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The Creation and Development of the Department of Criminal Procedure and Criminal Law of the Lviv University

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THE CREATION AND DEVELOPMENT OF THE DEPARTMENT OF CRIMINAL PROCEDURE AND CRIMINAL LAW OF THE LVIV UNIVERSITY

The Department of Criminal Procedure and Criminal Law is one of the leading departments of the Law Faculty of the Ivan Franko National University of Lviv. It was established as a separate department of the faculty by the order of the Rector of Ivan Franko State University of Lviv No. 158 of February 16th 1999, as a result of the division of the Department of Criminal Law and Procedure into two separate departments. The department included academics from among the members of the Department of Criminal Law and Procedure. The latter was further headed by a PhD Professor, Academician of the National Academy of Law Sciences of Ukraine, Vasyl Nor.

Lets describe the History of the Department. Since the establishment of Law Faculty, criminal legal proceedings were a part of the programme. The criminal procedure law had been researched and studied since 1784, as a part of the criminal law at the Law Faculty of

¹ dr; Ivan Franko National University of Lviv.

the newly restored University of Lviv. In particular, it was lectured by an Austrian professor Baltazar Borzaga, the first dean of the Law Faculty of the University of Lviv, who had been directed to the faculty by the Austrian government to organize the educational process². One of the most prominent professors of criminal law and procedure at the University of Lviv in the first half of the nineteenth century was Maxymilian Füger, the author of the work *Soll man den eines Criminalverbrechens Beschuldigten in den österreichischen Erbländen eigene Vertheidiger gewähren?* (Should A Person Who Is Charged With A Criminal Offense in the Austrian Hereditary Lands, Get The Right to Have a Defender?) (Vienna, 1797)³.

In 1847–1856 Edward Herbst was the Professor and Head of Department of Natural Law, the Law of Nations and Criminal Law (and criminal process). He is the author of such works as “Die grundsätzlichen Entscheidungen des k.k. obersten Gericht und Cassationshofes über zweifelhafte Fragen des allgemeinen österreichischen Strafrechtes” (Principal Decisions of the Royal Highest Court and the Court of Cassation on Doubtful Questions of General Austrian Criminal Law), “Handbuch des allgemeinen österreichischen Strafrechtes” (Guide to the General Austrian Criminal Law), and “Einleitung in das österreichischen Strafprocessrecht” (Introduction to the Austrian Criminal Procedure Law)⁴.

Next Head of the Department was Professor Fridrih Rulf, known for his scientific work “Der Oesterreichische Strafprocess: Unter Berücksichtigung Der Rechtsprechung Der Cassationshofes” (Austrian Criminal Procedure Including the Court of Cassation Proceedings, 1888)⁵.

After the revolution of 1848 the Austrian government created two departments at the Law Faculty as a concession to the Galician Ukrainians. These were the Department of Civil Law and the Department of Criminal Law and Procedure with Ukrainian as an official study language. The new Department of Criminal Law and Procedure was headed by Vladyslav Srokovskiy⁶. Since 1867, the Criminal Law was being taught in Ukrainian by Ivan Dobrianskyi⁷.

² М. Мельник Борзага (Borzaga) Бальтазар / М. Мельник // Encyclopedia. Львівський національний університет імені Івана Франка : в 2 т. Т. 1 : А–К / вид. Рада : І. О. Вакарчук (голова), М.В. Лозинський (заст. голови), Р.М. Шуст (заст. голови), В.М. Качмар (відп. секретар) та ін. – Львів : ЛНУ ім. І. Франка, 2011. – С. 30-40.

³ М. Мельник Борзага (Borzaga) Бальтазар / М. Мельник // Encyclopedia. Львівський національний університет імені Івана Франка : в 2 т. Т. 1 : А–К / вид. рада : І. О. Вакарчук (голова), М. В. Лозинський (заст. голови), Р. М. Шуст (заст. голови), В. М. Качмар (відп. секретар) та ін. – Львів : ЛНУ ім. І. Франка, 2011. – Р. 20-36; L. Finkel, Historia Uniwersytetu Lwowskiego / L. Finkel, S. Starzyński – Lwów : Drukarnia E. Winiarza, 1894. – Cz. 1. – s. 29-30.

