Summary of Professional Accomplishments

1. **. Name and surname:**
Monika Katarzyna Zalewska
2. **2. Academic degrees or diplomas held, including the awarding institution, year of conferral, and the title of the doctoral dissertation:**
Doctoral degree awarded by the Faculty of Law and Administration, University of Lodz, in 2012; title of the doctoral dissertation: *"The Problem of Imputation in the Various Stages of Development of Hans Kelsen's Legal Theory."*
3. **3. Information on previous employment at academic or artistic institutions:**
2007–2012: employed as an assistant at the Faculty of Law and Administration, University of Lodz
Since 2012: employed as an assistant professor at the Faculty of Law and Administration, University of Lodz

4. Description of the achievements, set out in art. 219 para 1 point 2 of the Act

Introduction

The central area of my academic activity remains the legal theory of Hans Kelsen — one of the most important and at the same time most debated legal theorists of the twentieth century. My interest in his thought is not limited to a historical reconstruction of the premises of the Pure Theory of Law, but focuses on their reinterpretation in light of contemporary philosophical, linguistic, and methodological debates. The aim of my research has been, and continues to be, the question of the extent to which Kelsen's theory — often regarded as closed and anachronistic — can today be developed in a dynamic spirit: as a living, open concept that still retains explanatory potential.

In addressing this topic, I have sought both to understand the sources of this theory's strength — its elegant logical consistency and clear methodology — and to show how it may respond to contemporary legal challenges, such as the change in cognitive paradigms, the departure from a syllogistic model, or the growing role of heuristics in legal thinking. For these reasons, Kelsen's theory remains for me not only a subject of research, but also a point of reference for reflecting on the very nature of law.

However, as I immersed myself more and more deeply in philosophy and abstract thought, I increasingly felt the need to balance this dimension with research of a more practical

nature — grounded in real problems that affect us all. At a certain stage of my academic path, I consciously chose the topic of water resource protection as a counterbalance to the development of an abstract conceptual apparatus.

Although at first glance these two domains — legal philosophy and environmental law — may seem distant from each other, I am convinced that abstract thinking supports my development also in its practical dimension, allowing me to perceive structures, patterns, and meanings where others often see only technicalities. Conversely, engagement with tangible problems — such as hydrology or ecology — and translating them into the language of legal theory and philosophy enables me to deepen my understanding of law in its social and operational function.

It can therefore be said that the dimension of internal integration of legal sciences, which is my main field and is pursued through a reinterpretation of Kelsen's normativism, I have decided to complement with a parallel reflection on the external dimension of law, by undertaking research into its relationship with social and ecological challenges. This bipolar way of thinking — between metaphysics and the concrete — I consider today to be the most valuable aspect of my scientific development. At present, these two aspects remain separate, allowing me to develop comprehensively in more than one field. Nevertheless, it must be emphasized that my principal academic achievements are related to Hans Kelsen's Pure Theory of Law.

Therefore, the aim of this self-report is to present and synthetically discuss my academic achievements, the core of which consists in a reinterpretation of the General Theory of Norms in the spirit of fictionalism and in the context of contemporary legal-philosophical debates. I will include here only the most significant themes and publications. This dimension is clearly theoretical, but my academic achievements have also made room for a complementary practical component — concerning the issue of access to water resources and ensuring their quality, analyzed from the perspective of legal philosophy and the idea of sustainable development.

1. Selected Achievements Related to Kelsen's Thought

My academic path has been focused primarily on the legacy of Hans Kelsen. One might ask whether working on the thought of a single legal philosopher for such a long time amounts merely to repeating the same ideas. The answer to this question should be formulated as follows: in philosophy, the value of a thinker's legacy is not determined by whether they are "right" — since indisputable truths tend to be trivial — but rather by whether their ideas become a point of reference for an entire field. In philosophy, this applies to Plato, Aristotle, Descartes, or Kant — their concepts contain a universal potential that allows us to better understand reality and to inspire future generations. These are precisely the kinds of ideas which, although rooted in their own time, can be reformed and deepened thanks to new philosophical and scientific tools.

In jurisprudence, such a point of reference was John Austin — although, as Hart observed, he was wrong, but wrong in a clear and transparent way. Austin formulated a definition of law that was both too narrow and inadequate, as it could not distinguish the command of a sovereign from that of a bandit. Nevertheless, his innovativeness, intellectual honesty, and precision of thought inspired Hart to write one of the most important books in the field of legal theory — The Concept of Law. Hart himself became another point of reference, and his ideas continue to shape contemporary jurisprudence. That is why I believe that the thought of such figures should not only be analyzed, but also further developed. In my view, Kelsen belongs to this same group. Even if he is sometimes portrayed as "the one who was wrong," he was wrong in a way that was significant and creative.

The situation with Kelsen, however, is more complex. The Pure Theory of Law is indeed a point of reference — but often in a simplified, reduced form. This version, called soft Kelsenism by Marek Zirk-Sadowski, combines fundamental theses of Kelsen (for example, the dynamic structure of law or the construction of coupled norms) but in a simplified version, together with elements that Kelsen himself never advocated — such as attributing to him the legal syllogism, which he in fact criticized. This simplified view still determines the way law is perceived in Central Europe. However, eliminating the complexity of this thought leads to an impoverishment of legal reflection. This is the first reason — let us call it practical — why I believe it is worthwhile to explore Kelsen's thought in its full depth. An awareness of both the strengths and weaknesses of this theory translates directly into the quality of legal reflection in our region.

The second reason is of a legal-philosophical nature. What made Kelsen's thought — and not that of earlier positivists — a lasting point of reference was the accuracy of his philosophical intuitions. Originally rooted in Neo-Kantianism, Kelsen's thought provided a solid foundation for its further development on many levels. One might say that Kelsen accurately captured the way we think about law and expressed these intuitions in Neo-Kantian terminology — one of the most sophisticated frameworks of the time when he formulated the foundations of his doctrine. I explored this classical period in publications such as The Problem of Imputation in Hans Kelsen's Normativism, Objectivity and Hans Kelsen's Concept of Imputation (Franz Steiner Verlag), Causality of Imputation (in the Encyclopedia of the Philosophy of Law and Social Philosophy, Springer), and Gunman Situation, Vicious Circle and the Pure Theory of Law (Springer), to mention the most important works from that period.

