

# Summary

## *Zygmunt Ziemiński: “Gandhi”*

The book presents a profile of Zygmunt Ziemiński, a professor of law and a prominent figure at the University of Poznań. It is divided into four parts: (1) *“My life was like the Jews crossing the Red Sea”*, (2) *“Academic career”*, (3) *“Teacher, Educator, Master”*, and (4) *“Work.”* The text is accompanied by a bibliography of Zygmunt Ziemiński’s publications, a list of studies published on him, and an Index of names.

Zygmunt Ziemiński, the son of a doctor of psychology Zygmunt Sr. and a painter Maria née Romiszewska, was born on 1 June 1920 in Warsaw, where he graduated from a secondary school in 1938. He was brought up in an intellectual, Catholic and patriotic home. Immediately after his matriculation, he volunteered for military service in Vilnius. During the German occupation, which he spent outside Warsaw, he worked as a labourer and home tutor involved in clandestine teaching. He soon became involved with independence organisations, and between 1943 and 1944 served in the forest units of the Home Army. He held in high esteem the Cross of the Home Army, awarded to him in 1975.

The future professor began his law studies during war-time clandestine classes and completed them in Poznań. At the University of Poznań, he also studied philosophy in the field of sociology, and in 1946, under Czesław Znamierowski, he began working, first as a volunteer, and then as an assistant, in the Department of the Theory and Philosophy of Law. During the difficult post-war years, he supported himself by tutoring, earned money as an actor, and wrote plays.

Zygmunt Ziemiński obtained his doctoral degree in 1950 on the basis of a dissertation entitled *Defamation trials of as a problem of social technique (Procesy o zniewagę jako problem techniki społecznej)*, and in 1955 he was awarded the title of assistant professor on the basis of a thesis entitled *The background of the court disputes on support for children born out of wedlock (Podłoże sporów sądowych o alimentację dzieci pozamatżeńskich)*. He was appointed associate professor in 1962, and seven years later he was awarded the title of full professor. In 1962, he was appointed head of the Department of Legal Applications of Logic at Adam Mickiewicz University, and in 1981 he became head of the Department of the Theory of State and Law. He worked there until the last days of his life. Despite his unquestionable academic and moral authority, Professor Ziemiński was never bestowed with university functions. This adds greater significance to his being elected chairman of the Solidarity Trade Union group at the Faculty of Law and Administration of Adam Mickiewicz University in 1980.

Zygmunt Ziemiński employed his knowledge and experience by working actively in numerous national and foreign scientific societies, research councils and editorial committees. In the last years of his life, he served as editor-in-chief of the *Ruch Prawniczy, Ekonomiczny i Socjologiczny [Poznań Journal of Law, Economics and Sociology]*, and was a member of the Central Commission for Academic Title and Degrees.

Professor Ziemiński's passion in life was research work closely intertwined with educating and supporting young people. His scientific activity focused on the theory of law, the discipline to which he devoted himself, but it also encompassed logic and the methodology of sciences, sociology and ethics. His wide-ranging research interests and versatile scientific skills enabled him to achieve commendable results in the study of all fundamental aspects of law and cultivate legal theory as an integrative discipline of the legal sciences.

The distinction introduced by Zygmunt Ziemiński between a legal rule and a legal norm was of fundamental theoretical and legal importance. It became the basis of his concept of interpretation as a specific translation of legal rules into norms of conduct, the concept of the norm of competence, the analysis of legal relations and legal situations determined by norms of law, as well as his unique elaborate conception of sources of law, taking into account the role of political and axiological factors and rules of exegesis in shaping the validity of norms with a specific content. The results of theoretical-legal research found their culmination in Ziemiński's greatest work, *Fundamental problems of jurisprudence (Problemy podstawowe prawoznawstwa, 1980)*, which is devoted to constructing a theory of legal phenomena in their formal aspect.