⁴ Кріль М. Гербст (Herbst) Едвард / М. Кріль // Encyclopedia. Львівський національний університет імені Івана Франка : в 2 т. Т. 1 : А–К / вид. рада : І. О. Вакарчук (голова), М.В. Лозинський (заст. голови), Р.М. Шуст (заст. голови), В.М. Качмар (відп. секретар) та ін. – Львів : ЛНУ ім. І. Франка, 2011. – С. 342.

⁵ ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 22, спр. 1491 : Списки профессорско-преподавательского состава и абсолювентов юридического факультета, докторов всеобщего и церковного права; 1785– 3 октября 1805 – Арк. 3–6.

⁶ ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 22, спр. 1491 : Списки профессорско-преподавательского состава и абсолювентов юридического факультета, докторов всеобщего и церковного права; 1785– 3 октября 1805, – Арк. 2–6.

⁷ Мудрий М. Добрянський Іван Антонович / М. Мудрий // Encyclopedia. Львівський національний університет імені Івана Франка : в 2 т. Т. 1 : А–К / вид. рада : І.О. Вакарчук (голова), М.В. Лозинський (заст. голови), Р. М. Шуст (заст. голови), В.М. Качмар (відп. секретар) та ін. – Львів : ЛНУ ім. І. Франка, 2011. – С. 450.

During this period, the adoption of the Austrian constitution of 1867, which separated the civil procedure from the criminal one, triggered growing interest in studies and scientific research in the field of criminal justice. It should be noted that the scientific views of the forensic scientists of the Law Faculty of the University of Lviv were expressed in the Austrian Code of Criminal Procedure 1873 as they participated in its preparation. This Code also regulated criminal proceedings in Galicia. The fundamental principles which were the basis for the Code, included the following: the process began only after a complaint had been filed; the process was held by the respective bodies on behalf of the State (formality, publicity of the process); the proceedings and the appeal to the sentence were, partially, open to the general public; preliminary investigation and protocol procedure were secret; the mixed justice (secret pre-trial investigation and aversive trial) had been introduced; jury proceedings for political affairs (public justice) had been introduced; the obligation to prove guilt of the accused by the public prosecutor had been imposed; the defendant had a right to refuse to testify against himself; judgment was to be based on internal beliefs of judges, including jury conviction and their resolution regarding the existence of element of crime and the guilt of the accused; final completion of the trial in case of a delivery of judgment and confession of the defendant as not guilty; discontinuance of the case in case of the insolvency of the defendant to participate in the process. The Code of Criminal Procedure of 1873 affected the individuals who were subject to the jurisdiction of military courts, people with diplomatic privileges, inmates who committed their crime in the place of the sentence, and minors who were not subject to criminal liability whatsoever. The criminal justice also excluded cases of misconduct that resulted into a law suit. An arrest based on the suspicion of the crime was the most used precautionary measure to accused. Temporary detention could last only up to 24 hours. The detention of the suspect could only take place on the basis of an issued warrant. The court had no right to go beyond the charges. Interestingly, according to criminologists of that time the punishment was not intended to improve the behavior of the offender, but only to isolate him from society. Society and the state did not consider it as their duty to improve the morals of the convicted. The highest form of punishment was the death penalty by hanging⁸.

Starting from the last quarter of the 19th century, the scientific school of the Criminal Law at the Law Department had developed. At first it was represented by such scholars as Ivan Dobrianskyi, Felix Gryzecki, Petro Stebelskyi, Vladyslav Ostrozhynski, Adolf Heck, Yan Paygert and Juzef Mosing and later on by a distinguished scholar and criminologist Julian Makarevich. It should be noted that during this period the forensic science at the University of Lviv had been distinguished as a separate scientific school close to criminal law. It was represented by Leon Vahgolz⁹ and Vlodzimezh Seradskiy. These scientific schools (of Criminal Law and Forensic Medicine) were formed as one scientific direction.

