To meet the requirements defined in the Section 18a Subsection 1 of the Act on the Academic Degrees and the Academic Title and on Degrees and Title in Arts dated 14th of March 2003 (Journal of Laws 2017.1789, consolidated text), I submit this self-commentary as an attachment to the application for the habilitation procedure in the field of law science and the discipline of law, dated 31st of August 2018.

SELF-COMMENTARY

1. First name and last name: **Artur Kotowski**
2. Diplomas and academic titles, including name, place and year of obtaining, as well as the title of doctoral thesis:

   2012 – the degree of doctor of law conferred pursuant to the Resolution of the Law and Administration Faculty Council of the Maria Curie-Sklodowska University in Lublin dated 4th of July 2012, based on doctoral thesis entitled *Discursive Models of Law Application*. PhD thesis promoter: Andrzej Korybski, PhD, Professor of UMCS; PhD thesis reviewers: Professor Leszek Leszczyński, PhD, Professor Zbigniew Pulka, PhD.

   2008 – master degree; completed long-cycle law program at the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin. Subject of the MA thesis: *Psychological Determinants of Imposing a Sentence.*

3. Information on to-date employment

   a) in research units:

   2015-until now: European School of Law and Administration in Warsaw:

   - Assistant Professor, Department of the Theories of State and Law
   - Deputy Dean of the Faculty of Law in Warsaw

   2014-2015: Non-Public University College of Social, Computer, and Medical Sciences in Warsaw

   - Assistant Professor, Lecturer (the Course on Law and Administration)

   2013-2014: University College of Entrepreneurship in Warsaw

   - Senior Lecturer (the Course on Administration)

2012-2013: Ministry of Justice, the Institute of Justice in Warsaw

- Assistant Professor (the Section of Criminal Law)

b) employment (other):

2009-until now: the Supreme Court of the Republic of Poland

- Assistant specialist (Criminal Chamber), Study and Analysis Bureau (since 2017)
- Senior Assistant of a Supreme Court Judge (2017)
- Assistant of a Supreme Court Judge (2009-2016)

4. The presentation of the achievement pursuant to the Section 16 Subsections 1 and 2 of the Act on the Academic Degrees and the Academic Title and on Degrees and Title in Arts dated 14th of March 2003 (Journal of Laws 2017.1789, consolidated text):

   a) **The title of scientific achievement:**

   Orientative Statutory Interpretation: Theories of Statutory Interpretation and the Theory of Orientative Examination of Operative Statutory Interpretation

   b) **Bibliographic information:**

   author: **Artur Kotowski**, year of publication: **2018**, publishing company: **Wydawnictwo „Difin"**, nr ISBN: 978-83-8085-715-5, number of pages: **548**, reviewer of the publication: **Professor Marek Zirk-Sadowski, PhD**

   c) **Discussion on the scientific purpose of the achievement:**

Introduction (subject matter)

The scientific purpose of the monograph entitled *Orientative Statutory Interpretation: Theories of Statutory Interpretation and the Theory of Orientative Examination of Operative Statutory Interpretation* was to develop a concept of the empirical examination of statutory interpretation carried out by judicial bodies applying the law; in other words, its aim was to establish the judicial operative statutory interpretation. We can call it the primary and underlying purpose of the achievement. In most general terms, the purpose involved building a methodological framework for carrying out empirical analysis of the statutory interpretation performed by courts in order to make it possible to generate (develop) specific theories which deal with these bodies' functioning related to carrying out statutory interpretation based on the assumptions of the concept. As a result, the presented scientific format should be perceived on the so-called metatheoretical or metamethodological level, since it does not aim

to produce a specific theory of statutory interpretation – even a one referring to a specific class of law interpreters (e.g. courts) and commonly perceived in a descriptive way as a group of descriptive, explanative, and evaluative-normative propositions – but its goal is to formulate a theory which is just a basis for generating empirical theories oriented towards the processes of the operative statutory interpretation.

Therefore, the scientific achievement involves, to a certain degree, my own concept of examining the operative statutory interpretation as presented in the context of the Polish theory of statutory interpretation, which is defined as a subject of interest to the sciences of law theory and philosophy. Secondly, the presented discussion is not an another specific theory of statutory interpretation (there are more than ten theories which were developed by Polish scientists) but, as I already pointed it out, a metatheory of the operative statutory interpretation developed based on a single yet essential and fundamental paradigmatic statement called the orientativeness of statutory interpretation. It is an assumed feature of the operative statutory interpretation and a structural paradigm of the presented concept. It is also a reference to a point of view as present in the prewar sociological concept of statutory interpretation by Sawa Frydman (and after WWII by Czesław Nowiński); however, I give this notion a considerably different meaning. My concept is not a creation of a revolutionary approach to science but, which needs to be stressed, the evolutionary one; it is the fruit of reflection on the question of adapting certain theoretical concepts on statutory interpretation, which originated from general sciences in the jurisprudence field, to the practice of applying the law by courts.

The scientific achievement is the result of more than three-year-long empirical research on the practical application of the operative statutory interpretation by the chambers of the Supreme Court, the Civil and Criminal ones, as well as the Supreme Administrative Court. The research and the monograph were financed under the grant provided by the National Science Centre in Poland (call Sonata 8), entitled *Operative Theories of Statutory Interpretation as an Act of Linguistic Pragmatics*. This scientific subject has turned out to be extensive and is a part of a comprehensive project which created a possibility and necessity to develop a separate doctrinal-methodological monograph.

The purpose of the scientific achievement in the context of statutory interpretation theory

The basic feature of the Polish theory of statutory interpretation is the existence of a considerable number of specific theories. This fact was stressed by Jerzy Wróblewski who considered it a proof of problems with law interpretation being important, if not even constitutive, subject matter to the Polish theory of law. Another factors determining the Polish legacy in the field of the theory of statutory interpretation pertain to features of those concepts. First of all, these are text-centric, which is related to the ontological nature of the continental legal culture; on the other hand, it is the result of a particularly strong position of linguistic analyses in the Polish jurisprudence. The array of mutual connections also covers the features of codified law as well as determinants originating from the phenomenon of the political character of statutory interpretation. As a result, the text of a normative act, being the source of the communication, is the object used to find the meaning of a legal obligation. Another highlighted feature of the Polish theories of statutory interpretation is the fact that these are not theories as understood by the general science methodology, i.e. they do not describe interpretive behaviors of a given class of interpreters but, as pointed out by Maciej Zieliński, model such behaviors. Therefore, they are just directive models of statutory interpretation which were introduced from a given concept of meaning, transformed from other sciences, to jurisprudence, after taking interpreters' needs into account in order to carry out the process in a possibly effective way. The measure of the effectiveness, in particular in the context of the operative statutory interpretation, is reaching the state of case law uniformity and minimizing the differences between given acts of interpretive behavior.

The current development state of the Polish theory of statutory interpretation, which is holistically understood as the subject of interest of general sciences in the jurisprudence field, focuses, on the one hand, on unifying at least major views on statutory interpretation and, on the other hand, tackles important questions for the legal practice such as philosophy of government and politics or translating established concepts of statutory interpretation into the problems of polycentricism, as well as looks into detailed semantic issues in the different branches of the law. But still it does not impact an interesting feature of the Polish thought which manifest itself in a two-level structure of concepts dealing with statutory interpretation. The first level is often referred to as great methodological views which can be considered as philosophies of statutory interpretation. The level, which originates from the famous typology presented by Jerzy Wróbleski, is still valid and consists in differentiation between general

concepts on statutory interpretation based on its variations sensu stricto (clarificative), sensu largo (derivative), and largissimo sensu (humanistic). This distinction is about an attempt to separate the specificity of statutory interpretation being an object of understanding of an interpreter, i.e. a normative act with its semantic-syntactic (or simply editorial) features as compared to other texts of culture. As a result, sensu stricto and sensu largo approaches are considered legal (though there are certain differences between them) as strongly opposed to other concepts of statutory interpretation, including not only the largissimo sensu one which perceives statutory interpretation as the process where a legal text is considered a text of culture, but also hermeneutic or classically descriptive concepts. The second level, a more detailed one, assigns specific theories of statutory interpretation to general assumptions which result from features that are characteristic of clarificative, derivative, or humanistic statutory interpretation respectively. As I mentioned before, the Polish jurisprudence has developed more than ten specific theories of statutory interpretation. The most popular are the following three ones: semantic one (referring to clarificativeness) by Jerzy Wróblewski, derivative one by Maciej Zieliński, and derivative-validative one by Leszek Leszczyński. The two last theories are based on a derivative view of the statutory interpretation.

Putting great stress on the model-like status is the common feature of the above-mentioned theories. Some of them were developed based on analyses of interpretation lines of thought which were 'extracted' from justifications of rulings (this remark is the most valid for the semantic theory by Jerzy Wróblewski); however, after several dozen of years of development, the contemporary state of these concepts suggests these, or at least an overwhelming majority of them, were not developed on a basis of an observation of the so-called legal practice. Practice might have been an inspiration only. Under no circumstances can we call them 'empirical views on statutory interpretation,' including interpretation performed by judicial bodies applying the law. As a result, these views cannot be considered theories which develop in the down-top direction (based on observations and analyses of the behaviors of exegetes who carry out operative statutory interpretation) but model-like concepts, where this feature comes down to a certain degree of directivity originating from a specific model of achieving the juristic semantics. And this feature is discussed in the literature but not in a negative way. It seems the dominant trend in the Polish theories of statutory interpretation takes a stand that legal practice is aware of the need to have certain tools to reconstruct meanings in the course of law application, so it is necessary to provide it with an appropriate theoretical means which could fulfill this need.

The second cause of the above-mentioned developments, as it seems, has its origins in a long-standing tradition of the Polish jurisprudence; the scholars involved strove for integration with other sciences, which resulted in attempts to 'transplant' externally developed concepts of semantics onto the field of the law (e.g. theory of meaning by Kazimierz Ajdukiewicz is the basis for the semantic theory).

The above described status quo is the result of (already indicated by me) connections between the Polish theory of statutory interpretation and the study on the role of language in its relation to statutory interpretation which is understood as a phenomenon being an object of cognition and not just a group of conventional actions performed by 'somebody' on 'something'. As far as this question is concerned, we can generally divide all the concepts into two groups of views.

The first group pertains to differences in meanings observed on an everyday basis. One can conclude that in fact philosophies concerning statutory interpretation are derived from the philosophy of the positive law, where semantic ambiguity is considered as something obvious that results from natural properties of a language itself, and not from pragmatics of its application. This sequence is of utmost importance. Different assessments that 'something' means 'something different' for somebody else is a linguistic phenomenon which is considered, according to the above mentioned philosophies, an acceptable polysemy at the legal language level which should be overcome by means of statutory interpretation. As a result, statutory interpretation is ascribed a functional role. At the same time, statutory interpretation and its theories are attributed a pragmatic significance. Then we get a method to overcome ambiguity as an inherent feature of a language. Such concept of the role of language in the domain of statutory interpretation is the basis for both the clarification and derivative theories.

