that owing to his scholarly formation under two eminent Lviv-based experts, the Faculty of Law had made efforts to bring him to Poznań as early as 1922 (Sawicki, 1969, p. 293-295). In that year, Dean of the Faculty of Law Professor Zygmunt Lisowski sought the opinions of Professors Oswald Balzer and Władysław Abraham concerning the academic competence of the young Lviv-based PhD holder<sup>[4]</sup>. At the beginning of 1924, Professor Edward Taylor reiterated the request to Professor Abraham, pressing for his approval of Tadeusz Silnicki's engagement to deliver lectures at the Department of Ecclesiastical Law as from the autumn of that year (DALO, f. 26, op. 5, *Teczka personalna Władysława Abrahama pismo z dnia 30 stycznia 1924 r.* ). It should be noted that the archival records contain no return opinion of Professor Abraham.

In October 1926, the Council of the Faculty of Law and Economics appointed a committee tasked with determining whether Tadeusz Silnicki possessed the requisite qualifications to become head of the Department of Ecclesiastical Law. The committee was composed of Professors Józef Bossowski, Zygmunt Lisowski, and Jan Rutkowski, while further expert assessments were requested from distinguished specialists in the field – Professor Bronisław Żongołłowicz of Stefan Batory University in Vilnius (Dębiński, 2025, p. 63-80) and Professor Władysław Abraham of Jan Kazimierz University in Lviv. The evaluation of Silnicki's academic achievements was, on the whole, favourable, although Professor Żongołłowicz expressed a minor reservation. *Proceeding from the assumption*, said the Vilnius scholar, *that a professor of ecclesiastical law ought to possess a thorough knowledge of the binding law together with*

*the relevant scholarship, as well as mastery of the scholarly method necessary for independent research, I could not give an unqualified opinion..., since the candidate has produced no work within the domain of the dogmatics of canon law; in his study on ecclesiastical law, Organizacja archidiaconatu w Polsce [The Organization of the Archdeaconry in Poland], the candidate demonstrated a sound methodological background. However, in another work, Wpływy francuskie na Polski Kościół [French Influences on the Polish Church], belonging to the field of ecclesiastical history and penned rather hastily, he failed to exhibit sufficient rigour in the formulation and treatment of scholarly problems (AUAM, ref. no. 208/66, Akta Wydziału Prawa). In the final section of his report, the Vilnius scholar of ecclesiastical law nevertheless supported Silnicki's candidacy, maintaining that, within the limited circle of qualified experts, he was the most appropriate choice (ibidem). Professor Władysław Abraham, concurrently Silnicki's mentor, also endorsed his nomination to Poznań University, concluding succinctly, He is a candidate of merit (ibidem).*

Prior to the submission of the expert opinions, the Dean of the Faculty of Law and Economics, Professor Józef Bossowski, informed Tadeusz Silnicki that on 9 June 1927 the Faculty Council had ...*adopted a resolution to propose [to him – M.P.] the assumption of the extraordinary department of ecclesiastical law commencing with the academic year 1928/29 (ibidem).*

At the end of October 1927, the faculty committee concluded the proceedings with the following statement, *Dr Silnicki, a student of the most eminent living Polish historians of law, Professors Abraham and Balzer, will undoubtedly fulfil the expectations warranted by his current scholarly achievements... On the basis of the foregoing, the Committee resolved unanimously to submit to the Faculty Council a motion recommending Docent Dr Tadeusz Silnicki for appointment as Associate Professor of Ecclesiastical Law at the Faculty of Law and Economics of the University of Poznań (ibidem).* To fulfil the requisite formalities, the dean requested the President of the Republic of Poland to confer the appointment upon Tadeusz Silnicki. He was, moreover, persuaded that the matter would be resolved both expeditiously and favourably. In a letter to the nominee towards the end of July 1928, he wrote, by way of anticipation, *According to the information at my disposal, your nomination has already been effected*<sup>[5]</sup>.

By a decree of 4 December 1928, the President of the Republic of Poland formally conferred upon Tadeusz Silnicki the title of Extraordinary Professor of Ecclesiastical Law at the Faculty of Law and Economics of the University of Poznań<sup>[6]</sup>. On 10 January 1929, the Rector of the University of Poznań, through the intermediary of the faculty dean, sent a letter to Silnicki's Lviv address, saying, *...I kindly request that you assume your duties at the earliest possible convenience, in view of the absence of compulsory lectures* (AUAM, ref. no. 208/66, Akta Wydziału Prawa).