Although in the later decades Kelsen's thought evolved, for example by rejecting the Kantian version of causality in favor of Hume's position in the 1940s, the core of Kelsen's thought has remained consistently coherent: his methodology is always based on a language-game in which a strict separation of is and ought is assumed, and norms are analyzed exclusively within the domain of ought. It is precisely this methodology that became the source of my long-standing fascination with his theory.

During my research on Kelsen's work, however, I noticed that although the fundamental framework remained intact, the philosophical background of his concept gradually underwent transformations. I developed this observation in my book 'Problem zarachowania w teorii prawa Hansa Kelsena (The Problem of Imputation in Hans Kelsen's Legal Theory) and in the article Objectivity and Hans Kelsen's Concept of Imputation, where I showed that these changes constitute a starting point for discovering new dimensions of his thought.

It is precisely in this ability to reinterpret while maintaining internal consistency that I see the greatest strength of Kelsen's concept — as well as the reason why it is worth developing his theory further, by drawing on contemporary philosophical tools that were not available to Kelsen himself. For this reason, alongside my academic work, I began studying philosophy at the University of Lodz in order to prepare for this task and to deepen my analytical skills.

My participation in two research projects has also contributed to broadening my research methods. The first of these, led by Prof. Sylwia Wojtczak, concerned the issue of cognitive metaphors. Within its framework, I prepared two articles: one analyzing Jerzy Wróblewski's theory of legal interpretation, with a proposal to supplement it with the concept of metaphors as a new type of interpretation, and another devoted to the analysis of cognitive metaphors in copyright law.

The second project, led by Prof. Mariusz Golecki, focused on issues related to cognitive science. Within its framework, I worked, among other things, on reconstructing legal thinking based on the concept of the basic norm — which resulted in the article The Basic Norm at the Time of the Revolution (Springer) — as well as on analyzing Kelsen's rejection of the logic of norms in the final phase of his work, presented in Kelsen's Rejection of Logic in General Theory of Norms and its Impact on his Legal Science Project (Franz Steiner Verlag). I also returned to the topic of cognitive metaphors, this time in the context of their presence in the language of Kelsen's theory.

In particular, this second project inspired me to pose a research question that has since become one of the main axes of my academic work: how do lawyers think? The reconstruction of legal thinking in light of Kelsen's theory opened up a completely new philosophical potential for me — revealing that Kelsen's concept of law may also serve as a tool for understanding the very act of thinking within the law. Therefore, I undertook an attempt to reinterpret the General Theory of Norms in light of contemporary concepts of heuristics and fictionalism, developing Kelsen's methodology in a direction that makes it not only up to date, but also capable of describing actual processes of legal reasoning. Thanks to my previous research on metaphors, cognition, and logic, I was able to deepen the analysis of normative categories not only as theoretical entities, but also as elements of thought practice — genuinely present in the work of judges, lawyers, and legislators.

This approach is fully consistent with who Kelsen was as a scholar. His research attitude was characterized by a constant striving to deepen understanding — even after creating what was considered a closed work, namely the Pure Theory of Law, he did not cease searching. He

changed his paradigm and turned towards linguistic analyses, exploring new theoretical possibilities. Kelsen had the soul of a researcher, not an apologist — he was not interested in preserving previously accepted theses, but in reaching the essence of phenomena.

It was precisely this philosophical perspective — asking about the way lawyers think about norms, and not only how they interpret them — that enabled me to carry out my research thanks to the NCN OPUS grant Dynamic Interpretation of Hans Kelsen's Pure Theory of Law. How Lawyers Understand Law.

During the course of my research, I also noticed that in law it is impossible to reach an absolute essence — the law, its structure, and its context change over time. Austin's thought, although perhaps accurate at the end of the eighteenth century, no longer fits the complexity of the concept of sovereignty today. For Kelsen, a multicentric legal order would have been not so much an obstacle as an experimental challenge. That is precisely why thought of this caliber requires continuation — it should be taken up and developed by successors who will reinterpret and update it, thereby contributing to the development of legal theory in the spirit of classical depth and contemporary relevance.

This final conclusion of my first book constitutes a bridge that led me to a change of paradigm. It inspired me to develop my own style of research on Kelsen's thought — one that does not consist merely in an exegesis of concepts, but rather asks the question: in what way can we talk about Kelsenian categories today, having a different quality of knowledge than in the times when Kelsen developed his theory?

I have called this approach dynamic, because it consists in reinterpreting Kelsen's concepts in light of contemporary philosophical currents. I seek points of contact between them, starting from the assumption that if two different theories successfully describe the same phenomenon, this means they are capturing its essence — although from different perspectives. The task of the researcher is therefore to find a common denominator that makes it possible to understand both their differences and the convergence of their correct intuitions. Thanks to this insight, I was able to develop publications such as Network, or Stufenbau in the Bulletin of the Hans Kelsen Institute, Imputation as Supervenience in the General Theory of Norms (Edward Elgar), Empowerment and the Act of Will in Hans Kelsen's General Theory of Norms (Springer), and I consider it an exceptional mark of recognition from the Kelsenian community that I had the opportunity to collaborate with Carsten Heidemann on the article Grundnorm and Grounding: A Modern Metaphysics for Hans Kelsen's Pure Theory? Carsten Heidemann, interested in my ideas on supervenience and grounding, proposed that we join forces. As a result, in this article we realized my proposals, expanded by the spectacular philosophical knowledge and insight of this outstanding Kelsen scholar.