In both cases, statutory interpretation is perceived as a directive quest for acceptable meaning which does not employ argumentation criteria but procedural mechanisms for establishing the meaning found in the assumptions of a given theory (these are exploratory and repair functions of statutory interpretation which are highlighted in the derivative trend). This is obviously radicalized the most in the semantic theory, according to which, in case of isomorphy situation (state of unambiguous understanding), statutory interpretation is not used at all, whereas in case of a polysemy situation, the clarification directive theory of statutory interpretation is applied to the extent of the linguistic boundary of a text.

A different view was shared by scholars expressing the jurislinguistics approach which is based on taking the context of language and statutory interpretation of a normative text into account, using a sociological framework. Such a view, though rare in the Polish jurisprudence, yet given much attention for some time recently, refers to the so-called pragmatic context, i.e. a relationship between a sign and a user of a language in a specific communication (linguistic) situation. The phenomenon of polysemy is perceived as an inherent result of a different use of a sign by different exegetes set in specific social relations. This is the reason why the activity of operative exegetes is considered as taking place in different communication realities. According to this view, the differences in the same or similar meanings developed in different branches of the law by the judicial authorities which apply the law are not the result of a solely different perception of a sign (a legal text) but are determined by a pragmatic relationship (according to Marek Smolak). Thus this is context of sign use and not a normative act itself that makes worked-out meanings non-uniform. It's worth mentioning that scholars following this trend occasionally present reflections on exploring different methods of analyzing statutory interpretation. These are concepts which are collectively considered as argumentative-dialectical (most often of hermeneutic origin) or sociological ones. The latter, which are completely marginal in the Polish theory of statutory interpretation, perceive statutory interpretation as a specific social fact which can be analyzed similar to any other phenomenon of human activity.

The scientific achievement employs the latter trend. The point of departure for the discussion was my intention to analyze statutory interpretation through developing a statutory interpretation theory in a different way that is employed in the theories so far presented in the history of the Polish jurisprudence. Apart from that, I believed it was necessary to answer two questions. The first one was whether the view of operational statutory interpretation for different branches of the law (based on analysis of rulings by cassation courts being bodies which, in their justifications of the rulings, expose interpretation lines of thought to a possibly full degree) is more or less uniform or not; and if not, whether there exist any particular differences. The second question was about an attempt to specify the degree to which the so-far developed theories of statutory interpretation are actually applied in the practice of the operative statutory interpretation. Since the continental jurisprudence lacks standardized methods of analysis (not only in the domain of statutory interpretation theories), i.e. the metatheoretical propositions, it became necessary to seek an appropriate methodological format which would make it possible to carry out such analysis. A reflection on my research

question quite fast made me believe this type of study must take a form of an empirical analysis according to which statutory interpretation is perceived as a certain social fact; and in order to avoid, as noted by Marek Zirk-Sadowski, coincidences between descriptive and evaluative-directive propositions present in the statutory interpretation theories to date, this involves developing an appropriate and classical (according to science methodology) descriptive theory.

Of course it is not true that the practice of the operative statutory interpretation has never been an object of empirical analyses. However, in the history of the Polish jurisprudence, there are just few studies of this type. If we wanted to summarize them, we could say those were carried out with the aim of approving or disapproving a certain theoretical model of statutory interpretation. So we can state that their results were compared to a theoretical preliminary assumption. As a result, those studies were targeted at checking the degree to which a given theoretical model of statutory interpretation can be applied practically in order to auto-verify it. They did not lead to developing a theory understood as an attempt to describe and explain a phenomenon. The cause of this lies in the basic assumption of the Polish theory of statutory interpretation which comes down to attributing the primary role to the directive theories of statutory interpretation for the reasons highlighted above. It is worth mentioning that such a methodology of analyzing the operative statutory interpretation employs a relationship pointed out by Zbigniew Pulka; it states that based on a given theory or philosophy of statutory interpretation, one can deduce or presume theoretical or philosophical propositions respectively. Such a research paradigm is used for studies in social and even natural sciences domain, since there is no need to repeatedly support a given theory which is considered axiomatically true or provided with a criterion of truth. According to this approach, when conducting empirical research of a given type, a scholar can reject results which do not match assumptions. It must be noted that this scientific approach cannot be considered better or worse but rather based on a different methodology.

When preparing the scientific achievement, I recognized that such methodology cannot be employed before producing a proper theory which would deal with interpretation behaviors of a class of interpreters; in the first place, we need to develop general rules of producing this type of theories. Acting that way, I wanted to eliminate so-called preconceptualization to the greatest degree possible because it would produce an excessive number of preliminary assumptions concerning the view of the practice of the operative statutory interpretation. This resulted in a necessity to admit that an actual view of the operative statutory interpretation,

which is based on analyzed samples typical of a given class of interpreters (e.g. judges of Civil or Criminal Chamber of the Supreme Court), is not uniform but diversified in a specific way. In the process, I also considered intuitive assumptions that are well-known to many lawyers who deal with statutory interpretation in the course of law application, i.e. the analysis of operative statutory interpretation might lead to producing not a single but as many empirical theories as the number of analyses attempted by a scholar.

When applying this postulate, I used a concept of producing theories stating only that the results of empirical research should belong to a marked research area, which, as I already noted, is to lead to producing these theories in a 'down-top' fashion. The presented scientific achievement is about developing a theory which produces theories of statutory interpretation in accordance with such methodology. In order to reach the goal, I employed the previously mentioned format of orientativeness which serves a dual role: of an assumed quality of an operative exegete (one who performs the interpretation in a specific context of applying law of a given type) and of a methodological paradigm.

Methodology of statutory interpretation orientativeness

When producing the notion of the orientative statutory interpretation (precisely: orientative presentation of legal acts) almost hundred years ago, Sawa Frydman related it to the origins of the concepts of semantics which are employed to produce legal theories of statutory interpretation. In other words, the scholar understood orientativeness as concerning theoretical concepts which, for lawyers, constitute a conceptual background in the processes of developing juridical theories of statutory interpretation. In case of the scientific achievement, the orientativeness is perceived in a much broader way. In most general terms, my own presentation of orientativeness is about defining dominant, repeatable behaviors of this type for a given community of interpreters, i.e. the acts of conventional behavior targeted at obtaining the normative meaning. Being the basis for the theory, orientativeness is thus the methodology of my work as well as a gradable feature of the operative statutory interpretation; this is because it serves the purpose of specifying the dominant interpretation heuristic which is understood as the most common modus operandi of interpreter's actions for an examined sample.

Consequently, according to the proposed concept, based on the primary assumption, which is formulated so to speak in an a priori fashion, the operative statutory interpretation extends over planes of three types of discourse: (1)` theoretical one (i.e. theory of law in the

field of theories of legal interpretation); (2`) doctrinal one (statements offered by law doctrine concerning appropriate methods of statutory interpretation which take into account specifics of a given branch of the law depending on an object of regulation, and a type of legal relationship under it); and (3`) in case of court-related application of the law, the judiciary (one) who also produce communications saying how to carry out operative statutory interpretation (e.g. which methods are the preferred ones). In the presented concept, the above mentioned relationship, whether simple or more complex, between sources of communications must be examined based on methods, techniques, ways, or statutory interpretation heuristics which are considered appropriate in the jurisprudence field; and it is this relationship that is the object of interest for a theory of orientative type. Such theory not only strives for understanding the division of variables which are characteristic of operative statutory interpretation with reference to the sources of communications (discourses), but also for defining the already mentioned dominant interpretation heuristic typical of an examined sample. Consequently, based on the analysis of rulings by a chosen type of court (e.g. a cassation one which offers the most representative/diagnostic array of rulings relevant for the subject matter), the presented concept should make it possible to produce a classically descriptive theory covering operative statutory interpretation in the civil, criminal, and administrative law respectively. In case of an orientativeness-oriented theory, it is the behavior of an interpreter that is the object of the primary research paradigm; at the same time, we reject assumptions saying, for example, a given theory of statutory interpretation is the leading one; a given type of exploration (a heuristic) of interpretations is dominant and appropriate for the whole domain of the operative statutory interpretation; or only the theory of the law is a true source of propositions saying how to carry out statutory interpretation. The fundamental assumption for this line of thought is that using the operative statutory interpretation, interpreters work in a generally different way than in case of the doctrinal statutory interpretation, as well as the primary factors conditioning work with a text are not structure and type of the text but the person of an interpreter and circumstances under which the interpreter must make a decision concerning an interpretation.

The presented concept, i.e. the theory of orientative examination of the operative statutory interpretation, is a metatheory of statutory interpretation, since its object of interest is not the operative statutory interpretation itself but the theories of orientative type. When formulating its assumptions in the scientific achievement, I had to include an observation saying that in case of the domain of jurisprudence methodology, studies of empirical nature

are missing the metatheoretical level. Therefore, in most general terms, I had to employ the methodologies from other social sciences, including, to a limited degree, from statistical analysis. Orientativeness, as previously indicated, understood as a metatheoretical paradigm and a hypothetical quality of an operative exegete (and, consequently, of the operative statutory interpretation itself), is considered a variable, and not a constant, which we can determine in a specific way as well as asses its scale, obviously not in a qualitative fashion but making an attempt to define a qualitative degree of the orientativeness of statutory interpretation. It comes down to taking mutually typical behaviors of this type into account by individual interpreters. As a result, we can say it is some kind of format of interpretation conformism but with no negative meaning. In fact, a theory of the orientative type examines in an analyzed sample whether the dominant interpretation heuristic matches a given theoretical concept (thus constitutes an adaptation of the theory of statutory interpretation used in the practice of operative statutory interpretation) or is rather an individually developed interpretation heuristic. Originally it is intended to specify the dominant feature of the operative statutory interpretation in an analyzed sample.

As I already indicated, the theory of orientative type aspires to being considered a fully-fledged descriptive theory. It is intended to produce three levels of propositions; and it is the standardized fashion of this production that is the object of interest of my theory of orientative examination of the operative statutory interpretation (metatheory of orientativeness). The first level encompasses research of statistical nature. The research is intended to create a starting domain for further analysis named a lawmetric view. It includes a distribution of variants of individual variables which describe operative statutory interpretation for an examined sample of interpreters. The types of variables include for example: employed methods of statutory interpretation, references to a specific concept of statutory interpretation and a group the concept belongs to, a semantic concept, or a way of justifying a decision concerning interpretation. The second level of the discussion is an attempt to find out and explain the dominant interpretation heuristic for an examined sample. In case of any theory of orientative type, this is the so-called explanatory level. It refers to certain assumptions from the Grounded Theory by B.G. Glaser and A.L. Strauss and partially resembles a case study. This level is conditioned by the object of analysis, i.e. specifics of a justification of a ruling; and this requires an in-depth examination of these interpretive lines of thought which make it possible to seek the dominant interpretation heuristic. Such a division, according to the proposed methodology employed in the scientific achievement, combines the advantages of

quantitative research with those of qualitative one, and makes it possible to carry out in-depth examinations of cases which require additional analysis based on the obtained lawmetric view. Evaluative-normative propositions are introduced as late as on the third level. These are basically intended to constitute a set of directives for members of an examined interpreters' community which provide them with the dominant pattern of interpretation activity. What is very important, the pattern should not modify the entirety of the nature of the ultimately produced theory of orientative type but constitute a synthetic summary of how to carry out interpretation activities which are in conformity with interpretation heuristic that is dominant for a given sample. Originally the summary is to be as functional and practical as possible and should not exceed from 2 to 3 typed pages.