⁸ L Finkel, *Historia Uniwersytetu Lwowskiego* / L. Finkel, S. Starzyński. – Lwów: Drukarnia E. Winiarza, 1894. – Cz. 1. – s. 25-40.

⁹ А. Редзюк, Адміністративні і фінансові студії / А. Редзюк // *Encyclopedia. Львівський національний університет імені Івана Франка* : в 2 т. Т. 1 : А–К / вид. рада : І. О. Вакарчук (голова), М. В. Лозинський (заст. голови), Р. М. Шуст (заст. голови), В. М. Качмар (відп. секретар) та ін. – Львів : ЛНУ ім. І. Франка, 2011. – С. 122.

I. Dobrianskyi (1842–1915) must be distinguished among the forensic scientists of that period. The scientist was born in Valyava village (now of Przemyśl District, Subcarpathian Voivodeship, Poland), studied in Vienna and at the University of Lviv, receiving his JD title in 1867. After that he worked at the Law Faculty of the University of Lviv. From 1862 to 1870 he was a substitute professor, and from 1870 to 1888 he was a PD of Criminal Law and Procedure taught in Ukrainian. The scientist-lawyer strongly defended the interests of Ukrainian Galicia. Thus, in 1880, he won the case on the establishment of a public school with Ukrainian language of teaching in Lviv at a court session of the State Tribunal in Vienna. In 1882 he defended the decision on the mandatory use of documents written in Cyrillic by judicial and governmental institutions in Galicia. In 1897 I. Dobrianskyi appeared in court as a defender of Ukrainian peasants, who were prosecuted in connection with the “Badeni elections”¹⁰ to the Austrian parliament¹¹.

Another prominent representative of this scientific school was F. Gryziecki (1837–1923), a lawyer, JD, and an alumnus of the Law Faculty of the University of Lviv. He graduated in 1859 and then worked in the judicial institutions of Zolochiv, Lviv, and Stanislaviv. In the second half of the 1860’s F. Gryziecki started lecturing at the University of Lviv, and in 1869 he became an assistant professor. In 1870 he became a professor of Austrian criminal law. The very same year he published his most famous scientific work in German language “Studien über den strafbaren Betrug” (The Studies of Criminal Fraud, Lviv, 1870)¹².

P. Stebelskyi (1857–1923) was another outstanding representative of the above mentioned school. The scientist was born in the Nemyriv town of Lviv Region. In 1878 he graduated from the University of Lviv and in 1879 received a JD title. In 1878-1888 he worked in the judicial institutions of Lviv and from 1888 to 1892 he was a judge of the Lviv Regional Court. Back in 1885, P. Stebelskyi received his doctoral title. From 1885 to 1892 he served as assistant professor at the University of Lviv, and since 1892 as the professor at the Department of the Austrian Criminal Law and Procedure taught in Ukrainian. As a scientist, P. Stebelskyi dealt with the problems of criminal law and procedure as well as Ukrainian law terminology and Ukrainian translation of the Austrian Code of Criminal Law and Procedure. He is the author of the following scientific works: “Нелітні проступки (проступки неповнолітніх – автори) в світлі нових напрямів в праві карнім” (Львів, 1895), (Underage Offenses (misdemeanours by the minors – author) in the Light of New Trends in Criminal Law, Lviv, 1895); “Австрійське карне право”

¹⁰ Bloody Badeni election – election to the Austrian Parliament in Galicia in 1897. Due to the anti-Ukrainian position of the then Prime Minister and Minister of Internal Affairs of Austria-Hungary, Interior Minister Kasimir Badeni there were clashes which resulted in 10 deaths, 19 seriously injured, and 769 people arrested. That is why this elections is referred to as “Badeni”.

¹¹ А. Найда, Вахгольц (Wachholz) Леон Ян / А. Найда // Encyclopedia. Львівський національний університет імені Івана Франка : в 2 т. Т. 1 : А–К / вид. рада : І.О. Вакарчук (голова), М.В. Лозинський (заст. голови), Р.М. Шуст (заст. голови), В.М. Качмар (відп. секретар) та ін. – Львів : ЛНУ ім. І. Франка, 2011. – С. 271.