The first lecture, delivered on 15 February 1929, was the inaugural event marking the beginning of Professor Silnicki's scholarly service at the University of Poznań. Entitled *Sprawa podziału historii prawa na okresy* [The Problem of Periodisation in the History of Law] (ibid.), it was conceived less as a lecture to students than as an academic talk directed towards the members of the faculty. This is evidenced by an invitation issued by Dean Jan Bossowski to the remaining professors of the faculty, as well as to the university rector and officials of the Diocesan Curia (ibidem).

Some years later, Tadeusz Silnicki noted in his *curriculum vitae*, *In my capacity as professor, I fulfilled my duties in the following provinces: (1) lectures, (2) examinations, and (3) direction of the scientific institute...* (AUAM, ref. no. 126/43/63, Akta kadrowe prof. Tadeusza Silnickiego, fol. 11). The Chronicle of the University of Poznań, issued during Professor Silnicki's tenure at the institution, records information elucidating the scope of his professional engagement. For example, in the academic year 1931-1932, his seminar aimed to explore the primary sources of ecclesiastical law (*Kronika Uniwersytetu Poznańskiego...*, 1932, p. 43). *The course of lectures provided a comprehensive outline of the discipline, duly adjusted to the needs of the faculty students. Five hours of lectures were given each week. The accompanying practical classes both supplemented the lectures through the reading and analysis of sources, with particular emphasis on the New Code of Canon Law, and functioned as a forum for the development of reports and research papers. The practical classes were held for two hours weekly* (*Kronika Uniwersytetu Poznańskiego...*, 1937, p. 37).

On 18 February 1939, during a meeting of the Council of the Faculty of Law, a committee was appointed to consider the nomination of Tadeusz Silnicki for the position of full professor. The committee convened in March, and

the minutes of the meeting concluded with the following, *After hearing the committee's report, it was unanimously resolved to recommend Professor Tadeusz Silnicki for appointment as full professor* (AUJ, ref. no. S II 619, *Akta personalne Tadeusza Silnickiego*, fol. 16). On 7 April 1939, with the endorsement of the Faculty of Law and Economics and the University Senate, Dean Bogdan Winiarski forwarded to the Ministry of Religious Denominations and Public Enlightenment a request to appoint Tadeusz Silnicki full professor of ecclesiastical law (ibidem, fol. 17). The outbreak of the Second World War, however, suspended the scholarly activity of the Poznań academic community, including Professor Silnicki. Besides, his nomination was not formally concluded.

After the post-war situation in the country had reached a degree of stability, Professor Tadeusz Silnicki resumed his academic duties. Yet his prospects for continued work at the University of Poznań were soon disrupted by political developments that culminated, among other things, in the dissolution of the Department of Ecclesiastical Law (Dębiński, Pyter, 2024, p. 583). Although he received his long-awaited appointment as full professor of ecclesiastical law on 13 July 1948, it meant his transfer to the Jagiellonian University in Kraków, where a new Department of the History of Ecclesiastical Law was established specifically for him. During this period, however, the restructuring of legal education in communist Poland led to the dissolution of all such departments at law faculties throughout the country. This circumstance provided a convenient pretext for the Ministry of Higher Education to suspend Professor Tadeusz Silnicki from his scholarly and teaching duties, a decision formally enacted in early 1952. His absence from the academia continued until October 1957 (AAN, MEN, ref. no. 5374, *Silnicki Tadeusz*).

On 3 January 1957, Professor Zygmunt Grodziński, then serving as Rector of the Jagiellonian University, addressed the Minister of Higher Education with a formal petition seeking the reinstatement of Professor Tadeusz Silnicki as teacher at the university. The request was approved without undue delay (AUJ, ref. no. S II 619, *Akta personalne Tadeusza Silnickiego*, fol. 68). Following this decision, Professor Silnicki applied to the faculty governance for permission to transfer to Adam Mickiewicz University in Poznań. The Council of the Faculty of Law acceded to his request, and the dean subsequently advanced



the relevant recommendation to the Ministry of Higher Education (ibidem, fol. 73; Żukowski, 2014, p. 473).

