

scientific criticism – derived from my liberalism concerning every sphere of life (both the economy and society) – do not lower the assessment of his works.

Jerzy Menkes

Interview by the Editorial Board with Professor Dr. Janusz Gilas

How do you assess the importance of international law in the contemporary world, especially in the context of the conflict in Ukraine, to what extent can it be considered an important regulatory factor in the international community?

International law is the most important of all normative systems operating in the modern world. Medium-sized and small states in particular rely on international law for their actions. However, superpower states are not always guided by international law to the highest degree in their actions; they rely on actions that give expression to their own interests. The Russian Federation has violated international legal norms on the limitation of medium-range strategic nuclear weapons and the OSCE standards on the limitation of troops in their control in Europe, thereby contributing to the intensification of the arms race. Ultimately, the Russian Federation committed acts of aggression against Georgia and then twice against Ukraine. States are helping Ukraine in its response to the aggression against it by the Russian Federation on the principle of collective self-defence, assuming that the restoration of peace will result in the responsibility of the aggressor and compensation for the violation of the rules of armed conflict.

How do you assess the domination of the international by normativism?

In Poland, international legal research was dominated by positivism based on the assumption, for many, many years of research in Poland, that the only subject of international law is the state, and that research consists of studying the sources of international law in terms of the ICJ Statute and assessing the actions of states in light of them. However, the situation has changed under the influence of realities in the life of the international community, international organisations of an inter-state character have been

brought into the role of subjects of international law and, after Poland ratified the human rights covenants, also individuals as other subjects.

Do you see the effects and what are the consequences of a lack of reflection/knowledge about the methods of studying international law on the quality of research/publications in Poland?

In Poland, logical-grammatical analyses and historical-legal studies dominate in the study of international law but we do not find borrowings in sociological methods and comparative legal analyses.

Why has no school of international law been established in Poland?

I do not agree with this. Two schools of international law have developed in Poland, namely the Lwów-Kraków-Wrocław school founded by Ludwik Ehrlich and the Poznań school founded by Alfons Klafkowski. The first of these schools boiled down to the development of the study of the history of international law, combining the study of international law with the study of international relations as a method of studying the dissemination as a source of international law of the jurisprudence of international courts and courts of states. In this school, apart from Ludwik Elhrich, it is important to mention (from the Kraków scholars) Stanisław Nahlik, Marian Iwanejko, Mieczysław Grzegorzczak, and Gwidon Rysiak, and (from the Wrocław scholars) Stanisław Hubert, Karol Wolfke, and Jan Kolasa, who originated from Polish Lwów (present day Lviv). The Poznań school, on the other hand, concentrated on the study of the legal aspects of Polish-German relations and the position of the German state. This school valued the study of international relations. Apart from Alfons Klafkowski, Krzysztof Skubiszewski and Bolesław Wiewióra participated in the research. This school prepared the basis for the regulation of Poland's relations with Germany, which boiled down to the recognition of Poland's western border and the establishment of good neighbourly relations between Poland and Germany.

You are one of the few who have combined the study of international law with the study of international relations, how do you assess the result of this combination?

The study of international relations introduced by scholars of international law makes it possible to establish the place of international law in the international community more precisely, to become aware of its real role

in the life of this community and of the limitations resulting from the hierarchy of states, which is characterised by the supremacy of superpowers.

What was the greatest weakness in the strength of the international environment in Poland, and is it legitimate to speak of an environment at all?

It is certainly possible to speak of an environment of experts in international law in Poland. This milieu is united by the conferences of chairs of international law held since the 1950s and continued up to the present day. Another factor testifying to the existence of this community is the ILA Poland Group, which makes it possible to maintain contacts of this community. Finally, the third element testifying to the existence of this milieu is the cooperation with the authorities of the Polish state, especially with the Ministry of Foreign Affairs.