Structure of the work

The scientific achievement, i.e. the monograph entitled *Orientative Statutory Interpretation: Theories of Statutory Interpretation and the Theory of Orientative Examination of Operative Statutory Interpretation* was divided into 2 parts named rhetorics, since these refer to different paradigms which are fundamental to the presented discussion.

The first part of the monograph presents an outline of the theory of statutory interpretation; its subheading refers to the rhetoric of the knowledge to-date. This part is a description of researcher's original conceptualizations which they face when dealing with the topic of the construction of a theory of statutory interpretation. It needs to be stressed that what I mean here are the existing theoretical concepts whose object of interest is the phenomenon of statutory interpretation and not the activity of interpreting itself. Consequently, the first part is about reporting what a researcher 'finds out' in the domain of theories of statutory interpretation if they want to develop their own concept; or what communications they face. This is why the format of the knowledge to-date rhetoric was employed. The first part of the work comprises 7 chapters. The 1st chapter deals with the theoretical notion of statutory interpretation and its divisions. In the 2nd chapter, I discussed the difference between notions as found in the theory and philosophy of statutory interpretation, and several detailed issues (e.g. the phenomenon of polycentricism, the non-linguistic concept of a legal norm, or problems related to interpretative activism and passivism for individual theories to-date). The chapter no. 3 presents chosen historical comments on the evolution of theories of statutory interpretation in the continental legal culture. As far as the chapter 4 is concerned, I briefly discussed the divisions of statutory interpretation itself (since these are well-known and rather of propaedeutic nature); more

attention was devoted to presenting potential criteria for differentiating individual theories of statutory interpretation. The 5th chapter includes characterizations of the already mentioned basic concepts of statutory interpretation according to the still valid and fundamental typology by Jerzy Wróblewski, i.e. conceptual trends such as clarificative, derivative, and humanistic approaches to statutory interpretation. The chapter no. 6 presents an analysis partially based on the typology presented by Hugues Rabault (yet significantly modified); the analysis deals with the phenomenon of statutory interpretation from the perspective of interpreter's decision circumstances as well as cognitive ones. The chapter 7 discusses several most important (also from the perspective of the proposed concept) theories of statutory interpretation, including the sociological one by Sawa Frydman. To sum up, the first part of the scientific achievement is a doctrinal-theoretical background for the presented concept, and this being an outline of the theory of statutory interpretation taking a form of an short text on general sciences in the jurisprudence which refer to the notion of legal interpretation, perfectly corresponds to the title of this part.

The second part of the monograph is entitled 'Metatheory of orientative statutory interpretation.' It refers to the methodology of constructing theories of operative type which aspire to being considered empirical ones. A research paradigm, which was included in the subheading of this part, was called the reconstruction rhetoric based on a set of research paradigms proposed by Marek Gorzko. Doing this, I wanted to stress that upon developing assumptions of a theory of orientative examination of the operative statutory interpretation, a lawyer cannot act in a tabula rasa fashion; and this makes this part of the monograph an indispensable connection between the knowledge to-date rhetoric and the reconstruction paradigm. To explain it further, when we use terminology from existing theories of statutory interpretation (but also when we propose certain proprietary concepts), it leads to the explanation of the primary assumption of the orientativeness and, above all, creation of a scientific tool for conducting analyses according to the proposed methodology; only these two elements make it possible to produce specific theories of orientative type.

The part in question is divided into 4 chapters. The 1st one discusses the notions of orientativeness and orientative theory. It starts with preliminary discussion which involves the comparison between the proposed concept and theoretical concepts to-date (the knowledge to-date). Next I introduce the notion of metatheory, presenting the already indicated relationship between the theory of orientative examination of statutory interpretation (which can be also called the general theory of orientativeness) and specific (detailed) theories of orientative type

which should be possibly produced by applying the concept. The chapter finishes with an explanation of the necessity to create (based on the concept) three groups of propositions, i.e. descriptive, explanatory, and assessment-normative ones; a discussion on paradigms which the orientativeness concept is based, i.e. the concept itself but in relation to the way an operative interpreter acts (an assumed gradable quality of an exegete); and a postulate of seeking the interpretation heuristic which is dominant for an examined sample. Chapter no. 2 is about developing detailed fundamentals of the theory of orientative examination of operative statutory interpretation. The individual sections discuss the following topics: object-of-interest-related scope of the theory, problems related to the detailed adaptation of the orientativeness metatheory, and qualities which must be achieved for theory at a detailed level to meet the requirements of empirical analysis. What I mean here in the first place are the problems with appropriate formulation of hypotheses, choice of samples which takes the possibility to estimate results in a sample for a population into account, relationship to other formats of empirical analysis (e.g. case studies), or necessity to differentiate between variables correlation and causality conditioning. The 3rd chapter was entirely devoted to theoretical aspects of the choice of variables and explaining this notion in the context of empirical research. I discussed the notions of dependent and independent variables, and possibilities of the measurement thereof, paying special attention to the fact that in the specific domain of operative statutory interpretation analysis, the variables of qualitative nature are the dominant ones. This means an array of methodological repercussions concerning the use of an appropriate process of reaching conclusions to formulate the orientative theory. The chapter 4 of this part of the book is fundamental. It starts with discussion of detailed hypotheses to test which are proposed in the orientative theory and constitute operationalized research questions concerning the problem of uniformity of the view of the practice of the operative statutory interpretation as exemplified by analyzed samples of rulings characteristic of individual branches of the law; later on I make an attempt to define sources of communications on statutory interpretation (theory, doctrine, and the judiciary) within the framework of the dominant interpretation heuristic that is being sought. In the chapter, I operationalized 26 variables by detailing their variants (labels); in other words, I discussed the scientific tool for producing the descriptive level of any operative statutory interpretation theory of orientative type.

Significance of the research and use of the results in practice

For more than ten years, scholars from the continental jurisprudence field have been reflecting on the future role of the general sciences in the jurisprudence. What I especially mean here is the fact that some scientists claim the to-date format of the theory of the law has been fully exploited (question of 'the end of the theory of the law'). On the other hand, since the beginning of the modern jurisprudence jurists have been aware of the fact there is a crisis or a deficit of a method in the legal science field. And this dispute over the method and, above all, the lack of metatheoretical discussions, which is caused by the lack of standardized research methods (stressed by e.g. Jerzy Stelmach), is the fundamental accusation which undermines the scientific character of the jurisprudence; this accusation originates from the circles of other social sciences but is also well-known to the jurists themselves. In an answer to this unfavorable situation, several dozens of years ago, a strong trend emerged; it has its origins in the circles of the general sciences in the jurisprudence and has continued until now; it is called the external integration of jurisprudence (as opposed to internal integration which is rather of a purely practical origin, since it is oriented towards solving various problems of semantic nature that occur between branches of the law). Upon reading the literature, one can notice that the representatives of the general sciences in the jurisprudence (such as Andrzej Bator, Zbigniew Pulka, and Adam Sulikowski) concluded that the integration with other social sciences by transplanting specific concepts onto the jurisprudence field should not only fill the gap in the cognitive aspect, but also (and especially) in the methodological one, as well as improve general scientific status of the jurisprudence. Of course the qualities which determine that a given profession is scientifically viable do not change; to put it simply, these are usually limited to establishing an object of study and an individual method of research. In the context of a noticeable general trend to integrate science, the latter condition has been significantly tempered for a few recent dozens of years; in order to consider a method an individual, it is enough to adapt it to the needs of a given science.

It is not difficult to notice that such a way of thinking quickly gained ground in the course of development of the Polish theories of statutory interpretation. Not to mention a simple constative that this phenomenon itself is not only a juridical one. Theoretical analyses discuss an often dismissed question (especially in the circles of legal practice) whether a given phenomenon in the law is a subject of scientific discussion of a strictly 'objectual' nature (i.e. the law as a norm or as a legal phenomenon). The latter approach is of great significance, since it denotes a whole spectrum of questions which, according to the positive-legal view,

are considered as not falling into the domain of the law. On the other hand, references to the broader context of the phenomenon of the law, and not only the *law* perceived, according to the simple positivist definition, as a set of communications by governmental structures targeted at specific recipients and secured on conventional means of coercion, can offer the possibility for meeting the requirements which are considered obvious in other social sciences. The Polish theory of the law can boast significant achievements in this field; for some time already, initially in the domain of the relationship between the law and political sciences, Polish scholars have been recognizing the significance of exploration of normativeness from the cognitive perspective. In case of this subject matter, empirical analyses have been considered an unquestionable research tool from the usefulness point of view; however, their use has been usually limited to the social aspects of the law or criminology.

Undertaking the scientific achievement, I followed the view that there is an area of interest in the theories of statutory interpretation domain which involves exploration of interpretation operations performed by exegetes of specific type in the real practice. Usually the first thing that comes to mind in this case are courts; first of all, they provide a plenty of material for analyzing interpretation lines of thought in the form of rulings, and, secondly, they play an interesting role in the legal system and develop concepts of statutory interpretation in an already indicated 'down-top' fashion. Consequently, a classically descriptive theory, which would be a simple 'reflection' of the real interpretation practice for a given research sample, became the fundamental question. The use of a methodological format which would not entail verifying the degree of translation (adaptation) of a certain model of statutory interpretation into operational practice was conditioned by an intuitively known fact that courts creatively combine rules of different, often mutually exclusive, directive propositions formulated according to the already existing frameworks of statutory interpretation (normative theories). As already indicated, it was not a minor goal but a secondary one. The primary purpose was to provide a specific community of interpreters with a tool understood as the information on the dominant interpretation heuristic in this community. For any scholar who has already dealt with the specifics of law application, it is obvious that such information is valuable from the practical and also cognitive point of view, since it conditions the fulfillment of major postulates that are characteristic of the continental culture. In this context, one can mention the rule of uniformity and stability of rulings, reliability and predictability of court decisions (related to the previous postulate), and also the

performance of the propaedeutic function of the system of justice, which is characteristic of judicial authorities at the highest level, especially of courts which are in charge of the judiciary.

The author of the scientific achievement had the ambition to produce a research methodology which would allow for generating the above mentioned descriptions (theories) of statutory interpretation practice for different research samples and, provided it was necessary, appropriate and correct generalizations. In order to achieve this, it was necessary to make use of not only a set of notions provided by the existing theoretical concepts, but also research methods offered by other social sciences, including statistical analyses; this was done, for example, to mention the possibility to reconstruct results in such a way which would allow for appropriate translation thereof from the examined sample into the population. The component of the existing theoretical knowledge was necessary to create the research tool (questionnaire), in particular to make use of the existing network of notions. On the other hand, the format of orientativeness is the repeatedly mentioned by me methodological paradigm of reconstructing the theory examining the operative statutory interpretation based on the existing models.