The ultimate milestone on the road to my habilitation book was my growing interest in the General Theory of Norms. After completing my doctoral dissertation, in which I analyzed the notion of imputation in successive stages of Hans Kelsen's intellectual development, my attention was drawn to his final and less explored phase — the analytical phase, whose main

pillar is the General Theory of Norms, published posthumously. This book, although based on Kelsen's already well-known foundations, struck me at the same time as surprisingly different. The concepts seemed to be the same, but subtle shifts of emphasis, new relationships among them, and a modified way of arguing suggested that we were dealing with a profound attempt to reform the theory. Although many have interpreted this shift as a sign of Kelsen's capitulation before his own thought, I saw in this ambiguity and open structure not a weakness, but a potential. While the Pure Theory of Law imposes a specific method of reading, requiring the reader to follow Kelsen step by step, the General Theory of Norms offers space for one's own interpretive initiative. It was precisely this open character of the text that inspired me to search for a direction in which this theory could be further developed — while preserving its normativist spirit, but already within a new philosophical paradigm. As a result of these inquiries, I wrote the book that currently represents my main scientific achievement: A Dynamic Approach to Hans Kelsen's General Theory of Norms, which I would like to present in more detail.

2. The Book A Dynamic Approach to Hans Kelsen's General Theory of Norms

The habilitation book entitled A Dynamic Approach to Hans Kelsen's General Theory of Norms represents an attempt at a creative revitalization of one of the most important legal theories of the twentieth century, adapted to the realities and needs of the twenty-first century. It demonstrates that even such a closed and often marginalized — as outdated — concept as the Pure Theory of Law can, if appropriately reinterpreted, serve as a starting point for new reflection on normativity, law-making, and adjudicative practice. In this sense, it not only fills a gap in the existing research on the later period of Kelsen's work, but also creates a new space for dialogue between classical positivism and contemporary hermeneutic and analytical reflection on law.

The research focuses on reinterpreting Kelsen's theory in the context of contemporary challenges to legal theory, such as the complexity of the relationship between law and facts, the hermeneutic understanding of law, and the application of tools such as fictionalism or metaphysical relations like supervenience and grounding. My main research premise is that although Kelsen operated with a limited theoretical toolkit, he intuitively grasped the key aspects of the normativity of law. Contemporary philosophical tools make it possible to extract and develop these intuitions in a way that brings Kelsen's theory back into the contemporary discourse.

My thesis, in turn, is that thanks to these accurate intuitions, Kelsen's theory remains relevant and constitutes a fully legitimate participant in contemporary theoretical-legal discourse. Moreover, as an open theory, it is amenable to reinterpretations in light of contemporary philosophical and legal-philosophical currents, which allows it to generate new quality within the framework of the Pure Theory of Law.

2.1. Research Background

Hans Kelsen's theory, full of original and elegant constructions — such as the distinction between is and ought, or the concept of the basic norm — is considered one of the most significant achievements of twentieth-century legal theory. However, nowadays it is increasingly presented as an approach that no longer fits the challenges of the twenty-first century, and is contrasted with newer, more adequate conceptions of law. Additionally, Kelsen's last book — General Theory of Norms — was published only after his death, in 1979, and the process of developing the theory was already interrupted in the 1960s, when the author was working on its final version. Thus, the last update of this concept took place over half a century ago, which naturally hinders its effective participation in the contemporary legal discourse, dominated by issues such as regionalization, multicentricity, or the changing role of the judge.

Paradoxically, however, in Polish legal culture Kelsen's thought still plays a significant role — both in academic teaching and in judicial practice. As I have already mentioned, Marek Zirk-Sadowski referred to this phenomenon as soft Kelsenism, pointing to the enduring presence of the Pure Theory of Law in legal education as well as in the reasoning of many Polish judges. We can therefore speak of a complex reception phenomenon: a theory that is globally often regarded as anachronistic still locally influences the way law is perceived.

In my view, the reason for this phenomenon may be the previously mentioned fact that Kelsen had extremely accurate intuitions about the nature of law, but did not yet have the appropriate theoretical tools to fully express and systematize them. Evidence of this difficulty can be found, for example, in his well-known metaphor of the "unbridgeable gulf" between is and ought — perhaps expressing not so much the finality of the separation as his intellectual struggle to fully justify it.

It may also be assumed that Kelsen himself was aware of the limitations of the earlier version of his theory. In attempting to reformulate his theory, he largely abandoned the Neo-Kantian paradigm in favor of a more analytical approach and reformulated some key concepts, including the basic norm. Unfortunately, his death in 1973 prevented him from completing the work. The publication of the General Theory of Norms in 1979 was a decision made by his students, and it remains not only a testimony to his final intuitions but also an unfinished theoretical project. From the perspective of my approach, this unfinished character is actually an advantage.

In this context, my research proposal is a dynamic reinterpretation of the General Theory of Norms as a tool enabling the analysis of contemporary theoretical and practical problems in law. A book that is today often marginalized as a product of the late twentieth century, in my opinion, contains a potential which — if appropriately developed — may prove surprisingly relevant. Enriching it with new but coherent elements derived from current philosophical and legal debates not only restores its vitality, but also brings a valuable voice to the broader discussion on the nature of law and the way it functions in modern, complex societies.

Despite the unfinished character of the text, this book offers a wide field for various interpretations. The shift from the Neo-Kantian paradigm to linguistic analysis constitutes an excellent starting point for adapting Kelsen's thought to contemporary legal challenges. Although there have been significant attempts to address Kelsen's later writings, research on this phase of his work remains scarce. Some analyses, such as those by Ota Weinberger or Stanley L. Paulson, have criticized Kelsen's last book, arguing that the new solutions he introduced were a step backward compared to his earlier works. This belief still dominates the literature today. I treat this criticism as a point of departure for my own research.

I have observed that the dominant paradigm in legal thinking within civil law cultures is hard legal positivism. This paradigm emphasizes legal certainty, but is at the same time often criticized for its rigidity, well illustrated by the slogan "the law is the law." Consequently, there is a belief that this doctrine should be replaced by other approaches to law, such as Ronald Dworkin's theory. Indeed, implementing such postulates could solve certain problems related to an excessively rigid style of adjudication; however, the fact remains that successive generations of lawyers still adhere to the positivist paradigm. A change seems unlikely in the near future, which is why it is worth proposing an alternative approach.

The alternative I propose consists in re-formulating the final version of Kelsen's normativism. This theory seems ideally suited to this goal because of Kelsen's aspiration to describe legal thinking in a scientific way. Kelsen pursued this project consistently, creatively, and with sophistication, but was unable to reveal all the layers of legal reasoning. Therefore, I proceeded from the assumption — which is also my main thesis — that his theory, if properly interpreted, has much more to offer than might appear at first glance and that it can regain its rightful place in the theoretical and legal-philosophical discourse.