¹² А. Редзюк, Гризецький (Gryziecki) Фелікс-Щенсн / А. Редзюк, Ю. Лисий // Encyclopedia. Львівський національний університет імені Івана Франка : в 2 т. Т. 1 : А–К / вид. рада : І.О. Вакарчук (голова), М.В. Лозинський (заст. голови), Р.М. Шуст (заст. голови), В.М. Качмар (відп. секретар) та ін. – Львів : ЛНУ ім. І. Франка, 2011. – С. 414.

(Львів. 1897, 1903, 1912, 1914), (Austrian Criminal Law, Lviv, 1897, 1903, 1912. 1914); “Австрійський процес карний” (Львів, 1900, 1901), (Austrian Criminal Procedure, Lviv, 1900, 1901)¹³.

V. Ostrozhynski was one of the eminent representatives of Lviv School of criminal right and process (1857–1898). He was born in Stanislaviv (now Ivano-Frankivsk). V. Ostrozhynskiy studied law and philosophy of the University of Lviv, where in 1887 he habilitated in the field of criminal law on the basis of a work called “Prawo wyższej konieczności” (The Right of Necessity). From 1892 to 1898, V. Ostrozhynskiy was an extraordinary professor of criminal right and legal proceeding at the University of Lviv¹⁴.

A. Heck, Doctor of Law (1851–1893) obtained the right to teach in the universities of the Austrian criminal law and procedure in 1887. He studied the issue of legal procedure in Bosnia and Herzegovina and the criminal law issues¹⁵.

Y. Paygert was a scientist in the field of criminal law and philosophy of law and a professor of the Law Faculty of the University of Lviv from 1908 until the time of his death. The scientist was born in 1863 in the Sydoriv village (now Husiatyn District, Ternopil Region). He studied law in the universities of Lviv, Krakow and Vienna. In 1903, J. Paygert received the degree of a Doctor of Law, and in 1907, based on his work “Przestępne zaniechanie” (Criminal Failure to Act) defended his thesis in the criminal law¹⁶.

In the late 1860’s – early 1870’s J. Mosing was an associate professor of criminal law at the University of Lviv (1841–1872). He was born in Rzeszow (now Poland) and received the degree of a Doctor of Law in 1864. In 1869, J. Mosing habilitated in the criminal law at the Law Faculty of the University of Lviv with his work “Die Lehre von der Erlöschung Strafbarkeit der Verbrechen mit besonderer Rücksicht auf das oesterreichische Recht und die Bestimmungen des oesterreichische Entwurfes eines Strafgesetzes” (The theory of exemption from criminal responsibility for crimes based primarily on the Austrian law and the provisions of the Austrian draft Code of Penal). Among other scientific publications of J. Mosing one should mention his work „О właściwym znaczeniu zasady oskarżenia w procesie karnym” (On the Actual Meaning of the Importance of the Prosecution Rule in the Criminal Trial, Lviv, 1870)¹⁷.

When it comes to forensic medicine as one of the successions of the criminal right and process, in 1850–1870’s it was represented in the University of Lviv by the works and lectures of F. Gatcher, in 1880’s, – L. Feiglyat and other forensic scientists and doc-

¹³ ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 5, спр. 1809 : Стебельський Петр. – Арк. 25–93.

¹⁴ ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 5, спр. 1431 : Острожинський Владислав. – Арк. 4–36.

¹⁵ ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 22, спр. 1491 : Списки профессорско-преподавательского состава и абсолювентов юридического факультета, докторов всеобщего и церковного права; 1785– 3 октября 1805. – Арк. 3–5.

¹⁶ ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 5, спр. 1449 : Пайгерт Ян. – Арк. 19–85.