As a result, the scientific achievement is both of scientific (doctrinal) and practical significance. The latter function will be carried out through developing a specific research tool which, according to my plan, is to produce classically descriptive theories providing information on the dominant way of action (interpretation action) to a given class of subjects. At the same time, this is in keeping with the postulate that the theory of the law should also serve the practical function, which is the answer to the needs of legal practice. The scientific purpose of the achievement is about filling a significant (in the author's opinion) methodological gap or, at least, taking up a challenge in this domain through offering the methodology of empirical research for the area which, as it appears, has not been so far analyzed to such an extent in the Polish jurisprudence. The presented concept applies the postulate of the external integration of jurisprudence.

5. Discussion on the other research achievements:

A) Discussion on the academic record (fields of research in the scope of my scientific activity):

My research interests cover three fields in which I have been carrying out my scientific activities. The first (1`) one concerns theories of the law. The second (2`) one involves methodology of jurisprudence, where particular attention is paid to empirical research. When distinguishing this field of scientific activity, one must naturally accept the three-category structure of the general sciences in the jurisprudence, where general problems of the theory of the law, being an area reserved for the philosophy of the law and the methodology of the jurisprudence, is considered a separate subdiscipline of the general sciences which deals with formulating propositions, taking into account the research methods adapted in the jurisprudence and rules of deducing this kind of propositions. As a result, in the context of the theory of the law, this is a metascience (yet in the epistemological aspect only) which, however, would be still equal as compared to the philosophy of the law. The third (3`) field I have covered in the course of my scientific activity concerns theoretical aspects of the criminal law, with the particular attention paid to procedural issues. In my scientific career, this field emerged in a way spontaneously because, though theory and methodology of the jurisprudence are my main objects of interest, I started to tackle this one partially due to my employment experience (since 2009 I have worked as an Assistant of a Supreme Court Judge, and now I am an Assistant Specialist at the Study and Analysis Bureau of the Criminal Chamber).

My scientific activity to-date, which is proved by my publication record, belongs to the above mentioned fields. At the same time, I must stress that assigning individual works to specific categories is subject to certain degree of subjectivity, since problems tackled in the works often belong to the different fields.

My academic record comprises 50 publications. My works have been published in recognized legal magazines and collective monographs. In case of the former group of works, it is worth mentioning my 2 articles were published in the *Państwo i Prawo* monthly, 4 ones in the *Studia Prawnicze* quarterly (published by the Polish Academy of Sciences) 3 ones in the *Przegląd Prawa Publicznego* monthly, 4 ones in the *Prokuratura i Prawo* monthly, 1 article in the *Ius Novum* quarterly, and 1 article in the *Przegląd Sądowy* monthly. Additionally, I published my works in the following magazines: *Przegląd Prawa i*

Administracji (published by the Law and Administration Faculty of the University of Wroclaw), *Krytyka Prawa* (published by the Kozminski University in Warsaw), *Internal Security* (published by the Police Academy in Szczytno), *Studia i Analizy Sądu Najwyższego*. I published the following two monographs: *Orientative Statutory Interpretation: Theories of Statutory Interpretation and the Theory of Orientative Examination of Operative Statutory Interpretation* published by Difin, Warszawa 2018 (the basis for the scientific achievement) and *Models of Legal Discourse* published by TNOiK, Toruń 2013 (a modified version of my doctoral/PhD thesis). The remaining part of my academic record includes articles for collective monographs some of which were published in the course of scientific activity of the Supreme Court and the Constitutional Tribunal in Poland. I am also a co-author of a school textbook on the basics of the jurisprudence (K.J. Kaleta, A. Kotowski, *Podstawy prawoznawstwa* [*Introduction to Jurisprudence*] published by Difin, Warszawa 2016).

The greatest number of my works belongs to the first field of interest, i.e. the theory of the law. Scientific questions I have tackled in this domain concerned the following three broad subjects: problems related to statutory interpretation; application of the law, in particular criteria allowing for determining contemporary models of law application (I discussed contemporary factors determining the post-decisional models of law application, i.e. argumentative and discursive ones); and chosen topics related to the legal discourse combined with the topical question of the theory of the law, the phenomenon of polycentricism. It is often associated with the philosophy of the legal discourse, since these two are compatible with the paradigm of the so-called responsive law; in the context of the revolution in communication in the last decade, this approach stresses that perceiving the law as a one-way relationship between the governing power and a given class of recipients is, depending on an outlook, either completely inappropriate or at least incomplete, since misses the whole phenomenon of the law which has transformed due to global changes of civilization.

In the scientific domain of the theory of the law, I have published the following 13 works concerning general problems related to statutory interpretation:

1. A. Kotowski, *Orientative Statutory Interpretation: Theories of Statutory Interpretation and the Theory of Orientative Examination of Operative Statutory Interpretation* published by Difin, Warszawa 2018 (**the scientific achievement)**
2. A.Kotowski, 'Wiedza i doświadczenie życiowe jako metadyrektywa interpretacyjna' ('Knowledge and Life Experience as an Interpretation Metadirective' [in:] B. Bajor, P. Saganek (ed.), *Wyzwania współczesnego prawa. Księga pamiątkowa dedykowana SSN Tadeuszowi Szymankowi*, Warszawa 2018

3. A. Kotowski, 'Ujęcia interpretacji celowościowej w teorii prawa' ('Approaches to Teleological Interpretation in the Theory of the Law'), ***Prokuratura i Prawo* 11/2017**
4. A. Kotowski, 'Instrumentalizacja prawa i instrumentalne użycie prawa a jego wykładnia' ('Instrumentalization of Law and Instrumental Use of Law in the Context of Statutory Interpretation'), ***Studia Prawnicze* (PAN) 4/2016**
5. 'Raz jeszcze o normatywnym statusie preambuły, Glosa do postanowienia Sądu Najwyższego – Izby Karnej z dnia 25 lutego 2016 r., sygn. I KZP 17/15 – glosa aprobująca' ('Normative Status of Preamble Revisited: The Gloss to the Decision of the Criminal Chamber of the Supreme Court dated 25th February 2016, ref. I KZP 17/15 [Gloss of Approval]'), ***Przegląd Prawa Publicznego* 12/2016**
6. A. Kotowski, 'Operatywna wykładnia prawa w warunkach multicentryzmu' ('Operational Statutory Interpretation in the Context of Polycentricism') [in:] ***Przegląd Prawa i Administracji. Systemowość prawa*, 104/2016**
7. A. Kotowski, 'Proces unifikacji polskiej egzegezy prawniczej – próba podsumowania' ('The Process of the Polish Legal Interpretation Unification: A Summary'), *Europejski Przegląd Prawa i Stosunków Międzynarodowych* 4/2015
8. A. Kotowski, "Jednoznaczność komunikacyjna w wykładni prawa – izomorfia a polisemia tekstu prawnego na gruncie derywacyjnej koncepcji wykładni prawa' ('Explicitness of Communication in the Field of Statutory Interpretation: Isomorphy and Polysemy of a Legal Text in the Context of the Derivative Concept of Statutory Interpretation') [in:] J. Godyń, M. Hudzik, L. K. Paprzycki (ed.), *Prawo i proces karny w obliczu zmian*, Warszawa 2015
9. A. Kotowski, 'Tradycyjna teoria wykładni prawa Eugeniusza Waśkowskiego i jej znaczenie dla rozwoju polskiej egzegezy prawniczej' ('The Traditional Theory of Statutory Interpretation by Eugeniusz Waśkowski and its Significance for Statutory Interpretation Development in Poland'), ***Przegląd Prawa Publicznego* 9/2015**
10. A. Kotowski, 'Z problematyki metody interpretacji językowo-logicznej – uwagi na gruncie dekodowania znaczenia karno-prawnego' ('Chosen Aspects of the Linguistic-Logical Interpretation Method: Remarks in the Context of Decoding the Penal-Legal Meaning'), ***Prokuratura i Prawo* 6/2015**
11. A. Kotowski, 'Adaptacja teorii wykładni prawa w praktyce orzeczniczej Izby Karnej Sądu Najwyższego' ('Application of the Statutory Interpretation Theories in the Case Law Practice of the Criminal Chamber of the Supreme Court') [in:] M. Chrzanowski, A. Przyborowska-Klimczak, P. Sendecki (ed.), *Pro Scienta Iuridica*, Lublin 2014
12. A. Kotowski, 'O potrzebie deskryptywnej teorii wykładni prawa' ('Of the Necessity of the Descriptive Theory of Statutory Interpretation'), ***Państwo i Prawo* 5/2014**
13. A. Kotowski, 'Językowa granica wykładni. Glosa do postanowienia SN IV KK 273/11' ('Linguistic Limits of Statutory Interpretation: Gloss to the Decision of the Supreme Court ref. IV KK 273/11'), ***Przegląd Sądowy* 10/2012**

When discussing the scientific interests tackled in this domain of scientific activity in a synthetic way, it is appropriate to notice I have been interested in the operative statutory

interpretation, especially its practical determinants, from the very beginning. I raised the question of developing a descriptive concept of statutory interpretation in the article entitled 'Of the Necessity of the Descriptive Theory of Statutory Interpretation' published in the *Państwo i Prawo* monthly in 2014; next I continued the topic in the remaining works, taking subsequent findings into account. I have pursued the interest related to the practical view of (and not modeling) the operative statutory interpretation and its determinants resulting from processes of transforming the state and the law into so-called complex information systems since as early as the publication of the doctoral thesis; as a result, this topic is an elaboration on my interest related to the theory of legal discourse (which I will discuss later on). I presented these aspects specifically in the context of statutory interpretation in the following publications: 'Operational Statutory Interpretation in the Context of Polycentricism', *Przegląd Prawa i Administracji. Systemowość prawa*, 104/2016; 'Chosen Aspects of the Linguistic-Logical Interpretation Method: Remarks in the Context of Decoding the Penal-Legal Meaning', *Prokuratura i Prawo* 6/2015; or in the most recent work on the topic, i.e. 'Knowledge and Life Experience as an Interpretation Metadirective' [in:] B. Bajor, P. Saganek (ed.), *Wyzwania współczesnego prawa. Księga pamiątkowa dedykowana SSN Tadeuszowi Szymankowi*, Warszawa 2018. I find my interest in historical determinants of the Polish theory of statutory interpretation equally important. I confirmed it, writing a detailed study entitled 'The Traditional Theory of Statutory Interpretation by Eugeniusz Waśkowski and its Significance for Statutory Interpretation Development in Poland', *Przegląd Prawa Publicznego* 9/2015. I also published works dealing with general questions of theories of statutory interpretation such as the following: teleological interpretation in the theory of the law ('Approaches to Teleological Interpretation in the Theory of the Law,' *Prokuratura i Prawo* 11/2017); understanding the instrumentalization of statutory interpretation in the context of law instrumentalization ('Instrumentalization of Law and Instrumental Use of Law in the Context of Statutory Interpretation,' *Studia Prawnicze* (PAN) 4/2016); normative significance of preamble with reference to its interpretation ('Normative Status of Preamble Revisited: The Gloss to the Decision of the Criminal Chamber of the Supreme Court dated 25th February 2016, ref. I KZP 17/15 [Gloss of Approval],' *Przegląd Prawa Publicznego* 12/2016); or the important question of the linguistic limits of statutory interpretation ('Linguistic Limits of Statutory Interpretation: Gloss to the Decision of the Supreme Court ref. IV KK 273/11,' *Przegląd Sądowy* 10/2012). The scientific achievement, i.e. the monograph entitled *Orientative Statutory Interpretation: Theories of Statutory Interpretation and the Theory of Orientative Examination of Operative Statutory*

Interpretation published by Difin, Warszawa 2018, holds a special position among the above mentioned works. It is the fruit of many-years' study on theories of statutory interpretation, methods of developing thereof, and the phenomenon of the operative statutory interpretation as it is. This is the reason why upon discussing my academic record, I classify it both under the domains of interest of the theory of the law and the methodology of jurisprudence.