2.2. Research Objectives and Hypotheses

Main objective

The main idea of my approach is the assumption that applying contemporary philosophical tools to Kelsen's theory makes it possible to modernize it and reintegrate it into the contemporary legal-philosophical discourse. The hypothesis underlying this project assumes that legal positivism, and in particular Kelsen's Pure Theory of Law, at a certain level identifies the structure of legal thinking. Today, with more advanced philosophical tools at our disposal than Kelsen had — such as metaphysical relations, hermeneutics, fictionalism, or cognitive sciences — we can discover many additional levels, hidden structures, and assumptions within positivist legal thinking. At the same time, the book proposes a new, contemporary interpretation of normativism.

However, my aim was not to polemicize with earlier critics. The conclusions of authors such as Paulson or Weinberger are largely valid. My aim was to propose an alternative interpretation of the General Theory of Norms that would better correspond to contemporary

discussions in legal theory, especially regarding the relationship between law and facts and the status of legal science.

Specific objectives

The book focuses on several main themes within the dynamic interpretation:

Understanding law — This section concerns the fictional character of the basic norm, which opens the way for a fictionalist approach as well as a hermeneutic view of law derived from this assumption. The analysis focuses on elements related to the basic norm, which in the final phase of his research Kelsen considered to be an internally contradictory fiction. This concept makes it possible to draw interesting conclusions within the framework of a dynamic interpretation. First, referring to Hans Vaihinger's theory of fiction, the analysis led to a discussion of the role of fictionalist approaches in Kelsen's theory and the application of fictionalism in its ontological and methodological dimensions (e.g. fictions in science). In this perspective, the basic norm is a "symptom" of the presence of fictionalism in Kelsen's thought, in which the two key separations (between is and ought, and between law and morality) have a fictional character in the sense that law existing in separation from its social, psychological, or ethical context is deprived of meaning and justification. Law purified of alien elements can serve only to understand it in its pure form and to examine it in the same way as a laboratory sample.

Fictionality and understanding law — The function of fiction in Kelsen consists in creating laboratory conditions that enable the separation of "pure" normative elements from "alien" elements present in the world of facts. Thanks to this, fiction makes it possible to understand the phenomenon of normativity in law, which — although separate from facts — remains connected with them in reality. At the same time, the abstract conception of law, detached from its substantive content, resembles a scientific model, which is a simplified representation of far more complex phenomena. Such a model ensures a clear definition of law. Within positivism, law is a separate category, having complex relationships with morality, which requires the creation of such a model — otherwise, the concept of law could lose its clarity.

Fictions in science are useful, but they should not be treated as ultimate — they should be abandoned once they have fulfilled their function. Since the main function of fiction is to understand certain phenomena, this leads to a hermeneutic paradigm in this context. The General Theory of Norms can thus be read as a theory describing how lawyers understand law in its pure form. In the next stage, once there is an understanding of what law is "as such," the law can then be studied in its social context — for example, through legal positivism, as in Hart's version.

A third area of my research focuses on the relationships between the sphere of is and the sphere of ought from a normative point of view. The focus is on legal concepts that are connected both with elements of the world of facts and with other concepts within the normative sphere. The starting point for this analysis is the question of how Kelsen's thesis on the separation of is and ought should be understood. A total separation of these spheres does not

seem possible — for if ought were completely detached from is, it would not even be conceivable. Thus, Kelsen requires such a relation between these domains that on the one hand does not violate his fundamental assumption of their separation, but on the other allows their epistemic linkage.

In analyzing this tension, I focus on relations such as supervenience and grounding, which in contemporary philosophy constitute potential bridges between the sphere of facts and the sphere of norms. In this part of the work, I also draw on the achievements of the metaphysics of legal positivism, which asks the reverse question: what kind of relationship must exist for legal facts to emerge from social facts?

While legal positivism, concentrating on law as a social fact, sees explanatory potential in relations of reduction and grounding, in Kelsen's case the most adequate relation seems to be the much weaker supervenience — which allows the independence of the normative sphere to be preserved while maintaining its logical connection to the world of facts. Here I refer to the strategy of David Chalmers, who dealt with an analogous problem in the domain of philosophy of mind, struggling with physicalism.

Therefore, my research hypotheses were as follows:

(1) The fictional character of the basic norm makes it possible to understand the normativity of law and the autonomy of legal sciences;

(2) The relationship between is and ought is dynamic, and its analysis requires the application of contemporary philosophical tools, such as the relation of supervenience;

(3) The dynamic reinterpretation of the General Theory of Norms has the potential to restore Kelsen's theory to the contemporary legal discourse.

2.3 Methodology

In order to implement this assumption, I first referred to Stegmüller's distinction between direct interpretation and rational interpretation, introducing two approaches: static interpretation and dynamic interpretation. Static interpretation focuses on reconstructing the author's thought, that is, in this case, Kelsen's thought, in its original context. In contrast, dynamic interpretation consists in rethinking Kelsen's theory in light of contemporary concepts, taking into account theories from other fields. This dynamic relationship between theories makes it possible not only to understand the examined theory, but also to situate it in a broader context — even in distant domains; in this case, it confronts Kelsen's theory with theories from other areas, particularly the theory of metaphysical relations (e.g. supervenience and grounding), model theory, the distinction between explanation and understanding, and fictionalism. In this way, I was able, for example, to define relationships with legal positivism in a complementary rather than confrontational way, and through analogy with Chalmers' argumentation, I noticed the universality of supervenience as a relation that structures different layers of reality, proving itself wherever there are two separate but strongly interdependent phenomena. Supervenience reconciles a certain paradox, when we perceive separateness but

cannot deny the strong dependencies between two phenomena that suggest intuitions about their potential reducibility.

Although this approach has been present in some previous publications on Kelsen's thought, it was I who explicitly formulated its value, defined the principles governing it, and consciously situated my research within this paradigm, developing it in a coherent and consistent manner. In this way, I not only organized scattered intuitions appearing in the literature, but also gave them a clear methodological structure, forming the basis of a new, dynamic reading of normativism.