¹⁷ ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 6, спр. 205 : Заявление Зборовского Станислава, Моссинга Иосифа и др. о присвоении им званий доцентов, переписка с Министерством вероисповеданий и просвещения и др. материалы по этому вопросу; 8 октября 1867 – 25 февраля 1870. – Арк. 4–33.

tors, among others L. Vahgolz. The scientist was born in 1867 in Krakow. He graduated from the Medical Faculty of the Jagiellonian University (1890), took internships in Copenhagen, Berlin, Paris and Vienna. In 1890 Wachholz received his MD, and habilitated in 1894. In 1891–1894 he worked as an assistant to the Department of Forensic Medicine of the Jagiellonian University, and in 1894–1895 he has already become a Head the Department of Judicial Medicine at the University of Lviv. Then L. Vahgolz returned to the University of Krakow. His main scientific interests were forensic examination of physical evidence, forensic toxicology, and psychopathology in forensic medicine. Together with a medical scientist V. Sieradzki, the researcher introduced an original method for identification of carbon monoxide poisoning. When it comes to the scientific and educational works of Wachholz, one should mention the work “Podręcznik medycyny sądowej z uwzględnieniem ustawodawstwa austriackiego, niemieckiego i rosyjskiego” (A Handbook on Forensic Medicine from the Perspective of the Austrian, German and Russian Law, Krakow, 1899), and “Psychopatologia sądowa” (Forensic Psychopathology, Krakow, 1914) in the first place¹⁸. A doctor V. Sieradzki MD was a part of the same scientific school. He was born in 1870, and graduated from the Medical Faculty of the Jagiellonian University (1894). After four years of work at the Department of Forensic Medicine of the Jagiellonian University, Sieradzki served as professor and Head of the Department of Forensic Medicine of the Faculty of Law of the University of Lviv until 1939. His major scientific interests were the usage of psychopathology data in forensic medicine, forensic examination and criminal anthropology. Among his scientific works one should mention “Przypadek dzieciobójstwa” (The Case of Infanticide, 1898) and “Obecny stan antropologii kryminalnej” (The Current State of Criminal Anthropology, 1904)¹⁹.

In the interwar period, criminal law, judicial process, and forensic medicine at the Faculty of Law of the University of Lviv were also researched by Bronislaw Lukomski. From 1922 to 1931 he lectured investigation techniques at the Law Faculty of the University of Lviv and wrote scientific works such as “Korespondencja śledcza” (Investigation Correspondence, Lviv, 1925) and “Służba śledcza i tematyka kryminalna wraz z najważniejszymi wiadomościami z medycyny sądowej” (Investigative Service and Criminal Theme along with the Most Important News about Forensic Medicine, Lviv, 1924)²⁰.

After the collapse of Austria-Hungary in October 1918, and the defeat of the West Ukrainian National Republic (ZUNR) in July 1919, and the seizure of Western Ukrainian lands by Poland with the help of Triple Entente, all the departments with Ukrainian lan-

¹⁸ А. Редзiк, Адмiнiстративнi i фiнансовi студii / А. Редзiк // Encyclopedia. Львiвський нацiональний унiверситет iменi Iвана Франка : в 2 т. Т. 1 : А–К / вид. рада : I.О. Вакарчук (голова), М.В. Лозинський (заст. голови), Р.М. Шуст (заст. голови), В.М. Качмар (вiдп. секретар) та iн. – Львiв : ЛНУ iм. I. Франка, 2011. – С. 122; ДАЛО, ф. 26 : Унiверситет iменi Яна Казимира у Львовi, оп. 22, спр. 1491 : Списки профессорско-преподавательского состава и абсолювентов юридического факультета, докторов всеобщего и церковного права; 1785– 3 октября 1805. – Арк. 1–8.

¹⁹ ДАЛО, ф. 26 : Унiверситет iменi Яна Казимира у Львовi, оп. 5, спр. 1717 : Серадзкий Влодзимеж. – Арк. 5–53.

²⁰ ДАЛО, ф. 26 : Унiверситет iменi Яна Казимира у Львовi, оп. 5, спр. 1129 : Лукомский Бронислав. – Арк. 11.

guage of teaching at the Law Faculty and all the other faculties of the University of Lviv were suppressed and all Ukrainian professors were dismissed. By the order of the Rector from August 14th 1919, the Ukrainians were practically banned from studying at this university. Only the individuals who “met the requirements of military service in the Polish Army” could be enrolled. Moreover, for some faculties (including the Law Faculty) there was a certain percentage of Ukrainians that could study there, the so-called “*numerus clausus*” (limited number).