In case of the theory of the law field, I have also conducted analyses on chosen problems of law application, in particular in the context of the so-called judicial law, which, in actual fact, is related to the already mentioned topic of the operative statutory interpretation. As a result, taking this subject up was naturally correlated with parallel research on the operative statutory interpretation, legal discourse, and methodology of the jurisprudence.

The series of publications on the problems of law application incorporates the following 11 works:

1. A. Kotowski, 'Myślenie precedensowe jako formuła precedensu w kulturze prawa stanowionego' ('Precedential Reasoning as a Case Law Format in the Culture of Statutory Law') [in:] L. Leszczyński, B. Liżewski, A. Szot (ed.), *Precedens sądowy w polskim porządku prawnym*, Warszawa 2018
2. A. Kotowski, 'Precedent as the Transposition of a Normative Act,' ***Ius Novum* 4/2017**
3. A. Kotowski, 'Argumentacja z tożsamości konstytucyjnej – celem podsumowania' ('Argumentation Based on Constitutional Identity: A Summary') [in:] A. Kotowski, E.Maniewska (ed.), *Argumentacja konstytucyjna w orzecznictwie Sądowym, Studia i Analizy Sądu Najwyższego (Constitutional Argumentation in Case Law of Courts: Studies and Analyses of the Supreme Court)* IV/2017
4. A. Kotowski, 'Model stosowania prawa w znowelizowanej procedurze karnej – próba analizy teoretycznej' ('The Law Application Model of the Amended Criminal Procedure: A Theoretical Analysis'), ***Państwo i Prawo* 2/2016**
5. A. Kotowski, 'Obowiązek notyfikacji przepisów technicznych – aktualne problemy stosowania prawa' ('The Notification Obligation Related to Technical Provisions: Contemporary Problems with Law Application') [in:] E. Wójcicka, B. Przywora, M. Makucha (ed.), *Europeizacja prawa publicznego – zagadnienia systemowe*, Częstochowa 2015
6. A. Kotowski 'Refleksyjność jako paradygmat uzasadnień decyzji stosowania prawa' ('Reflectiveness as a Paradigm of Justifications for Law Application Decisions') [in:] K.J. Kaleta, P. Skuczyński (ed.), *Refleksyjność w prawie. Konteksty i zastosowania*, Warszawa 2015
7. A. Kotowski, 'Zagadnienie jednolitości orzecznictwa w ujęciu teoretycznym' ('The Notion of Case Law Uniformity: A Theoretical Approach') [in:] M. Grochowski, M. Raczkowski, S. Żółtek (ed.), *Studia i Analizy Sądu Najwyższego. Jednolitość orzecznictwa – Standard, instrumenty, praktyka*, Warszawa 2015

8. A. Kotowski, 'Teoretycznoprawna analiza pojęcia uzasadniania' ('Theoretical-Legal Analysis of the Notion of Justification') [in:] E. Łętowska, M. Grochowski, I. Rzucidło-Grochowska (ed.), *Uzasadnienia decyzji stosowania prawa*, Warszawa 2015
9. A. Kotowski, 'Dyskrecjonalność władzy administracyjnej – próba nowego ujęcia' ('Discretion of the Administrative Authorities: A New Approach') [in:] ***Krytyka Prawa* VI/2014**
10. A. Kotowski, 'Obowiązek notyfikacji przepisów technicznych a zagadnienie tożsamości konstytucyjnej' ('The Notification Obligation Related to Technical Provisions in the Context of Constitutional Identity') [in:] L.K. Paprzycki, J. Godyń, M. Hudzik (ed.), *Z zagadnień prawa i procesu karnego*, Warszawa 2014
11. A. Kotowski, 'Z problematyki wyroków zakresowych Trybunału Konstytucyjnego – zagadnienia wybrane' ('Chosen Aspects of Judgments on Part of a Claim by the Constitutional Tribunal') [in:] H. Groszyk, J. Kostrubiec, M. Grochowski (ed.), *Pro scienta et disciplina*, Warszawa 2009

My works in the theory of the law field cover both general problems of law application and questions which result from my previous studies. In my opinion, two works are of fundamental nature here; the first study is devoted to models of law application ('The Law Application Model of the Amended Criminal Procedure: A Theoretical Analysis,' *Państwo i Prawo* 2/2016), and the second one to justifying decisions on law application (a lengthy article in a monograph by E. Łętowska, M. Grochowski, and I. Rzucidło-Grochowska (ed.), *Uzasadnienia decyzji stosowania prawa*, Warszawa 2015). I continued the discussion on the topic of the legitimacy of court decisions in 'Reflectiveness as a Paradigm of Justifications for Law Application Decisions' [in:] K.J. Kaleta, P. Skuczyński (ed.), *Refleksyjność w prawie. Konteksty i zastosowania*, Warszawa 2015 and, partially, in 'The Notion of Case Law Uniformity: A Theoretical Approach') [in:] M. Grochowski, M. Raczkowski, S. Żółtek (ed.), *Studia i Analizy Sądu Najwyższego: Jednolitość orzecznictwa – Standard, instrumenty, praktyka*, Warszawa 2015. In this domain of scientific activity, I also conducted study on the topics of argumentation and legitimacy of the practice of applying the law by courts; it is exemplified by works inspired by the problem of the so-called notification related to technical provisions ('The Notification Obligation Related to Technical Provisions in the Context of Constitutional Identity,' [in:] L.K. Paprzycki, J. Godyń, M. Hudzik (ed.), *Z zagadnień prawa i procesu karnego*, Warszawa 2014). I published an article specifically devoted to law application in the context of the notification in a post-conference work ('The Notification Obligation Related to Technical Provisions: Contemporary Problems with Law Application' [in:] E. Wójcicka, B. Przywora, M. Makucha (ed.), *Europeizacja prawa publicznego – zagadnienia systemowe*, Częstochowa 2015). In case of the field of the theory of the law

pertaining to problems and determinants of law application, I also discussed discretion mechanisms of the decisive process of law application. This question was specifically discussed in the article entitled 'Discretion of the Administrative Authorities: A New Approach') [in:] *Krytyka Prawa* VI/2014. In the most recent works from the discussed domain, I focused on determinants of the so-called precedential reasonings set in the specifics of the continental legal culture. This topic is covered by the 2 latest papers in the domain in question:

'Precedent as the Transposition of a Normative Act,' which was published in the *Ius Novum* quarterly (issue 4/2017), and 'Precedential Reasoning as a Case Law Format in the Culture of Statutory Law') [in:] L. Leszczyński, B. Liżewski, A. Szot (ed.), *Precedens sądowy w polskim porządku prawnym*, Warszawa 2018.

The third topic I worked on in the domain of the theory of the law has is origins as early as in the period of writing the doctoral thesis and concerns the theory of legal discourse. Of course the reflection on this subject continued to evolve. The topic is covered in 6 of my papers, including the doctoral monograph (published after I had been conferred the title of the doctor of law).

1. A. Kotowski, 'Zjawisko multicentryczności systemu prawa z perspektywy koncepcji integracyjnej' ('The Phenomenon of Legal System Polycentricism from the Integrative Concept Perspective'), ***Studia Prawnicze* (PAN) 4/2015**
2. K.J. Kaleta, A. Kotowski, 'Kodowanie a dekodowanie znaczenia prawnego – zarys dyskursywnego modelu tworzenia prawa' ('Coding and Decoding the Legal Meaning: An Outline of a Discursive Model of Law Development') [in:] W. Brzozowski, A. Krzywoń (ed.), *Leges ab omnibus intellegi debent. Księga XV-lecia Rządowego Centrum Legislacji*, Warszawa 2015
3. A. Kotowski, 'Znaczenie praw człowieka w aspekcie multicentrycznego systemu prawa Unii Europejskiej' ('Significance of the Human Rights in the Context of Polycentric Legal System of the European Union') [in:] B. Szmulik, A. Pogłódek, B. Przywora (ed.), *Instytucje ochrony praw człowieka*, Warszawa 2015
4. A. Kotowski, 'Skutki orzecznictwa Trybunału Konstytucyjnego a teorie dyskursu prawniczego' ('Effects of the Constitutional Tribunal Case Law in the Context of the Theories of Legal Discourse') [in:] M. Biernat, J. Królikowski, M. Ziółkowski, *Skutki wyroków Trybunału Konstytucyjnego w sferze stosowania prawa*, Warszawa 2013
5. A. Kotowski, *Modele dyskursów prawniczych* (*Models of Legal Discourse*) published by TNOiK, Toruń 2013 (monograph)
6. A. Kotowski, 'Dyskursywny model orzecznictwa – uwagi ogólne' ('Discursive Model of Case Law: General Remarks') [in:] L. Gardocki, L.K. Paprzycki, J. Godyń, M. Hudzik (ed.), *Dialog pomiędzy Sądami i Trybunałami*, Warszawa 2010

As I already mentioned, some of the topics researched in the domain of the theory of legal discourse are related to my other fields of scientific activity in the area of the theory of the law. A work devoted to the phenomenon of polycentricism in which I attempted to present a relevant theory of statutory law from a balanced perspective, as opposed to extreme approaches followed in the Polish literature so far, ('The Phenomenon of Legal System Polycentricism from the Integrative Concept Perspective,' *Studia Prawnicze* (PAN) 4/2015), is an elaboration on my interest in the philosophy of the responsive law and application of this law in the context of the culture of statutory law. The topic of adaptation of the so-called discursive approach in law application practice is discussed in 2 of my articles: 'Effects of the Constitutional Tribunal Case Law in the Context of the Theories of Legal Discourse' [in:] M. Biernat, J. Królikowski, M. Ziółkowski, *Skutki wyroków Trybunału Konstytucyjnego w sferze stosowania prawa*, Warszawa 2013 and 'Discursive Model of Case Law: General Remarks' [in:] L. Gardocki, L.K. Paprzycki, J. Godyń, M. Hudzik (ed.), *Dialog pomiędzy Sądami i Trybunałami*, Warszawa 2010. As far as the topic in question is concerned, I consider the work co-authored with Krzysztof Kaleta, PhD ('Coding and Decoding the Legal Meaning: An Outline of a Discursive Model of Law Development' [in:] W. Brzozowski, A. Krzywoń (ed.), *Leges ab omnibus intellegi debent. Księga XV-lecia Rządowego Centrum Legislacji*, Warszawa 2015) important for the following two reasons. First of all, we attempted to use rules of statutory interpretation as instructions for a legislator. While there is a plenty of works devoted to the discussion of applying certain rules of enacting laws to their subsequent interpretation, there are few studies analyzing the reverse way of reasoning. Secondly, our work not only tackled the coherence of enacting laws and its interpretation, but also attempted to connect this relationship to theories of legal discourse. As I already mentioned, the discussed field of my scientific activity is also covered in my doctoral monograph *Models of Legal Discourse* published by TNOiK, Toruń 2013.