Thus, two domains play a central role in the book: the difference between positivist explanation (typical for the natural sciences) and hermeneutic understanding (characteristic of the humanities and social sciences), particularly linked to the latter domain fictionalism; and relations such as supervenience and grounding.

Due to the dynamic nature of the interpretation I propose, I developed a set of methodological criteria aimed at ensuring both fidelity to the spirit of Kelsen's theory and its creative updating. At the heart of my approach is the conviction that the reinterpretation of a classical legal theory should not consist in its rejection or mechanical adaptation to new trends, but in such a reconstruction that makes it possible to extract its hidden intellectual potential in light of contemporary philosophical and legal tools.

First, as a necessary condition, I adopted the principle of consistency with the basic assumptions of Kelsen's theory. This means that the proposed interpretation not only cannot undermine the key pillars of normativism — such as the separation of is and ought or the principle of purity of method — but should deepen them and make them more transparent from today's perspective. In this context, I rejected popular tendencies to reduce the last version of Kelsen's theory to legal positivism or legal realism, proposing instead an alternative paradigm based on fictionalism and the relation of supervenience.

Second, as a sufficient condition, I assumed the requirement that the reinterpretation should lead to a deeper understanding of the phenomenon of law as a normative phenomenon — not only at the level of pure theory, but also in the context of legal thinking practice, even in a broader philosophical framework. In this perspective, fictionalism serves as a useful methodological tool: it allows the basic norm to be treated not as an ontological entity, but as a fictional, heuristic point of reference, necessary for the construction of a coherent legal system. Meanwhile, the concept of supervenience offers a new language for describing the relationship between the world of facts and the world of norms, which does not break the principle of separation, but at the same time allows for a more flexible and precise modeling of this relationship.

As a result, a theoretical proposal emerges that is a theory in the spirit of Kelsen — faithful to his intellectual intuitions and methodological rigor, yet not afraid to critically assess those elements that have lost their relevance. Such a theory not only retains the ability to explain legal phenomena, but — crucially — allows one to see new aspects of them, which I will list in the next section. This enables the reintegration of Kelsen's thought with the mainstream of contemporary theoretical-legal debates, showing that his normativism — appropriately updated — can still inspire and explain the complexity of modern law.

2.4. Research Results and Their Significance in Poland and Worldwide

I conduct my research primarily in English, and I present its results at the most highly regarded international conferences, especially at IVR congresses. Below, I would like to outline the most important contributions of my work to legal-philosophical doctrine.

My research shows that the dynamic interpretation of Kelsen's theory has produced results that confirm its originality and value both on a theoretical and methodological level. It has allowed for a coherent and in-depth account of normativism within the contemporary hermeneutic paradigm, while at the same time opening up a new space for integrating the Pure Theory of Law with legal positivism. Instead of treating these approaches as competing, I have proposed a model in which "law as a norm" and "law as a fact" function as complementary ways of understanding the legal phenomenon — mutually reinforcing rather than excluding each other.

From this point of view, Kelsen's interpretation gains a new dimension: the category of ought is treated as central to capturing the essence of law, but it does not contradict the analysis of law as a social fact. On the contrary — only by recognizing their coexistence and mutual tension can we achieve a fuller understanding of law in its entire spectrum. Such an approach has particular significance for legal practice in Poland, where a formalist paradigm dominates — it may contribute to greater flexibility, reflexivity, and methodological awareness in the application of law.

The use of supervenience as an interpretive tool has proven crucial — it not only confirmed the hypothesis that this relation best captures the subtle connections between is and ought in Kelsen's framework, but also made it possible to extract from his theory new, previously marginalized conceptual categories. Particularly important turned out to be borderline pairs of concepts — such as act of will and norm, validity and effectiveness, or fact and its normative imputation. Their analysis through the prism of supervenience revealed hidden structures and tacit assumptions — including the principle of fairness, which, although not explicitly formulated, emerges as a foundation of the normative order. Supervenience also resolved the puzzle between validity and effectiveness in Kelsen.

The discovery that the fictional character of the basic norm results not from its weakness, but from the consistent application of methodological assumptions — such as the purity of

theory, the separation of is and ought, and the distinction between law and morality — constitutes a key element of the novelty of my research. This connection, though in a sense obvious, had so far remained unnoticed. This results from the fact that Kelsen himself never developed a complete theory of fiction, even though he used this tool with remarkable consistency. Only the application of contemporary philosophical tools, especially fictionalism, made it possible to capture this connection as methodologically non-accidental, but deeply rooted in the structure of the entire theory.

It can therefore be said that thanks to this analysis, the fictional nature of the basic norm ceases to be a problem to be overcome, and instead becomes the key to understanding the coherence and elegance of the entire system. Moreover, this shows that the basic norm, understood in this way, not only does not weaken the theory, but actually confirms its methodological rigor and modernity. This approach — simple at its core, yet breaking through long-standing interpretive deadlocks — represents my original contribution, which can open new pathways for reinterpreting Kelsen and deepen reflection on the nature of normativity in law.

These studies therefore fill an important gap in the analyses of Kelsen's later works and also demonstrate that his theory can be creatively developed using contemporary philosophical tools, such as model theory, fictionalism, or precisely supervenience. In this way, we do not obtain a "new" theory, but rather an innovative reinterpretation in the spirit of Kelsen, which respects his intentions but subjects them to revision and modernization in light of current debates. This is a genuine opportunity to restore Kelsen's theory to the mainstream of contemporary philosophy of law.

From a practical point of view, my concept supports greater reflexivity in legal practice — among other things by showing that the basic norm, treated as a fiction, can serve a heuristic function. The basic norm understood as a heuristic allows lawyers to think about law in a more complex and reflective way than that proposed by classical positivism; on the other hand, it increases awareness of the use of heuristic tools in legal practice, challenging overly literal understandings of traditional models of applying the law. Currently, I am working on this issue with Professor Mariusz Golecki.