With the commencement of the 1957-1958 academic year, Professor Tadeusz Silnicki rejoined the Faculty of Law at Adam Mickiewicz University in Poznań, assigned to the Department of General History of State and Law. In his capacity as an autonomous scholar, he conducted monographic lectures and seminars on the medieval history of ecclesiastical law. After two further years of service, on 1 October 1960, Professor Silnicki entered retirement (AAN, MEN, ref. no. 5374, *Silnicki Tadeusz*).

## CONCLUSION

Professor Tadeusz Silnicki is not among those figures who have attracted extensive scholarly attention. This may be due to the fact that, throughout his professional life, he did not remain tied to a single academic institution but rather held several affiliations. In addition to his university appointments, he also taught in public schools, including in Kyiv, Lviv, and Jarosław. Yet there can be no doubt that he played a formative role in shaping the Poznań milieu of historical-legal scholarship. He did this after relocating to western Poland from Lviv in challenging circumstances and accompanied by his infirm mother. With his arrival in Poznań, he brought not only formal stability to the Department of Ecclesiastical Law. Of particular scholarly value is the fact that Professor Silnicki was intellectually formed within the Lviv academic tradition under two outstanding figures in the field of historical jurisprudence, Professors Oswald Balzer and Władysław Abraham. He carried to Poznań the high work ethos and experience gathered in Lviv. He shared these principles and methods to succeeding generations of students and followers. Yet Professor Silnicki's legacy extends beyond his role at the University of Poznań: he also holds a distinctive place in history as the last and longest-serving professor of ecclesiastical law at secular faculties of law in Poland.

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### LEGAL ACTS

*Rozporządzenie Ministra Wyznań Religijnych i Oświecenia Publicznego w sprawie organizacji studiów prawnych w uniwersytetach państwowych (Dz. Urz. MWRiOP RP, 1920, no. 22).*

### ENDNOTES

- [1] "I devoted my studies chiefly to history," he recorded in his curriculum vitae, "together with the history of Poland's constitutional system, art history, and geography. Among my professors were Balzer, Finkel, St. Zakrzewski, Dembiński, Romer, and Bołoz-Antoniewicz" (AUAM, ref. no. 126/43/63, fol. 7).
- [2] Although nominally classified as a department of dogmatic law, in practice it served primarily for the teaching of the history of ecclesiastical law.
- [3] Cf. Regulation of the Minister of Religious Denominations and Public Enlightenment on the organization of legal studies in state universities (JL MWRiOP RP, 1920, no. 22). In the early years, the teaching of ecclesiastical law was entrusted, on a commission basis, to Dr Edward Bobke, director of the Department of Religious Denominations and Public Enlightenment within the competent ministry in the Former Prussian District; the Rev. Prof. Bronisław Żongołłowicz, who would later assume the office of deputy minister in charge of denominations and education; and the Rev. Dr Stanisław Janasik, a noted canonist and rector of the Diocesan Seminary in Poznań (Krasowski 2004, p. 36).
- [4] Professor Balzer, apparently unaware of Silnicki's forthcoming research fellowship abroad, replied that the candidate belonged to those scholars who possessed "...full scholarly qualifications..." for the post (BZNO, manuscript collection, ref. no. 7693/II, vol. 35, Korespondencja Oswalda Balzera [1899-1932], fol. 70). Professor Władysław Abraham deemed the appointment of Tadeusz Silnicki premature, pointing out that the candidate was then engaged in postgraduate studies in Paris. The distinguished Lviv scholar further expressed the desire that, upon return from the scholarship, Silnicki should remain in his seminar for another year. Abraham was convinced that the matter of employment could be revisited the following year, when the candidate would have completed his intellectual formation and thus be fully equipped to discharge his teaching and scholarly duties at Poznań (DALO, f. 26, op. 5, *Teczka personalna Władysława Abrahama. Pismo z dnia 17 marca 1923 r.*, fol. 35).
- [5] The dean extended his congratulations to the "nominee" on his own behalf and on the behalf of the Faculty Council, further informing him that as of 1 October a four-room flat in the city centre, previously occupied by Professor Zygmunt Lisowski, would be vacated and duly reserved for Tadeusz Silnicki (ibidem).
- [6] Tadeusz Silnicki took the oath of office before the rector on 7 March 1929 (Kronika Uniwersytetu Poznańskiego... 1930, p. 15).