At the beginning of the 20th century, the course of criminal law and procedure at the Department was lectured by Yevhen Davydyak (1879–1961). He was born in 1879, in Hrebeniv village (now Skole District, Lviv Region). In 1903, he graduated from the University of Lviv and in 1908 received his JD. From 1904 to 1912, Y. Davydyak worked in law firms and between 1912 and 1914 as a lawyer in Lviv. From 1914 to 1921, he served in the Austrian Army and then in Ukrainian Galician Army. Afterwards, until 1939 Y. Davydyak worked as a lawyer in Lviv, while being engaged into legal activity. Thus, from 1921 to 1925, he was a professor of criminal proceedings, and in 1923–1925 (according to Y. Davydyak – until 1927) a Rector of the Ukrainian Underground University of Lviv. Since 1939, E. Davydyak was a professor of criminal procedure law in Ivan Franko State University of Lviv (until 1958). The issues of criminal law and procedure were his main scientific interest. Among his research works “Замітки до нового закону про поступовання карне” (Notes to the New Law on Criminal Proceedings, 1928, 1929) and the publication of the manuscript “До питання про т.зв. формальну оборону у кримінальному справуванні” (On the Issue of the So-Called Formal Defense in criminal proceedings, 1939-1941) should be singled out²¹.

From 1907 to 1955 (with interruptions) the course of the criminal law at the Department was lectured by J. Makarevich (1872–1955), one of the founders of the sociological school of the criminal law²².

After the establishment of Soviet rule in the Western Ukraine in September 1939 and the reactivation of the University of Lviv, Pavlo Bondarenko came from Kharkiv to head the Department of Criminal Law and Procedure. After him the Department was headed by M. Pashe-Ozersky who came from Kyiv State University. He also temporarily took over the position of a vice-rector of the University of Lviv²³.

During the time of German occupation the University of Lviv was closed down and only resumed its activity in August 1944. Professor Mykola Pashe-Ozerskyi was appointed to temporarily act as a rector of the University (for two months). In October 1944 he be-

²¹ В. Качмар, Давидяк Євген Васильович / В. Качмар // Encyclopedia. Львівський національний університет імені Івана Франка : в 2 т. Т. 1 : А–К / вид. рада : І.О. Вакарчук (голова), М.В. Лозинський (заст. голови), Р.М. Шуст (заст. голови), В.М. Качмар (відп. секретар) та ін. – Львів : ЛНУ ім. І. Франка. 2011. – С. 421.

²² Архів ЛНУ імені Івана Франка, ф. Р-119 : Львівський державний університет імені Івана Франка, оп. 1 о/с, спр. 4043 : Макаревич Юлій Спиридонович, 55 арк.; ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 6, спр. 1142 : Списки научних работ професорів Абрагама Владислава и Макаревича Юльюша, 1931–1932. – Арк. 2–5.

²³ В. Качмар, Паше-Озерський Микола Миколайович: життєвий шлях та наукові інтереси / Володимир Качмар // Медичне право. – 2009. – № 4 (II). – С. 142–145.

came a professor and a Head of Department of Criminal Law and Procedure. After his arrest in April 1945 Prof. J. Makarevich became a new Head of the Department²⁴.

The Department of Criminal Law and Process in the after war period was headed by Prof. J. Makarevich, Prof. Petro Mykhaylenko (1949–1956), associate professors Ihor Tyrichev (1962–1972), Volodymyr Lisitsyn (1972–1976), Prof. Vasyl Nor (1976–1999). During the soviet era the following prominent scientists and representatives of criminalistics, criminal law and process, worked at the Department: Prof. Stanislav Hofman (1892–1967), associate professor Myroslav Naklovych (1919–2005) who lectured criminal law from 1945 to 1986; associate professor V. Lisitsyn (1924–1997) who delivered lectures on criminalistics from 1954 to 1976; associate professor Alfred Zhalinskyi (1932–2012) lectured criminal process and criminology from 1961 to 1975; associate professor, and later a professor, Myhaylo Kostytskyi delivered lectures on criminal law, criminal process, and legal psychology from 1976 to 1993; a lecturer P. Bondarenko (1903–1979) had a course on criminal procedural law; associate professor Petro Zemlyanskyi (1928–2007) lectured criminalistics, courts, and law enforcement in 1966–1998; regional prosecutor Zinon Kotyk (1947) was a part-time lecturer on organization and activities of the Office of Public Prosecutor in Ukraine in 1994–1995 and 1997–1999 pp; from 1991 to 1999 criminal law was lectured by associate professor Borys Kyrys and professors Viktor Hryshchyuk (1950) and Viacheslav Navrotskyi (1956).