The results of the research have been very well received internationally. Active participation in foreign conferences has resulted in invitations from prestigious centers. My presentation at the IVR congress in Lucerne led to an invitation from the Lisbon Legal Theory Group, where at the invitation of Prof. David Duarte I presented my research on supervenience in the Pure Theory of Law. George Pavlakos invited me to workshops on grounding in legal theory (Barcelona 2019, Glasgow 2020), as well as to a research fellowship at the University of Glasgow. I spoke as a keynote speaker alongside Thomas Olechowski, Stanley Paulson, and Ralph Vinx at the Juris North Kelsen Roundtable. In June 2025, I presented my research results at the "Methodology of Law" workshop at The Legal Theory Festival in Edinburgh, to which I was invited. Of particular note is my cooperation with the Hans Kelsen Institute in Vienna,

where I am regularly invited as a lecturer. My mentors are the most important representatives of the global Kelsenian community — including Clemens Jabloner, Stanley L. Paulson, Carsten Heidemann, and George Pavlakos, representing the analytical trend in jurisprudence.

My research is also recognized in Poland — the project concerning the dynamic interpretation of Kelsen's theory received funding from the National Science Centre under the OPUS program. I am also invited to conferences and seminars by centers such as Adam Mickiewicz University in Poznań (seminar), Jagiellonian University (conference), University of Silesia (seminar), and University of Warsaw (seminar and conference).

In my opinion, I have managed to demonstrate that Hans Kelsen — despite the passage of time — remains one of the most inspiring thinkers in legal theory. His categories — appropriately reinterpreted — can not only be brought back into contemporary debate, but also serve as a tool for modern legal practice. The dynamic interpretation of this theory offers a real contribution both to the development of doctrine and to changing legal culture — not only in Poland, but also in a broader, international context.

2. Academic Achievements in the Philosophy of Sustainable Development and Water Protection

The second area of my research activity — developed in parallel with my work on Hans Kelsen's legal theory — is the philosophical and legal reflection on the category of sustainable development, with particular emphasis on access to water as a fundamental common good. The impetus for in-depth work in this area was my participation in a three-month research internship at the UNESCO headquarters in Paris (2017), where, within the framework of the IHP Division, I prepared a report on water justice and mechanisms of equitable access to water resources in a global context.

Although for a long time the center of my research was focused on Kelsen, at a certain point I consciously decided to expand my work to include the practical dimension of legal philosophy. The problem of water protection seemed to me particularly important — not only because of its civilizational significance, but also from the perspective of biological survival. Contrary to appearances, Poland has limited water resources, and forecasts indicate an increasing threat of droughts.

During my research, I analyzed case law in three key international disputes: India v. Pakistan, Hungary v. Slovakia (Gabčíkovo–Nagymaros), and Argentina v. Chile. I noticed that despite formal correctness, in each of these cases the interest that should have been protected was pushed into the background. What really mattered was the formal and material correctness of the judgment, understood by me as compliance with the letter of the law. This observation

led me to broader reflection on the social and cognitive factors that influence the effectiveness of environmental law, in particular on the role of judges and their perception of ecological problems.

In my analyses, I focus on the legal status of water as a common good, on the legal and institutional mechanisms serving the fair distribution of resources, and on the tension between the principle of state sovereignty and the responsibility for the common goods of humanity.

The central problem I undertook in this part of my research is the question of how to build a conceptual framework for environmental law that would take into account both contemporary ecological challenges and fundamental ethical values — such as dignity, solidarity, and intergenerational responsibility. I am particularly interested in how these values can be internalized in the language of law, not as external moral postulates or imposed norms, but as internal interpretive principles or standards in the Dworkinian sense. This line of thinking led to two parallel projects.

The first of these, which generated considerable interest at UNESCO, employed Habermasian categories to examine the correlation between ecological effectiveness and democratic values. The second focused on the practice of applying the law, in the context of how judges consider the perspective of future generations in light of John Rawls' theory of justice.

From this first perspective, the concepts of procedural justice, civic participation, and deliberative democracy are particularly important to me. In my research, I focus on how these can be applied in the practice of enacting and applying environmental protection law — so that these processes take into account the diversity of interests, the voices of local communities, and the long-term consequences of decisions. Analyzing data provided by UNESCO and the OECD, I observed a clear correlation between the level of democratic advancement and the effectiveness of environmental protection. Based on Jürgen Habermas's theory of deliberative democracy, I identified factors that have significant relevance for ecological effectiveness — in particular social trust and the level of education. According to the available data, these factors prove to be decisive in shaping social attitudes that support environmental protection.

I presented the results of these analyses, among others, during the UNESCO panel Knowledge Forum on Water Security and Climate Change in Paris, in a presentation entitled Impact of Democracy Rules on Water Efficiency in International Water Law.

I developed these observations further in a scientific article entitled The New Dimension in Judicial Decisions for Acceleration of Water Resources and Biosphere Sustainability, published in the journal Ecohydrology & Hydrobiology (2024, IF 2.7). The article addresses the problem of the low effectiveness of water and environmental law. The aim of my research in this area was to search for new ways to increase the effectiveness of protecting natural

resources through law, with particular emphasis on access to water resources and maintaining their adequate quality. I focused on why, despite the existence of extensive legal regulations concerning water, their goals (such as ensuring equal access to clean water for present and future generations) are not always achieved in practice. I wanted to identify the barriers that hinder the implementation of the principles of sustainable development in the context of water management and to propose solutions that could help overcome these barriers.

I pointed out that one of the main obstacles is not substantive law itself, but rather the mentality of judges, who often remain locked in a "here and now" perspective. Even where the law enables environmental protection, courts are reluctant to refer to ecological arguments, and one of the reasons for this is the lack of a perspective oriented toward future generations.

Methodologically, in my research I combined legal analysis with philosophical reflection and institutional observation. I applied case studies — analyzing in detail key international case law on water access and environmental protection (including judgments by international courts in high-profile transboundary water disputes). This gave me insight into how, in practice, courts apply environmental protection standards and where there are possible discrepancies between the letter of the law and its effectiveness. In parallel, I drew on legal-philosophical tools — above all the theory of justice (inspired by John Rawls's concepts of intergenerational justice) and the ideas of democratic participation. These theoretical frameworks helped me to interpret the results of the legal analyses in a broader context of the values and goals that the law should fulfill.

