



Prof. hab.dr. Zdzisław Kegel

PROF. ZDZISŁAW KEGEL - SCIENTIST, TEACHER, FRIEND, GOOD PERSON

Professor Zdzisław Kegel was born on March 17, 1935, in Zalesie Mały in the Krotoszyn powiat, the former Poznań Voivodeship. His father Marian was an agricultural clerk by profession. Halina's mother, on the other hand, did not work professionally, taking care of raising children: Zdzisław, Urszula and Henryk. During the occupation, the professor stayed in the Skierniewice powiat, where his parents were displaced from the Poznań Voivodeship. There, during the extremely difficult period of the occupation, starting from September 1941, he attended primary school in Paplin. In turn, in March 1945, he returned with his parents and siblings to the Poznań Voivodeship and continued his education in Koźmin Wielkopolski, where he graduated from primary school in 1948. After World War II, in the „new” social and geopolitical realities, in 1948, he enrolled in a secondary school, where, as a student of a general secondary school in Koźmin Wielkopolski, he obtained his secondary school-leaving examination certificate in June 1952. After obtaining the secondary school-leaving examination certificate, he decided to try his hand at medical studies. From October 1953 he studied medicine at the Faculty of Medicine of the Medical Academy in Wrocław. With the consent of the then Ministers of Health and Social Welfare as well as Education and Higher Education, he moved in 1955 to the Faculty of Law of the University of Wrocław, which he graduated in June 1960.

It should be emphasized that already during his studies he showed great interest in the criminal process and forensics, through active participation and involvement in various types of actions organized by student organizations. More than once the professor emphasized that the love of the so-called criminal subjects was undoubtedly instilled in it by some professors of the university where he studied, in particular

prof. Maria Lipczyńska and prof. Włodzimierz Gutekunst.

The above-average organizational activity of Professor Kegel already during his studies, as well as a visible passion for subjects in the field of penal sciences, especially criminal trial and forensics, resulted in a proposal for employment at the university.

From the very beginning, the threshold of his scientific work, he became interested mainly in the criminal process, although also then the seeds of criminal interests appeared, and in the years 1961-1974 he went through all levels, from assistant to assistant professor. As previously mentioned, interests in this early period of development were not limited to the criminal trial. In the aforementioned years, Zdzisław Kegel was a scientific and technical worker at the Forensic Science Laboratory for one year, and then, from 1962, a court expert in the field of handwriting expertise. Therefore, he came into contact with forensics relatively early and, according to many, achieved the level of practical excellence in one of its sections as a forensic expert. Beginning in September 1960, the Professor was employed at the University of Wrocław, where he worked until December 1961 as a technical assistant in the then Criminalistics Laboratory at the Department of Criminal Law. Then, from December 1961, he was employed at the Department of Criminal Procedure initially as a senior assistant. At the same time, from September 1970, he was the manager of the Forensic Sciences Laboratory.

In 1967 he obtained the PhD degree in law on the basis of the dissertation - „Evidence from the handwriting expert opinion in the Polish criminal procedure”. In the same year, from October 1, 1967 he was employed as an assistant professor. Since then, he has started working on the border of two disciplines, i.e. criminal trial and forensics. It should be emphasized that works on the border of various disciplines

are usually difficult and require much more knowledge than works strictly related to one scientific field. These works, however, usually make creative contributions to science by developing and explaining so-called border problems. Moreover, works of this type prove that the Author does not fit into the traditional division of scientific disciplines and is looking for solutions at the meeting point of various disciplines. His entire output is a reflection of this mentality of Z. Kegel, as well as the aforementioned variety of searches. On October 19, 1976, he obtained the postdoctoral degree in the field of criminal procedure and forensics on the basis of the entirety of scientific achievements and monographs, entitled: „Expertise in the position of procedure and forensics”. In March 1974 he moved to the University of Silesia and was employed there as a contract associate professor, simultaneously performing the duties of the head of the Department of Forensics at the Institute of Judicial Law. He was also the organizer of this Department and later the Department of Criminalistics.

In October 1977 he returned to the University of

Wrocław and was employed as an associate professor and became of the Department of Forensic Sciences at the Criminology Institute, and then in the years 1980-1982 the head of the Department of Forensic Sciences, which he headed was until 2008.