The second field of my scientific activity are methodological questions in the jurisprudence, in particular properties of empirical studies on the phenomenon of the law. I became active in the field after being conferred the title of the doctor of law; it resulted from participation in grant programs (in the roles of researcher and manager) and my own research activities.

Participation in grant programs:

1. Grant provided by the National Science Center in Poland (call Sonata 8), entitled *Operatywne teorie wykładni prawa jako akt pragmatyki językowej* (*Operative Theories of Statutory Interpretation as an Act of Linguistic Pragmatics*), manager of the project, grant no. 2014/15/D/HS5/01131 (grant recipient: the Kozminski University in Warsaw);
2. Grant NCN Opus 5: UMO-2013/09/B/HS5/04078, manager: Professor Leszek Leszczyński, Paweł Chmielnicki, *Zastosowanie metod statystycznych do ustalenia charakteru długookresowych tendencji występujących w procesie ustawodawczym* (*The Use of Statistical Methods for Specifying the Nature of Long-Term Trends in the Legislative Process),* researcher (performance of finance-related duties using funds from the project, i.e. commissioned work);
3. Grant financed by the European Social Fund: POWR.02.16.00-IP.06-00-009/17, *Efektywne polityki publiczne dla rynku pracy, gospodarki i edukacji – „Na straży dobrego prawa"* (*Effective Public Policies for the Job Market, Economy, and Education: 'On Guard of the Good Law'*), researcher (performance of finance-related duties using funds from the project, i.e. commissioned work), grant recipient: Polish Lawyers Association (branch in Warsaw) and the Civil Society Department at the Chancellery of the Prime Minister.

In 2014, pursuant to decision by the National Science Center in Poland, I was awarded a research grant under call 'Sonata 8' (*Operative Theories of Statutory Interpretation as an Act of Linguistic Pragmatics*). The grant recipient is the Kozminski University in Warsaw which has used the grant funds since 2015. Under this project, I have focused on studying the view of the interpretation practice of the chambers of the Supreme Court, i.e. the Civil and Criminal ones, as well as the Supreme Administrative Court, which was already partially discussed when presenting the scientific achievement. The research under the project is based on large samples. The total number of rulings which were taken into account is more than 2000. The presentation of the results of analysis of operative statutory interpretation performed by judges is to capture possibly the fullest view of the practice of interpretation actions taken and not, which is very important, the practice of justifying. I wanted to obtain a lawmetric view of operative statutory interpretation which would make it possible to capture an interpreter's line of thought (in this context, performing court-related application of the law), without any preliminary theoretical bias. I have been the manager and main researcher under the project which is to end in 2019.

I also participated in the work commissioned under a grant provided by the National Science Center in Poland; under the supervision of Professor Paweł Chmielnicki, PhD, I

studied the use of statistical methods for specifying the nature of long-term trends in the legislative process. Under this project, based on my scientific questionnaire, I empirically analyzed over 100 drafts of normative acts. Additionally, I am a researcher under the project *On Guard of the Good Law* which is financed by the European fund *Knowledge, Education, Development* and carried out by the Chancellery of the Prime Minister in cooperation with the Polish Lawyers Association (branch in Warsaw); my job is to develop a scientific questionnaire which will help to create IT tools that automate actions related to monitoring changes in the law.

In the domain of empirical research on the law, I have published 6 works, including the scientific achievement which takes the form of a monograph and is the basis for this application. Although its subject matter also covers the operative statutory interpretation, the book, as I already stressed, is a presentation of my proprietary theory of examining statutory interpretation as performed in the course of law application processes in the judicial domain.

1. A. Kotowski, *Orientative Statutory Interpretation: Theories of Statutory Interpretation and the Theory of Orientative Examination of Operative Statutory Interpretation* published by Difin, Warszawa 2018 (**the scientific achievement)**
2. A. Kotowski, 'Podstawowe założenia badań empirycznych w prawoznawstwie – próba konfrontacji' ('Fundamental Assumptions of the Empirical Research in the Jurisprudence Field: A Comparison Attempt'), ***Studia Prawnicze* (PAN) 2/2017**
3. A. Kotowski, 'Wykładnia operatywna Sądu Najwyższego Izby Karnej – wstępne wyniki badań' ('Operational Statutory Interpretation of the Criminal Chamber of the Supreme Court') [in:] W. Błuś, J. Godyń, M. Hudzik, L.K. Paprzycki, S. Zabłocki (ed.), *Aktualne problemy orzecznicze*, Warszawa 2016
4. A. Kotowski, 'Analiza juryslingwistyczna w naukach prawnych i jej przykładowe zastosowanie' ('Jurislinguistic Analysis in Legal Sciences Along with Examples of its Application') [in:] L.K. Paprzycki, J. Godyń, M. Hudzik (ed.), *Z zagadnień prawa i procesu karnego*, Warszawa 2014
5. A. Kotowski, 'Zarys problematyki badań empirycznych w naukach prawnych' ('Outline of Empirical Research Aspects as Exemplified by Legal Sciences'), ***Przegląd Prawa Publicznego* 7-8/2014**
6. A. Kotowski, 'Ocena przydatności metody Delphi w metodologii nauk prawnych' ('Assessment of the Delphi Method Usefulness for Legal Sciences Methodology') [in:] J. Chrzanowski, J. Kostrubiec, I. Nowikowski (ed.), *Księga pamiątkowa poświęcona Profesorowi Henrykowi Groszykowi*, Lublin 2013

In case of this domain of scientific activity, I have conducted research on methodology of the empirical research on the law; it originated from me making an assumption of

heterogeneous structure of the phenomenon of the law and necessity to analyze it in a multidimensional way. I discussed this topic in my two most important publications from the field of methodology which are devoted to properties, specifics, and assessment of the chances of promoting analyses of the empirical nature in the juridical area: 'Outline of Empirical Research Aspects as Exemplified by Legal Sciences'), *Przegląd Prawa Publicznego* 7-8/2014 and 'Fundamental Assumptions of the Empirical Research in the Jurisprudence Field: A Comparison Attempt'), *Studia Prawnicze* (PAN) 2/2017. Thanks to these works I was able to receive the grant entitled *Operative Theories of Statutory Interpretation as an Act of Linguistic Pragmatics* (which I thoroughly discussed in the part on the scientific achievement) and, consequently, prepare my own concept of examining the operative statutory interpretation. In the same domain, I also published papers in which I indicated the preliminary results of the research: 'Operational Statutory Interpretation of the Criminal Chamber of the Supreme Court' [in:] W. Błuś, J. Godyń, M. Hudzik, L.K. Paprzycki, S. Zabłocki (ed.), *Aktualne problemy orzecznicze*, Warszawa 2016. The domain in question also covers papers which discuss questions concluded based on the following paper in the same domain: 'Jurislinguistic Analysis in Legal Sciences Along with Examples of its Application' [in:] L.K. Paprzycki, J. Godyń, M. Hudzik, *Z zagadnień prawa i procesu karnego*, Warszawa 2014 and 'Assessment of the Delphi Method Usefulness for Legal Sciences Methodology' [in:] J. Chrzanowski, J. Kostrubiec, I. Nowikowski (ed.), *Księga pamiątkowa poświęcona Profesorowi Henrykowi Groszykowi*, Lublin 2013. The subject matter that is common to all these papers are the problems of empirical study on the phenomenon of the law.

The last field of my scientific interest is related to my professional activities. Since 2009 I have been employed at the Supreme Court of Poland where I have worked as an Assistant of a Judge (2009-2016), a Senior Assistant (2017), and an Assistant Specialist at the Study and Analysis Bureau (2017-until now) respectively. From the very beginning of employment, I have performed duties in the Criminal Chamber as an Assistant of the Chairperson of the 3rd Division dealing with extraordinary appeal means (cassation, resumption of the proceedings, and complaints against judgments of courts of appeal) and other statutory cases from the areas of the Courts of Appeal in Białystok, Gdańsk, and Lublin. Because of my professional activity, I undertook research in the domain of theoretical aspects of the criminal law, where I paid particular attention to the theory of criminal proceedings. In case of my scientific activity, I dealt with models of appeal proceedings, models of criminal proceedings, and

theoretical aspects of legal-criminal norm interpretation, taking specifics of this branch of the law into account (so-called ultima ratio principle, problems of process guarantees etc.). Favorable conditions for the scientific activity were also created thanks to major transformations of the Polish criminal procedure in the period of introducing (yet for a short time) the so-called fair adversarial system into the stage of judiciary proceedings of criminal proceedings ('contradictory proceedings' in colloquial terms). However, it is necessary to stress that this area of scientific activity does not belong strictly to the doctrine of the criminal law. For this reason, my scientific effort related thereto is to be treated as an elaboration of the above mentioned field of the theory of the law, since it touches upon theoretical-trial-related questions which are targeted at using a set of notions, provided by the theory of the law, to describe problems from the criminal procedure domain. This field of my scientific interest concerns problems of the theories of a legal norm, statutory interpretation, and law application which refer specifically to problems of criminal proceedings. Consequently, this topic in my scientific activity can be described as a doctrinal-operative application of theoretical concepts. The discussed field of scientific interest covers 12 papers:

1. A. Kotowski, 'Skarga nadzwyczajna na tle modeli kontroli odwoławczej' ('Extraordinary Appeal in the Context of the Systems of Appeal Control'), ***Prokuratura i Prawo* 9/2018** (the paper has been approved for printing, the relevant certificate is attached)
2. A. Kotowski, 'Pojęcie jednoznaczności wykładni prawa w świetle badań empirycznych orzecznictwa Izby Karnej Sądu Najwyższego' ('The Notion of Statutory Interpretation Explicitness in the Context of Empirical Research on the Criminal Chamber of the Supreme Court Case Law'), ***Prokuratura i Prawo* 7-8/2016**
3. A. Kotowski, 'Postepowanie odwoławcze po nowelizacji 1 lipca' ('Appeal Proceedings Following the 1st of July Reform'), *Temidium* 4(84)/2015
4. A. Kotowski, 'Art. 167 znowelizowanego Kodeksu postępowania karnego jako klauzula generalna – próba analizy teoretycznej' ('Article 167 of the Amended Code of Criminal Procedure as a Clausula Generalis: A Theoretical Analysis') [in:] J. Jabłońska Bonca (ed.), ***Krytyka Prawa* VII/2015**
5. A. Kotowski, 'Propozycja wykładni zasady zakazu spożywania owoców z zatrutego drzewa – przyczynek do dyskusji' ('A Proposal for the Interpretation of the Rule Prohibiting to Eat Forbidden Fruit of the Poisonous Tree: A Contribution to the Discussion'), ***Studia Prawnicze* (PAN) 2(202)/2015**
6. A. Kotowski, 'Radca prawny w obliczu Wielkiej Nowelizacji Procesu Karnego' ('Confronting a Legal Counsel with the Great Reform of the Criminal Procedure'), *Temidium* 2(82)/2015
7. A. Kotowski, A. Krawiec, 'Zarys problematyki ochrony praw człowieka w orzecznictwie Izby Karnej Sądu Najwyższego' ('The Outline of the Topic of Human Rights Protection in the Context of the Criminal Chamber of the Supreme Court Case

Law') [in:] B. Szmulik, A. Pogłódek, B. Przywora (ed.), *Instytucje ochrony praw człowieka*, Warszawa 2015

8. A. Kotowski, A. Ważny, 'Empirical Analysis of the Rate of Reversion to Crime of those Given a Suspended Prison Sentence,' ***Internal Security*** **January-June 2013**
9. A.Kotowski, 'Reinterpretacja paradygmatu stosowania prawa karnego – teoretyczno-prawny zarys problematyki' ('Reinterpretation of the Paradigm of Penal Law Application: A Theoretical-Legal Outline') [in:] J. Godyń, M. Hudzik, L.K. Paprzycki, *Współczesne wyzwania prawa i procesu karnego*, Warszawa 2012
10. A. Kotowski, 'Dowodzenie jako proces metodologiczny w kontekście zasady prawdy' ('Proving as a Methodological Process in the Context of the Principle of Truth') [in:] J. Godyń, M. Hudzik, L.K. Paprzycki, *Zagadnienia prawa dowodowego*, Warszawa 2011
11. J. Kosowski, A. Kotowski, 'Uwagi de lege lata i de lege ferenda w przedmiocie opiniowania psychologicznego w sprawach karnych' ('The 'Law as it Stands' and 'as it Should Stand' Remarks in the Field of Mental Evaluation in Criminal Cases') [in:] B. Ledwoch (ed.), *Wybrane problemy psychologii sądowej,* Lublin 2011
12. A. Kotowski, 'Rola definicji legalnych w prawie karnym' ('Role of Legal Definitions in Criminal Law') [in:] L. Gardocki, L.K. Paprzycki, J. Godyń, M. Hudzik (ed.), *Aktualne zagadnienia prawa karnego materialnego i procesowego*, Warszawa 2009

The theoretical-procedural domain covers the following topics of my scientific activity. The first one is a direct extension of my research work in the field of the theory of statutory interpretation targeted at chosen interpretation-related problems of specific institutions of the procedural criminal law and/or of specificity of interpretation rules in this branch of the law. This topic was discussed in the following publications: 'The Notion of Statutory Interpretation Explicitness in the Context of Empirical Research on the Criminal Chamber of the Supreme Court Case Law,' *Prokuratura i Prawo* 7-8/2016 and 'A Proposal for the Interpretation of the Rule Prohibiting to Eat Forbidden Fruit of the Poisonous Tree: A Contribution to the Discussion,' *Studia Prawnicze* (PAN) 2(202)/2015. As far as the statutory interpretation of specific procedural-criminal-law institutions is concerned, I wrote about it in the following works: 'Extraordinary Appeal in the Context of the Systems of Appeal Control,' *Prokuratura i Prawo* 9/2018 (as of the date of filing this application, the paper has been approved for printing, the relevant certificate is attached); 'Article 167 of the Amended Code of Criminal Procedure as a Clausula Generalis: A Theoretical Analysis' [in:] J. Jabłońska-Bonca, *Krytyka Prawa* VII/2015; 'Appeal Proceedings Following the 1st of July Reform,' *Temidium* 4(84)/2015; and 'Confronting a Legal Counsel with the Great Reform of the Criminal Procedure,' *Temidium* 2(82)/2015. It is true that the two last texts were published in a magazine for the general public, but, in my opinion, they meet the requirements for a

scientific paper.

As far as the discussed domain of scientific activity is concerned, the greatest number of my works is devoted to the topic of practical application of the criminal law – both in format of a theoretical discussion and a so-called analysis of rulings. This group lists the following articles: 'The Outline of the Topic of Human Rights Protection in the Context of the Criminal Chamber of the Supreme Court Case Law' [in:] B. Szmulik, A. Pogłódek, B. Przywora (ed.), *Instytucje ochrony praw człowieka*, Warszawa 2015 (co-authorship); 'Empirical Analysis of the Rate of Reversion to Crime of those Given a Suspended Prison Sentence,' *Internal Security* January-June 2013 (co-authorship); 'Reinterpretation of the Paradigm of Penal Law Application: A Theoretical-Legal Outline' [in:] J. Godyń, M. Hudzik, L.K. Paprzycki, *Współczesne wyzwania prawa i procesu karnego*, Warszawa 2012; 'Proving as a Methodological Process in the Context of the Principle of Truth' [in:] J. Godyń, M. Hudzik, L.K. Paprzycki, *Zagadnienia prawa dowodowego*, Warszawa 2011; 'The 'Law as it Stands' and 'as it Should Stand' Remarks in the Field of Mental Evaluation in Criminal Cases' [in:] B. Ledwoch, *Wybrane problemy psychologii sądowej*, Lublin 2011 (co-authorship); and 'Role of Legal Definitions in Criminal Law' [in:] L. Gardocki, L.K. Paprzycki, J. Godyń, M. Hudzik (ed.), *Aktualne zagadnienia prawa karnego materialnego i procesowego*, Warszawa 2009.

Apart from the mentioned publications, I am also a co-author of the following school textbook: K.J. Kaleta, A. Kotowski, *Podstawy prawoznawstwa* (*Introduction to Jurisprudence*) published by Difin, Warszawa 2016. I am also a co-creator of the following title:

A. Kotowski, E. Maniewska (ed.), *Argumentacja konstytucyjna w orzecznictwie Sądowym, Studia i Analizy Sądu Najwyższego (Constitutional Argumentation in Case Law of Courts: Studies and Analyses of the Supreme Court)* IV/2017.

B) Participation in academic conferences:

1. *Prawno-medyczne seminarium naukowe (Legal-Medical Scientific Seminar)*, Instytut Nauk Prawnych PAN, Warszawa, 16th of May 2018, **a lecture entitled: 'Dyrektywa języka specjalistycznego jako dyrektywa wykładni językowej (ze szczególnym uwzględnieniem terminologii medycznej)' ('Directive of a Professional Language as a Directive of Linguistic Statutory Interpretation (in Particular in Case of Medical Terminology')**
2. *Z zagadnień teorii i filozofii prawa: konstytucjonalizm – Karpacz 24-27 września 2017 r. (Problems of Theory and Philosophy of the Law: Constitutionalism, Karpacz, 24-27th of*

September 2017) , a conference organized by the Department of the Theory of the Law of the University of Wrocław, **a lecture entitled: 'Argumentacja z tożsamości konstytucyjnej w świetle badań orzecznictwa Izb Karnej i Cywilnej Sądu Najwyższego' ('Argumentation Based on Constitutional Identity in the Context of Research on the Criminal and Civil Chambers of the Supreme Court Case Law')**

3. *Precedens w porządku prawa stanowionego (Precedent in the Culture of Statutory Law)*, an international scientific conference organized by the Department of the Theory and Philosophy of the Law, the Law and Administration Faculty of the Maria-Curie University in Lublin, 20th of March 2017, **a lecture entitled: 'Między precedensem *de iure* a *de facto*' ('In Between the *De Iure* and *De Facto* Precedent')**
4. *XXII Zjazd Katedr Teorii i Filozofii Prawa Prawo (The 22nd Convention of Departments of Theory and Philosophy of the Law: The Law. Politics. The Public Sphere)*, 18-21st of September 2016, Wrocław, **a lecture entitled: 'Instrumentalizacja prawa i instrumentalne użycie prawa a jego wykładnia' ('Instrumentalisation of the Law and Instrumental Use of the Law vs. its Statutory Interpretation')**
5. *Szkoła letnia INP PAN (A Summer Academy of the Institute of Law Studies of the Polish Academy of Sciences)*, 6-9th of July 2016, Jabłonna, **a lecture entitled: 'Heurystyki interpretacyjne w uzasadnieniu jako dyskrecjonalny element prawotwórstwa sądowego' ('Interpretation Heuristics in a Justification as a Discretionary Element of Judicial Legislation')(presented on 7th of July)**
6. *Konferencja Sędziów Izby Karnej i Izby Wojskowej Sądu Najwyższego (Conference of the Judges of the Criminal and Military Chambers of the Supreme Court)*, 18-20th of May 2016, Serock, **a lecture entitled: *'Zagadnienie teorii orientacyjnej wykładni operatywnej w sprawach karnych – potrzeba praktyki i zarys badań własnych' ('The Orientative Statutory Interpretation in Criminal Cases: The Necessity for Practical Application and an Outline of Own Research')***
7. *Systemowość prawa – Karpacz 2015 (Systemness of the Law, Karpacz 2015)*, a conference organized by the Department of the Theory of the Law of the University of Wrocław, **a lecture entitled: 'Wykładnia operatywna w warunkach multicentryzmu' ('The Operational Statutory Interpretation in the Context of Polycentricism')**
8. *Aktualne problemy tworzenia prawa* (*Current Problems of Legislation*), Olsztyn, 2015, a conference of the Department of the Constitutional Law, the Faculty of the Law and Administration of the University of Warmia and Mazury in Olsztyn, **a lecture entitled: 'O relacji między zasadami dekodowania znaczenia prawnego a tworzeniem prawa'**

('A Discussion on the Relationship Between Coding and Decoding the Legal Meaning and Legislation')