An important element of my research approach was also becoming acquainted with UNESCO's institutional practice — carrying out a research internship within the framework of UNESCO's International Hydrological Programme (IHP) allowed me to understand how, at the international level, the principles of sustainable water management are implemented and how education and institutional cooperation can support the effectiveness of law.

The results of this research revealed that the key challenge is not the lack of regulations, but the human dimension of their application — ecological awareness and the approach of decision-makers. The analysis of the cases showed that courts often treat environmental issues as secondary, prioritizing the formal correctness of judgments at the expense of the long-term common good. As a result, even correctly applied law may be ineffective if it lacks consideration of the perspective of sustainable development — that is, the protection of the rights of future generations and the integrity of ecosystems.

Through philosophical reflection, I concluded that there is a gap between the existing law and the mentality of those who implement it: the legal norms are established, but achieving their aims requires a change in the approach of judges, officials, and other participants in the legal process. This gap could be filled by the tools developed by John Rawls in his theory of justice. The original position and the veil of ignorance could sensitize judges to the problems of future generations and shift the emphasis when balancing competing values. It is important

to emphasize that my conclusions have a practical dimension and their purpose is not to reconstruct Rawls's theory, but to apply its intuitions to solve a specific problem.

My research therefore demonstrated the need for a stronger link between law and ethical values, such as intergenerational justice, as well as with practical mechanisms for shaping attitudes. On this basis, I formulated proposals that constitute my contribution to the development of the field. Drawing on John Rawls's theory of justice, I proposed adopting a new paradigm for applying environmental law — one that systematically incorporates a long-term perspective and broadly understood ecological awareness into the legal decision-making process, by referring to the interests of future generations through the thought experiment in which the judge is behind the veil of ignorance.

In practice, this means, among other things, proposals for introducing specialized training for judges and lawyers in the field of sustainable development (to increase their sensitivity to environmental issues) as well as promoting more participatory forms of creating and implementing the law (those that involve experts, local communities, and international institutions in the protection of water resources). These recommendations combine philosophical-legal reflection on the values of law with practical action — they respond to the real needs of institutions dealing with water protection, as confirmed by the experience gained from UNESCO practice.

It is worth emphasizing that in the field of water resource protection there is currently a broad consensus among experts: effective protection requires a holistic approach. This means that all participants involved in this process — at the institutional, scientific, and civic levels — should have an awareness of the complexity of the problem, encompassing not only environmental aspects but also social and decision-making dimensions. It is crucial to understand not only that in many cases solutions such as increasing the retention and absorption capacity of ecosystems (preferably through natural methods) may be more effective than purely repressive regulation, but also to take into account the institutional and social limitations that may arise at the stage of implementing decisions.

Without the effort to integrate these various perspectives, and without realizing how much water protection is a multi-level and interdisciplinary issue, it is difficult to speak of its true effectiveness. From the perspective of legal sciences, one can speak here of the need for the external integration of law with other fields of knowledge and practice. In a broader sense, however, the integration of all areas affected by water protection becomes necessary — from hydrology and environmental engineering, through politics and law, to education and social awareness. In this context, my research represents a step forward in building precisely such an integrated, conscious, and axiologically rooted perspective on water resource protection.

I believe that thanks to this, my work has enriched the scientific discourse at the intersection of environmental law and sustainable development, indicating that effective nature protection requires not only improving legal regulations, but also transforming legal culture. My achievements in this area deepen the understanding of how law can more effectively serve

the protection of the environment and ensure fair access to its resources — combining theory with practice for the benefit of present and future generations.

The conclusions drawn from my research have prompted me to take action to disseminate reflection on the legal aspects of sustainable development more broadly in legal circles. In 2018, in cooperation with the Supreme Administrative Court, I co-organized an international conference entitled Challenges of Law in the Context of Sustainable Development and Global Change. Public Law Perspective. During the event, I gave a lecture entitled John Rawls's Theory of Justice and a New Approach to Environmental Law, in which I presented my proposals for applying John Rawls's theory of justice to shape a more responsible environmental law. The conference brought together representatives of academic communities and international institutions, including representatives of the UNESCO IHP (Renee Gift) and the Secretary General of the Polish Committee for UNESCO, Prof. Sławomir Ratajski.

In summary, my research on sustainable development and water resource protection combines philosophical-legal reflection with an analysis of judicial practice and actual legal mechanisms. Its goal is not only to understand environmental law as a system of norms, but also to indicate how it can more effectively respond to the challenges of the modern world — both ecological and ethical. By proposing a new approach to the interpretation of law, which takes into account the perspective of future generations, I strive to broaden the horizons of legal thinking to include the intergenerational and environmental dimension. I believe that only through such an integrated approach — combining theory, values, and practice — can the law play a real role in protecting natural resources and shaping a just ecological order.

5. Presentation of significant scientific or artistic activity carried out at more than one university, scientific or cultural institution, especially at foreign institutions \

My academic activity has a distinctly international dimension. Most of my scientific output has been published in English, in reputable English-language publishing houses. Over the years, I have had the opportunity to collaborate with outstanding representatives of Kelsenian thought, including Carsten Heidemann, one of the most respected experts on Kelsen. I am currently engaged in ongoing collaboration with Gonzalo Villa Rosas — a student of Robert Alexy — with whom I am working on a joint article concerning the relationship between law and morality in the concepts of Adolf Merkl and Hans Kelsen.

As part of my academic career, I have completed four research internships at foreign institutions. In 2009, as a scholarship holder of the Scholarship Foundation of the Republic of Austria, I completed a four-month internship at the Hans Kelsen Institute in Vienna. This internship resulted in lasting ties with the Institute — I became its corresponding member, as

the first Polish researcher after Kazimierz Opałek. In 2018, I returned to Vienna, this time working on my habilitation book. This research stay was combined with two invited lectures. The first lecture, Polish Legal Doctrine on the Relations between Law and Facts, concerned the reception of legal positivism in Poland, while the second — delivered on the occasion of the centenary of Kazimierz Opałek's birth — was an academic tribute to his legacy.