During the soviet era research in the field of criminal procedural law at the Department covered its various aspects. Starting from the 80's particular attention of the members of the Department was drawn to the ethical and psychological aspects of the criminal procedure. They carefully investigated the theoretical justification of using the special psychological knowledge by involving experts, psychologists (not only in criminal procedure, but also in other types of jurisdictional processes), the characteristics of main methods that were used in forensic psychological examination, procedural and organizational specifics of its implementation (M. Kostytskyi "Судово-психологічна експертиза" (Forensic Psychological Examination, (1987)).

The research of protection of property rights of the victims of criminal proceedings grew into a separate field of research. The issue was highlighted in Dr. V. Nor's monograph "Защита имущественных прав потерпевших в уголовном судопроизводстве" (Protection of Property Rights of the Victims of Criminal Proceedings, 1989). He also directed the preparation and publication of a monograph "Кримінально-правові засоби забезпечення якості продукції" (Penal Means of Security of the Quality of Products, 1987). The monograph proved the tactics and methodology of investigation of production of low quality products and preparation to settling such cases in court.

An active development of the scientific school of criminal procedure started with the proclamation of independence of Ukraine.

The Department cooperates with similar departments of other law schools and faculties in Ukraine, including: Faculty of Law of Taras Shevchenko National University of Kyiv,

²⁴ Архів ЛНУ імені Івана Франка, ф. Р-119 : Львівський державний університет імені Івана Франка, оп. 1 о/с, спр. 4043 : Макаревич Юлій Спиридонович, 55 арк.; ДАЛО, ф. 26 : Університет імені Яна Казимира у Львові, оп. 6, спр. 1142 : Списки научних работ професорів Абрагама Владислава і Макаревича Юльюша, 1931–1932. – Арк. 4–5.

Yaroslav Mudryi National Law Academy of Kharkiv, National University "Odesa Law Academy", Academy of Advocacy of Ukraine, Vasyl Stefanyk Subcarpathian National University, Wrocław University (Poland) etc. The cooperation is based on mutual participation in the scientific conferences, publication of scientific articles in scientific journals, reviews of textbooks, manuals, scientific works, articles, opposing the dissertations, reviewing the scientific works, organization of joint scientific conferences for students and professors.

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Summary: This paper analyzes the stages of creation and further development of the Department of Criminal Procedure and Criminal Law at the Law Faculty of the University of Lviv. The considerable attention is paid to describing the scientific school of criminal legal proceedings and the academic activity of the most outstanding scientists of the Law Faculty in the field of Criminal Procedure and Criminal Law.

Keywords: Law Faculty of Ivan Franko National University of Lviv, criminal procedure, criminal law, scientific school

UTWORZENIE I ROZWÓJ KATEDRY PROCESU KARNEGO I KRYMINALISTYKI NA WYDZIALE PRAWA UNIWERSYTETU LWOWSKIEGO

Streszczenie: W niniejszym artykule autor analizuje etapy utworzenia i rozwoju katedry procesu kryminalnego i kryminalistyki na wydziale prawa Uniwersytetu Lwowskiego. Znaczną uwagę poświęcił on charakterystyce szkoły naukowej sądownictwa kryminalnego, naświetlił także działalność naukową najwybitniejszych uczonych prawników wydziału prawa w zakresie procesu kryminalnego i kryminalistyki.

Słowa kluczowe: Uniwersytet Lwowski, wydział prawa, szkoła naukowa, proces karny, kryminalistyka