9. *Europeizacja prawa publicznego* (*Europeanization of Public Law*, the Jan Dlugosz University in Czestochowa, the Institute of Administration, the Faculty of Social Sciences, Częstochowa, 2015, **a lecture entitled: 'Obowiązek notyfikacji przepisów technicznych – aktualne problemy stosowania prawa' ('The Notification Obligation Related to Technical Provisions: Contemporary Problems with Law Application')**
10. *Zjazd Młodych Teoretyków Prawa (The Convention of Young Theoreticians of the Law),* Warsaw, 2013, **a lecture entitled: 'Refleksyjność a stosowanie prawa' ('Reflectiveness vs. Law Application')**
11. A conference of the Supreme Court of Poland, *Jednolitość orzecznictwa. Standardy, instrumenty, praktyka* (*Uniformity of Case Law: Standards, Instruments, Practice*), Warsaw, 2013, **a lecture entitled: 'Jednolitość orzecznictwa w ujęciu teoretycznym' ('Case Law Uniformity: A Theoretical Approach')**
12. A conference of the 'Fontes' association, the Nicolaus Copernicus University in Torun, 2013, **a lecture entitled: 'Metody badań empirycznych w naukach prawnych – zarys zagadnienia' ('Methods of Empirical Research in the Legal Sciences: An Outline')**
13. The Convention of Departments of Theory and Philosophy of the Law, Łódź, 2012, **a lecture entitled: 'Ocena przydatności programu Poliqarp do analiz lingwistycznych w naukach prawnych' ('Assessment of the Poliqarp Software Usefulness for Linguistic Analysis in the Legal Sciences')**
14. A conference at the Constitutional Tribunal in 2012, *Następstwa wyroków Trybunału Konstytucyjnego w świetle orzecznictwa Naczelnego Sądu Administracyjnego, Sądu Najwyższego i Trybunału Konstytucyjnego* (*Effects of Judgments of the Constitutional Tribunal in the Context of Case Law of the Supreme Administrative Court, the Supreme Court, and the Constitutional Tribunal),* **a lecture entitled: 'Skutki orzecznictwa Trybunału Konstytucyjnego a teorie dyskursu prawniczego' ('Effects of the Constitutional Tribunal Case Law in the Context of the Theories of Legal Discourse')**

Organization of scientific conferences:

1. *Argumentacja konstytucyjna w orzecznictwie sądowym* (*Constitutional Argumentation in Case Law of Courts*), the Supreme Court of the Republic of Poland, 18th of November 2016, a conference under the auspices of the First President of the Supreme Court, appointed organizers: A. Kotowski, E. Maniewska.

After being conferred the title of the doctor of law, I took active part in 14 conferences and seminars in Poland where I delivered my lectures. The majority of those served as the basis for later publication in post-conference collective monographs or in the form of own scientific articles.

C) Management and participation in grant programs:

1. Grant provided by the National Science Center in Poland (call Sonata 8), entitled *Operatywne teorie wykładni prawa jako akt pragmatyki językowej* (*Operative Theories of Statutory Interpretation as an Act of Linguistic Pragmatics*), manager of the project, grant no. 2014/15/D/HS5/01131 (grant recipient: the Kozminski University in Warsaw);
2. Grant NCN Opus 5: UMO-2013/09/B/HS5/04078, manager: Professor Leszek Leszczyński, Paweł Chmielnicki, *Zastosowanie metod statystycznych do ustalenia charakteru długookresowych tendencji występujących w procesie ustawodawczym* (*The Use of Statistical Methods for Specifying the Nature of Long-Term Trends in the Legislative Process),* researcher (performance of finance-related duties using funds from the project, i.e. commissioned work);
3. Grant financed by the European Social Fund: POWR.02.16.00-IP.06-00-009/17, *Efektywne polityki publiczne dla rynku pracy, gospodarki i edukacji – „Na straży dobrego prawa"* (*Effective Public Policies for the Job Market, Economy, and Education: 'On Guard of the Good Law'*), researcher (performance of finance-related duties using funds from the project, i.e. commissioned work), grant recipient: Polish Lawyers Association (branch in Warsaw) and the Civil Society Department at the Chancellery of the Prime Minister.

I have participated in 3 research grants so far. In case of one of them, I am the manager and the researcher; as far as the 2 remaining ones are concerned, I am a researcher only. Goals

and subject matter of the grants were discussed in the part of the self-commentary which is devoted to publishing activity in the field of the methodology of jurisprudence.

D) Information on international cooperation, and internships at domestic and foreign research and/or academic units:

In the course of research funded by the grant *Operative Theories of Statutory Interpretation as an Act of Linguistic Pragmatics* (call Sonata 8), I went on a study trip to the Faculty of Law of the University of Leeds from 6th through 27th of November 2017 (grant recipient: the Kozminski University in Warsaw).

E) Information on achievements in teaching and scientific supervision over students:

I have worked as a college teacher for a range of higher education institutions since the academic year 2009/2010, based on different forms of employment.

Teaching experience:

2015-until now: the European School of Law and Administration in Warsaw
- *Deputy Dean of the Faculty of Law in Warsaw*
- *Assistant Professor, Department of the Theories of State and Law*

- *Lecturer (since 2012, civil-law contract)*

2015-until now: the University of Finance and Management in Warsaw
- *Lecturer (civil-law contract)*

2013-2015: the Kozminski University in Warsaw, the College of Law
- *Lecturer (civil-law contract)*

2013-2017: the National Defence University of Warsaw, Faculty of National Security, the Institute of Law and Administration
- *Lecturer (civil-law contract)*

2014-2015: the Non-Public University College of Social, Computer, and Medical Sciences in Warsaw
- *Assistant Professor*
- *Lecturer (2009-2014, civil-law contract)*

2013-2014: the University College of Entrepreneurship in Warsaw
- *Senior Lecturer*

2011-2012: the Helena Chodkowska University College of Management and Law in Warsaw, Institute of Law and Administration
- *Lecturer (civil-law contract)*

2010-2011: the Maria Curie-Sklodowska University in Lublin,
Faculty of the Law and Administration
- *Lecturer (civil-law contract) as a part of the doctoral (PhD) course*

I worked as a teacher for the former National Defence University of Warsaw, the University of Finance and Management in Warsaw, the Kozminski University in Warsaw, the European School of Law and Administration, and other institutions. Currently, my primary place of employment is the European School of Law and Administration where I have been employed as an Assistant Professor and the Deputy Dean of the Faculty of Law in Warsaw since 2015. I teach courses primarily on general sciences in the jurisprudence such as introduction to jurisprudence, logic for lawyers, philosophy with elements of ethics, and methodology of legal sciences. I also present a proprietary monographic lecture on extraordinary appeal means. I have promoted a few seminar students so far. I have been also presented with two individual awards of the President of the European School of Law and Administration:

1. Award of the President ref. NR/01/2016, dated 3rd of October 2016, for a significant publication record linked to the School and for a scientific achievement: publication of a school textbook entitled *Introduction to Jurisprudence*, published by Difin, Warszawa 2016.
2. Award of the President ref. NR/01/2018, dated 2nd of March 2018, for a significant publication record linked to the School and for a significant organizational achievement.

As I already mentioned, I am the co-author of the school textbook: K.J. Kaleta, A. Kotowski, *Podstawy prawoznawstwa* (*Introduction to Jurisprudence*) published by Difin, Warszawa 2016.

F) Information on activities related to the popularization of science:

Since 2014 I have worked as a columnist for the *Dziennik Gazeta Prawna* journal (the *Prawnik* supplement). So far I have published the following 40 feature articles:

1. A. Kotowski, Prawoznawstwo a „prawowiedztwo"' ('Jurisprudence vs. Ignorant Knowers'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 18th of September 2018
2. A. Kotowski, 'A może uregulować zasady wykładni prawa?' ('What about Regulating Rules of Statutory Interpretation?'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 7th of August 2018
3. A. Kotowski, 'Nie skazujmy ławników z góry na niepowodzenie' ('The Institution of Lay Judges Is not Doomed to Failure'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 17th of July 2018
4. A. Kotowski, 'Trzeba przeciąć ten węzeł' ('This Tangle Must Be Unraveled!'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 12th of June 2018
5. A. Kotowski, 'Prawo to nie broń, a jeśli już, to obosieczna' ('Law Is Not a Weapon; Even if it Was, then Merely a Two-Edged One'), Dziennik Gazeta Prawna journal, Prawnik supplement dated 15th of May 2018
6. A. Kotowski, 'Prawda a prawda sądowa' ('The Truth vs. The Truth of the Court'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 24th of April 2018
7. A. Kotowski, 'O wymuszaniu moralności prawem' ('Enforcing Morality With the Law'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 27th of March 2018
8. A. Kotowski, J. Kotowska, 'O potrzebie nowej ustawy o zawodzie psychologa' ('The Necessity of a New Psychology Profession Act'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 6th of March 2018
9. A. Kotowski, 'Skarga nienadzwyczajna' ('Non-Extraordinary Appeal'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 6th of February 2018
10. A.Kotowski, 'Przeciw skrajnościom: niewolnicy tekstu czy tłumacze prawa?' ('Fighting Extremities: Text Slaves or Translators of the Law?') ; *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 2nd of January 2018
11. A. Kotowski, 'Obrona konieczna: We własnym domu reakcja bez kary' ('Defense of Necessity: No Punishment for a Response at Home'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 5th of December 2017
12. A. Kotowski, 'W dolnej strefie zagrożenia' ('In the Bottom Danger Zone'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 27th of October 2017
13. A. Kotowski, 'O odróżnianiu ludzi od urzędów' ('Of Differentiating People from Administrative Bodies'), *Dziennik Gazeta Prawna* journal, *Prawnik* supplement dated 26th of September 2017
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I am an author of 3 reviews of published works:

1. A. Kotowski, a review of: 'Ustawa o przeciwdziałaniu narkomanii – komentarz pod red. A. Ważny, W. Kotowski, B. Kurzępa, Warszawa 2013' ('The Anti-Drug Abuse Act: A Commentary Edited by A. Ważny, W. Kotowski, B. Kurzępa, Warsaw 2013'), *Prokuratura i Prawo* 10/2014
2. A. Kotowski, a review of: W. Kotowski, 'Problematyka wypadków drogowych' ('The Aspects of Road Accidents'), [in:] *Orzecznictwo sądów apelacyjnych*, Warszawa, 3/2016
3. A. Kotowski, a review of: W. Kotowski, 'Ustawa z dnia 24 lipca 2015 r. – Prawo o zgromadzeniach (Dz. U., poz. 1485). Komentarz' ('The Act on Law on Assemblies

dated 24th of July 2015 (Journal of Laws, Item 1485): A Commentary') Wydawnictwo 'Rondo', Bielsko-Biała 2015 [in:] *Prokuratura i Prawo* 1/2016

I am also a permanent reviewer of the *Przedsiębiorstwo i Prawo* magazine published by the Prince Kazimierz Kujawski University College of Entrepreneurship in Inowrocław.

Summary

I am an author or a co-author of 50 scientific publications in total, including: 2 monographs, 1 school textbook, 2 publications in English, 19 articles in well-known legal magazines, and more than a dozen of papers in collective monographs. Following my PhD defense, I participated in 14 academic conferences in Poland, giving lectures. I have taken part in 3 research grants (including as a manager for one project, and as researcher for the two remaining ones). I went on one foreign study trip. As far as the popularization of science is concerned, I published 43 works, including 40 feature articles in the *Prawnik* supplement of the *Dziennik Gazeta Prawna* magazine and 3 reviews. In the professional domain, I have had 10 years of experience as a college teacher and 4 years as an officer in the position of deputy dean. I have also had 10 years of experience in the area of legal practice (currently in the position of assistant specialist at the Criminal Chamber of the Supreme Court). I am a legal counsel (Warsaw Bar Association, reg. no. 8495). However, due to employment in bodies of the system of justice, my license is currently suspended.