In 1991 he was appointed associate professor of the University of Wrocław. He was awarded the title of Professor of Legal Sciences in 1995. He became full-professor in 1998.

During his work at the University of Wrocław, he was a member of many faculty and university committees. He was the head of consultation points and the Disciplinary Spokesman for academic teachers. In 1996-2002 he was the Dean of the Faculty of Law and Administration at the University of Wrocław.

The Lithuanian Academy of Law (now the Mykolas Romeris University in Vilnius) awarded Professor Zdzisław Kegel in May 2000 the honorable title of doctor honoris causa. Professor Zdzisław Kegel was an honorary member of the Criminalists' Association of Lithuania.



Professor Zdzisław Kegel in a meeting with the rector prof. A. Pumputis at the Lithuanian Academy of Law (now the Mykolas Romeris University), 2000.



Doctor honoris causa Zdzisław Kegel at the meeting of the Senate of the University of Wrocław in 2000

Throughout his life, the Professor actively participated in many scientific events in the country and abroad, being at the same time a member of many scientific societies in the country and abroad.

The professor's research interests allow you to spot several directions. These are the fields of study related to forensics and the broadly understood evidence law. At the beginning of his scientific activity, the Professor addressed the issues related to the document in his studies. As part of these issues, he dealt with the issues of the concept of a document in a criminal trial and in forensics, then the evidential significance of individual documents and, finally, the evidential value of handwriting expertise. In this field, he published several articles and a doctoral thesis entitled „Evidence from the handwriting expert opinion in the Polish criminal procedure”, Wrocław 1973. These works can be classified as dogmatic of law and forensic sciences.

The second area of the Professor's research interests was the broad issues of the theory and practice of expertise. The theoretical element of these works had its process core, the practical element was rooted in forensic technology. As part of this issue, he dealt in particular with the controversial issues of the powers of the laboratory manager (signature under the opinion of which he did not issue himself), the qualifications of experts, and finally training of experts and making decisions about their skills. In his works devoted to this issue, he tried to clearly emphasize that a number of forensic expertises carried out nowadays require comprehensive examinations - these in turn are performed by contractors (experts) with narrow specialties. Finally, as part of this current of interest, he dealt with the mutual powers of the expert and the procedural authority in relation to unclear and thus controversial procedural provisions.

A characteristic feature of the published works in this field was the presentation of individual problems comparatively, especially between the provisions of the then provisions of the Code of Criminal Procedure, the Code of Civil Procedure, and the Code of Administrative Procedure. In these works, he clearly emphasized that due to the qualifications of experts, the resources at their disposal and the cognitive possibilities in individual fields of science, not always the expert could give a categorical opinion. In this field, Zdzisław Kegel published two monographs, „Expertise from the position of procedure and criminalistics”, Wrocław 1976 and in German „Juristische und kriminalistische probleme urkunden expertise in Polen” Wrocław 1980, as well as several articles.

In a separate group of this thematic group, several works should be mentioned that significantly contributed to the debunking of very harmful myths about the omnipotence of science, and thus also of experts, at the end of the last century. These works, in their process consistency, significantly prevented a further increase in the tendency to force experts to provide categorical opinions in every situation.

The third area of interest of the Professor, to whom he was faithful throughout his scientific activity, was the issue of handwriting research. It is a very complex problem, and at the same time it is of great importance in the field of evidence. In the initial period, Z. Kegel concerned the general nature

of literary research, which was reflected in the monograph „Proof of handwriting expertise in the Polish criminal procedure”. Then he conducted research on changes in the identification features of handwriting caused by: senile changes in the human body, drugs, e.g. the influence of alcohol or drugs. The result of these studies were several published articles as well as a number of presentations at international scientific conferences in Poland and abroad, mainly in countries such as Germany and Spain.

The fourth mainstream of research interests were problems related to the causes of road accidents. He conducted empirical broadcasts aimed at determining whether the driver's intoxication or another cause led to a road accident. Moreover, at the request of the Institute of Internal Trade, he conducted research on the correctness of document circulation.

