

“Progress and tradition settled in one house”. This utterance made by Prof. Ignatowicz and me in 1983 refers to Prof. Grzybowski's idea. The legend of the Polish civil law said:

*“There's no denying that when discussing the value and efficiency of codification, one cannot forget the past and achievements to date. However, the first place should be uncompromisingly reserved for conclusions imposed by current situation in predicting the future”.* It should be emphasized that Prof. S. Grzybowski was in favour of giving the progress priority, but not at the cost of established, justified and positive tradition.

But the first one who noticed the importance of progress and tradition was Prof. Stanisław Gołąb of Jagiellonian University in Cracow. His remarks on the problem are still vivid: *“When we stop and think about the reasons why the amendments to the Polish organization of the law courts are made so often, we come to the conclusion that it is one of the effects of the struggle. The struggle that takes place in almost every state field, between elements, which only seemingly and temporarily are harmonious; in fact they are hostile and represent different political and social line – or maybe just do not understand each other. Whoever seizes power attempts immediately to introduce what he thinks is salutary for a particular branch of law; taking no heed of the fact that by such constant changes one undermines what is the most valuable in legal life, i.e. the legal order itself, reliability and security of law and coexistence. The psychosis of amendment lasts and it could only be uprooted by an authoritative and rational will of the factor which is responsible for making law in the state.”* The problem was also explored by prof. P. Gilles – doctor honoris causa of the Vilnius University in Lithuania.

In terms of progress in civil procedural law, the issue of introducing informatics and electronic technology to the courts is very important; the problem was elaborated on by A.M. Pessoa Vaz during International Symposium of Civil Procedural Law in Lublin, 22–25 August 1993 (Unity of

Civil Procedural Law and Its National Divergencies, edited by M. Sawczuk, Lublin 1994); the symposium was of great significance.

When pondering the amendment, with its tide of new terms, we should remember words said in 338 B.C. by Teokryt: “*when Anaksymenes makes a speech, his words flow like a river, but their meaning is coming down in drops*”; we should therefore consider whether present amendments of civil procedure make the progress or break the beautiful and enduring tradition (Prozessuales Denken aus Attika, Athen 2000).

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