He conducted pioneering work on selected aspects of the social working of law, which he had already carried out in the early 1950s, many years before the formulation of the first Polish sociology of law programmes when sociology had been removed from university curricula. Valuing clarity of expression, Professor Ziemiński put great effort into translating the subtle and abstract considerations of logic as a science into the language of logic as the art of practical action. He did this with great success. His well-known textbook *Practical Logic* which has been reissued numerous times, has become a primer on which generations of Polish lawyers have been raised (*Practical Logic with the Appendix on Deontic Logic* by Zdzisław Ziemia, D. Reidel Publishing Company, Dordrecht 1976, pp. 489).

For Professor Ziemiński, precise language was a prerequisite for a fruitful discourse in science. By carrying out a logical and semiotic analysis of legal and juridical language, he accomplished the enormous work of bringing order to the conceptual apparatus of jurisprudence. Equally momentous were his reflections on the methodological status of legal science and his distinction and characterisation of the types of problems in this field. His works

on the sociology of law and legal applications of logic broke the outdated paradigm of the practice of legal science and opened up new and fruitful prospects for jurisprudence.

Zygmunt Ziemiński's analyses also tackled problems located on the border between jurisprudence and the science of morality, especially the intricate relationships between moral judgements and norms and legal norms. Late in life, he returned to the fundamental jurisprudential questions concerning the role of moral judgements and norms in law. He grappled with these in works such as *An introduction to axiology for lawyers (Wstęp do aksjologii dla prawników, 1990)*, *On the understanding of justice (O pojmowaniu sprawiedliwości, 1992)* and *On the understanding of positivism and the law of nature (O pojmowaniu pozytywizmu oraz prawa natury, 1993)*.

Years of diligent and intensive work resulted in 300 scientific publications, with a steady flow of books: *Moral norms and legal norms (Normy moralne i normy prawne, 1963)*, *Logical foundations of jurisprudence (Logiczne podstawy prawoznawstwa, 1966)*, *Ethical problems of jurisprudence (Etyczne problemy prawoznawstwa, 1972)*, *Methodological issues of jurisprudence (Metodologiczne zagadnienia prawoznawstwa, 1974)*, *Essays on the methodology of particular legal sciences (Szkice z metodologii szczegółowych nauk prawnych, 1974)*, *The principles of law: basic issues (Zasady prawa. Zagadnienia podstawowe, 1974, together with S. Wronkowska and M. Zieliński)*, *Sociology of law as a legal science (Socjologia prawa jako nauka prawna, 1975, together with M. Chmara)*, and *Justification of judgements and norms in jurisprudence (Uzasadnianie twierdzeń ocen i norm w prawoznawstwie, 1988, together with M. Zieliński)*.

Zygmunt Ziemiński stood steadfast in the face of pressure from any factions. In his research work, he was able to remain independent of political power. Nor did he succumb to any changing fashionable trends in science. Regardless of these, he consistently

and systematically developed his paradigm over many years, showing ever new applications of it. Analysing subtle theoretical and legal problems, he persevered in his efforts to make legal theory useful for legal studies.

Life did not spare Ziemiński bitter experiences. He waited a long time for official recognition, which he did not seek. He received honours late in life: in 1991 he became a corresponding member of the Polish Academy of Sciences, and in 1994 he was awarded the Commander's Cross of the Order of Polonia Restituta.

Zygmunt Ziemiński was an outstanding teacher. The classes he taught were a great event for students. His dozen or so excellent textbooks shaped the knowledge and legal culture of young academics, regardless of the university law departments from which they graduated. His seminars brought together future lawyers and philosophers, sociologists and artists, politicians, journalists and travellers. More than forty of his seminarians went on to become academics. Ziemiński's uniqueness as a teacher and educator was determined by his unparalleled willingness, his need even, to share his knowledge, experience and doubts with others, and the fact that while expecting credibility from others, he placed the greatest demands on himself. It was also thanks to this that he exerted an extensive and profound influence on Polish jurisprudence, on our methodological self-knowledge, the language of the discourse on law and the precision of thinking.

*Translated by Rob Pagett*