The fifth area of research interests is related to some of the problems in the field of substantive criminal law, most often related to forensics. At the beginning of his scientific activity, Z. Kegel dealt with the issue of the real confluence of crimes and laws. Then he was interested in the criminal law issues of protecting the environment against the harmful effects of industry, as well as the problem of the concept of burglary in theory and practice in connection with the development of technology. These issues are the subject of two articles and one study.

The achievements of the Professor are interdisciplinary and therefore particularly valuable and deserving attention as innovative in terms of content and scope. It should be emphasized that Zdzisław Kegel is still mentioned in the country as an expert in the field of writing and his importance in this field is recognized in European circles. His interdisciplinary interests are also evidenced by studies, e.g. preliminary investigation of rape or burglary into railway carriages. Undoubtedly, the extensive, interesting and analytical scientific achievements, as well as his diversity as well as a serious scientific workshop place the Professor among people who enjoy great authority both in Poland and abroad.

As far as Zdzisław Kegel's extensive contacts with foreign research centers are concerned, one should mention, in particular, his long-term cooperation with the Second Institute of Psychology of the University of Mannheim, the Department of Criminal Law of the University of Munich, the Institute of Police Sciences and Criminology of the University of Lausanne, the Department of Forensics at University of Berlin, Department of Forensics at the University of Sofia, Department of Forensics at Mykolas Romeris University in Vilnius, Institute of Forensic Science of the Ministry of Justice in Romania and Bucharest, European Association of Psychology and Writing Expertise, Psychographic Society in Spain, Association of Writing Experts in Germany, the University of Cluj-Napoca in Romania, the Association of Forensic Graphologists in Naples. Scientific contacts with the above-mentioned foreign centers boiled down to extensive cooperation in the field of writing research and procedural issues. Zdzisław Kegel was on scholarship trips four times at the Max-Planck Institute in Freiburg, the University of Mannheim, and the University of Munich.

The exchange of views on the latest achievements in the methods of document expertise was made possible by the international scientific conferences, which started in the 1980's at the University of Wrocław, called the Wrocław Symposium of Questioned Document Examination. These conferences are, as requested by the Professor, still continued and in the 20th Symposium was organized in June 2022. Each time they are attended by both theoreticians and practitioners, document experts from Poland and around the world.

During his work at the Faculty of Law, Administration and Economics of the University of Wrocław (then the Faculty of Law and Administration), he was a member of many faculty, rector and senate commissions. In the years 1989-1993 he was the disciplinary spokesman for academic teachers. He was also a representative of auxiliary research workers to the Faculty Council in 1968-1971, full-time representative of the Dean and then Rector for student labor internships in 1968-1972, deputy chairman and then chairman of the Senate Disciplinary Committee for students in 1977-1980, secretary of the Senate Disciplinary Committee for students in 1963-1967. He was also a representative of the Council of the Faculty of Law and Administration to the Senate of the University of Wrocław. He was also the founder and for many years the head of several postgraduate studies, such as: Postgraduate Studies in Forensic Science, Postgraduate Studies in Safety Management, Postgraduate Studies in Document Expertise, Postgraduate Studies in Forensic Reconstruction of Road Accidents.

During his work at the University of Silesia in Katowice, i.e. in the years 1974-1977, he was also the Disciplinary Spokesman for academic teachers and the supervisor of the dormitory.

Throughout his professional career, the professor maintained and still maintains contacts with the practice. They were expressed, in particular, in specialist lectures for judges and prosecutors. Moreover, he made over 1,000 expert opinions of documents, especially handwriting, for courts and law enforcement agencies.

He was also a multiple reviewer of monographs and articles for publishing houses and research projects. He was also a co-contractor of research projects implemented under contracts with the National Science Center.

In his, in many respects, difficult scientific career, the Professor did not forget about his duties as a teacher. Under his supervision, several dozen people wrote and defended doctoral dissertations, and some of them currently hold the

academic title of habilitated doctor.

The abilities of Zdzisław Kegel also manifested themselves in the organization of science, at two universities in Wrocław and Katowice. It was thanks to him that the Forensic Science Department and the Document Expertise Laboratory were established at the University of Silesia in Katowice. After returning to Wrocław, he first became the Head of the Forensic Laboratory, then the Department and the Workshop, and now the Department which he created, starting from a modest base of both apparatus and personnel.