It was precisely during one of these lectures that I first publicly presented the key idea of my habilitation book — the thesis that supervenience may constitute the missing link connecting the spheres of is and ought in the Pure Theory of Law. This idea attracted considerable interest and initiated further invitations to seminars and workshops in Glasgow and Lisbon. As a result of this recognition, I was invited to undertake a research fellowship at the University of Glasgow under Prof. George Pavlakos, where I developed the topic Grounding in Hans Kelsen's Pure Theory of Law. Prof. Pavlakos ultimately became the editor of my book Dynamic Approach to Hans Kelsen's General Theory of Norms.

In the field of water resources protection, I completed a three-month internship at UNESCO's IHP in Paris, where I worked on a project concerning the impact of democratic principles on public awareness of the necessity of water protection. My coordinator was Youssef Filali-Meknassi. This experience allowed me to combine philosophical and legal reflection with the practice of international institutions, which remains an important component of my interdisciplinary research approach to this day.

My scientific work has also resulted in membership in the largest organization bringing together lawyers working on sustainable development issues, namely the WCEL (World Commission on Environmental Law), which is a body of the IUCN (International Union for Conservation of Nature).

6. Presentation of teaching and organizational achievements as well as achievements in popularization of science or art

Praca ze studentami to dla mnie nie tylko zawodowy obowiązek, ale przede wszystkim pasja i głębokie źródło satysfakcji. Wierzę, że to właśnie w tym wymiarze — kształcenia młodych ludzi, poszerzania ich horyzontów i wspierania ich w budowaniu samodzielnego myślenia — mogę realnie i trwale oddziaływać na rzeczywistość. Traktuję więc tę działalność jako misję i ogromną odpowiedzialność, mając świadomość, że kształtuję umysły przyszłych elit intelektualnych tego kraju. Zależy mi, by byli to ludzie myślący głęboko, refleksyjnie i odpowiedzialnie — a nie tylko poprawnie i sprawnie.

Mam wielki przywilej prowadzenia zajęć przede wszystkim z teorii i filozofii prawa — dziedziny, która z natury rzeczy zachęca do kwestionowania schematów, poszukiwania znaczeń i pogłębiania rozumienia prawa jako zjawiska kulturowego i normatywnego. W pracy dydaktycznej stawiam na otwarty dialog, indywidualne podejście do studenta i wzmacnianie samodzielności intelektualnej. Nic nie daje mi większej satysfakcji niż sytuacja, w której to sami studenci zgłaszają się do mnie z prośbą o opiekę naukową — chcąc pisać prace magisterskie właśnie pod moim kierunkiem.

Do tej pory byłam promotorką pięciu obronionych prac magisterskich, obecnie współpracuję z dwiema kolejnymi osobami, które przygotowują się do obrony w bieżącym lub przyszłym roku akademickim. Tematyka prac magisterskich zawsze jest ustalana wspólnie — zależy mi, aby wynikała z autentycznych zainteresowań studentów, ponieważ tylko wówczas możliwy jest autentyczny rozwój. Wśród dotychczasowych prac znalazły się m.in. analizy filozofii prawa Gustava Radbrucha i Lona Fullera, a także rozprawa z pogranicza teorii prawa i lingwistyki poświęcona predykatom dyspozycyjnym. Obecnie powstają dwie bardzo różnorodne prace: jedna analizuje spór pomiędzy Hansem Kelsenem i Carlem Schmittem o funkcję „strażnika konstytucji", druga dotyczy koncepcji prawa natury w tradycji wedyjskiej.

Równolegle pełnię również funkcję promotora pomocniczego w dwóch przewodach doktorskich. Mgr Agata Dąbrowska bada współczesny dyskurs prawny w mediach społecznościowych, natomiast mgr Jan Okoński pisze doktorat poświęcony myśli Ericha Voegelina i jej znaczeniu dla współczesnej filozofii polityki.

Działalność dydaktyczna, rozwijana równolegle z badaniami, daje mi poczucie sensu i ciągłości. Uczy mnie pokory, otwartości i wrażliwości na to, jak różnie można rozumieć prawo — nie tylko w sensie dogmatycznym, ale jako przestrzeń intelektualna, kulturowa i ludzka.

7. Summary

My academic activity focuses on a philosophically in-depth analysis of Hans Kelsen's normativism. I complement its theoretical dimension with a practically oriented reflection on the philosophy of environmental law, with particular emphasis on the protection of water resources. Although these two areas may seem distinct, they are in fact based on a common foundation: the pursuit of a deeper understanding of law as a normative phenomenon, rooted in language, values, and social reality.

In the first of these areas, I have proposed an original concept of the dynamic interpretation of Kelsen's General Theory of Norms, which — by using the tools of contemporary philosophy — restores its relevance, breaking through traditional oppositions between positivism and normativism. I have shown that elements such as supervenience or fictionalism can serve as effective tools for analyzing the complex relationships between fact and ought, while enriching the contemporary theoretical-legal discourse.

In the second area, concerning sustainable development and the protection of water resources, I have focused on the question of the effectiveness of law in the face of global environmental challenges. In my research — conducted, among others, in cooperation with UNESCO — I have demonstrated that a key role is played not only by legal provisions, but also by social, psychological, and axiological factors that condition the effectiveness of the application of law. This approach combines philosophical reflection with institutional and judicial practice, highlighting the importance of participation, social trust, and intergenerational responsibility.

The results of my research and their reception confirm that the perspective I have developed is recognized not only in Poland but also in the international academic community. As a researcher actively participating in the global theoretical-legal discourse, I contribute an original and authentic voice to contemporary debates, and my concepts have attracted the interest of recognized academic centers. My established position in the international community of legal scholars is for me not only an honor, but above all an obligation to continue developing theoretical reflection in dialogue with practice and the challenges of the modern world.

Alongside my research activity, I am also fully committed to developing my teaching activities, treating them as a space for conveying not only knowledge but also a way of thinking about law. Working with students — especially in the area of legal theory and philosophy — is for me not only a duty, but above all a source of inspiration and continuous intellectual development.

All these fields of activity lead me toward a common goal: building a legal culture that is at once intellectually rigorous, axiologically conscious, and practically effective. I believe that only through such an integration of theory, values, and practice is it possible to achieve a fuller understanding of the role of law in today's world — both in its abstract and concrete dimensions.

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