His lively foreign contacts led to a wide exchange of publications and the constant presence of the Professor and his associates at major symposiums and scientific congresses in Europe.

It is also worth emphasizing his teaching abilities in educating students. During several dozen years of teaching, he conducted exercises and lectures, as well as pro-seminars and seminars on the criminal trial, seminars, lectures, pro-seminars in forensics, lectures on the organization of the judiciary, as well as specialist lectures at postgraduate studies. The classes conducted by him were highly appreciated by young people, and the systematically issued scripts were a significant help in mastering the course material. Several hundred master theses have been written in the professor's chair and under his supervision.

Prof. Zdzisław Kegel lived with us, with us, but never next to us. Everything he did for the family and at the University came straight from the heart and promised a good future. The professor never expected praise or gratitude. He was an animator of multidimensional cooperation with the social and economic environment. It was always open to new challenges, initiatives and innovations brought by the world. From the beginning of his professional contact, Professor Zdzisław Kegel in his work combined the criminalist trend with the known, all this being put at the service of the basic principle that „the basis of all decisions should be factual findings corresponding to the truth”.

Prof. zw. dr hab., dr h.c. Zdzisław Kegel died on February 8, 2022. He was buried at the Grabiszyński Cemetery in Wrocław, next to his beloved wife, Teresa Kegel.

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PROF. ZDZISŁAW KEGEL - MOKSLININKAS, MOKYTOJAS, DRAUGAS, GERAS ŽMOGUS**Rafał Cieśla****Santrauka**

Profesorius Zdzisławas Kegelis gimė 1935 m. kovo 17 d. Zalesie Mały, Krotosino apygardoje, buvusioje Poznanės vaivadijoje. Nuo 1953 m. spalio mėnesio studijavo mediciną Vroclavo Medicinos akademijos Medicinos fakultete. Sutikus tuometiniams sveikatos ir socialinės gerovės bei švietimo ir aukštojo mokslo ministrams, 1955 m. jis persikėlė į Vroclavo universiteto Teisės fakultetą, kurį baigė 1960 m. birželį. Reikia pabrėžti, kad jau per savo studijomis parodė didelį susidomėjimą baudžiamuoju procesu ir kriminalistika, aktyviai dalyvaudamas ir išitraukdamas į įvairaus pobūdžio studentų organizacijų organizuojamas akcijas. Nuo pat mokslinio darbo pradžios jis daugiausia domėjosi baudžiamuoju procesu, kriminalistika, teismo ekspertize, o 1961-1974 metais perėjo visus lygius – nuo asistento iki docento. 1967 m. įgijo teisės mokslų daktaro laipsnį disertacijos „Įrodymai iš rašysenos eksperto išvados Lenkijos baudžiamajame procese“ pagrindu. 1976 m. spalio 19 d. pagal mokslo laimėjimų ir monografijų visumą įgijo baudžiamojo proceso ir teismo ekspertizės

krypties podoktorantūros laipsnį „Procedūros ir teismo ekspertizės“. 1974 m. kovo mėn. persikėlė į Silezijos universitetą, o 1977 m. spalio mėn. grįžo į Vroclavo universitetą, įsidarbino docentu ir tapo Kriminologijos instituto Teismo ekspertizės katedros, o 1980–1982 m. – Teismo ekspertizės katedros, vadovu. Juo buvo iki 2008 m. 1991 m. buvo paskirtas Vroclavo universiteto docentu. 1995 m. jam suteiktas teisės mokslų profesoriaus vardas. 1998 m. jis tapo tikruoju profesoriumi. Dirbdamas Vroclavo universitete jis buvo daugelio fakultetų ir universiteto komitetų narys. Jis buvo konsultacinių punktų vadovas ir dėstytojų drausmės atstovas. 1996–2002 m. buvo Vroclavo universiteto Teisės ir administravimo fakulteto dekanas. Lietuvos teisės akademija (dabar Mykolo Romerio universitetas Vilniuje) 2000 m. gegužę profesoriui Zdzisławui Kegliui suteikė garbingą daktaro honoris causa vardą. Profesorius Zdzisławas Kegelis buvo Lietuvos kriminalistų asociacijos garbės narys. Prof. zw. dr hab., dr h.c. Zdzisławas Kegelis mirė 2022 m. vasario 8 d.