

Nightmarish legal maze shields research fraudster at Nicolaus Copernicus University¹

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Nicolaus Copernicus must be turning in his grave! The University named in his honour is once again a host to a hideous research fraud involving a high profile academic. This time the culprit is a revered Polish historian, admired social activist and respected mainstream politician, Prof. Krajewski. To avoid prosecution for his appalling act of deceit, the crafty professor attempted to pervert the course of justice and to harass and subdue a range of academic and legal institutions, including the Constitutional Tribunal of his country, Poland. And, indeed, Prof. Krajewski's outrageous scheming, combined with incompetence and apathy of the Nicolaus Copernicus University's authorities as well as mistakes of well-meaning but seriously underfunded and understaffed Polish central academic administration – the Central Commission for Academic Degrees and Titles – led to a nightmarish legal maze which shielded this prominent fraudster for nine years! But what else could be expected of the Nicolaus Copernicus University – an institution corroded by rampant and all-pervading academic dishonesty?³ Can we trust that this university will be able to navigate the tangled

¹ Title by translator

² This is an English translation, predominantly dynamically equivalent, of an article published originally in the Polish language in a monthly magazine for Poland's academics, *Academic Forum*, in Feb 2016. (Odebrana habilitacja w Toruniu, Marek Wroński FA 02/2016 Forum Akademickie, Lublin: Akademicka Oficyna Wydawnicza, ISBN:1233-0930. Retrieved on 23 May 2016 from <https://forumakademickie.pl/fa/2016/02/odebrana-habilitacja-w-toruniu/>). The publication is from a series of articles that has been appearing since 2002 each month in the magazine's section called 'From the Archives of Research Misconduct' [Z archiwum nieuczciwości naukowej] <http://forumakademickie.pl/publicystyka/nauka/z-archiwumnieuczciwosci-naukowej/>

³ The Nicolaus Copernicus University has been plagued by an exceptionally high number of incidents of serious research fraud committed by their eminent academics. Some of these exploits were described by Marek Wroński in Polish in *Academic Forum*. Several of the articles had been translated into English: 'Accusations against a Dean' (<http://www.bmartin.cc/dissent/documents/Wronski/Wronski1307.pdf>), 'Lawyer correspondence about this article' (<http://www.bmartin.cc/dissent/documents/Wronski/Wronski1307-legal-threat.pdf>), 'Dean of Law Prof. Justyński arrested!' (<http://www.bmartin.cc/dissent/documents/Wronski/Wronski1603.pdf>), 'Time of deceit (or how to

web of yet another preposterous research swindle? By now one wonders if it is at all possible to re-establish even a semblance of normalcy at this rotting academic establishment. Or is this previously noble university on a fast-track to the complete self-destruction?⁴

*Isaiah 59:4 "No one enters suit justly; no one goes to law honestly; they rely on empty pleas, they speak lies, they conceive mischief and give birth to iniquity."*⁵

Recently, several cases involving dishonest university researchers that have been followed in the last few years in *Academic Forum*, have finally been successfully concluded. These pursuits will be covered in the forthcoming issues of *Academic Forum*. Admittedly, the verdicts rescinding academic degrees of these professors are not final and the offenders still have the right to appeal through a multi-stage appeal process.

The longest to expose (9 years!) was the outrageous research fraud committed by Prof. Mirosław Krajewski⁶, a distinguished historian from the Institute of History and International Affairs at the Casimir the Great University⁷ in Bydgoszcz⁸, Poland. When his scholarly treachery came to light in 2007, this prominent and highly respected academic was the Deputy Chairman of the Parliamentary Committee for Education, Science and Youth from a

lose reputation)' (<http://www.bmartin.cc/dissent/documents/Wronski/Wronski1506.pdf>), 'Fox guarding the chicken coop' (<http://www.bmartin.cc/dissent/documents/Wronski/Wronski1506-Vitzki-comment.pdf>), 'Professor chameleon' (subheading 'The latest court judgements'), (<http://www.bmartin.cc/dissent/documents/Wronski/Wronski1106.pdf>).

⁴ Introduction by translator

⁵ Motto by translator

⁶ Translator's comment: Some aspects of Prof. Krajewski's case were described in the part of Marek Wronski's article 'Professor chameleon' under the subheading 'The latest court judgements' (<http://www.bmartin.cc/dissent/documents/Wronski/Wronski1106.pdf>).

⁷ Translator's comment: The Casimir the Great University is a state-funded university in Bydgoszcz, Poland. It was established in 1968 and named after Casimir III the Great (Kazimierz III Wielki), the King of Poland (1333-70) who granted the city of Bydgoszcz municipal rights on 19 April 1346. The Casimir the Great University which offers about 100 courses of study and specialties, is attended by 14 000 students and employs 665 academic staff, including 150 professors, 60 of which are full professors.

⁸ Translator's comment: Bydgoszcz is part of the metroplex Bydgoszcz-Thorn, located in the Kuyavian-Pomeranian Voivodeship in northern Poland. Bydgoszcz and Thorn are co-capitals of the Kuyavian-Pomeranian Voivodeship. The metroplex totals over 850 000 inhabitants. The Bydgoszcz part of the metroplex is the seat of the Casimir the Great University, University of Technology and Life Sciences as well as the Collegium Medicum of the Nicolaus Copernicus University in Thorn. The Thorn part of the metroplex is the seat of the Nicolaus Copernicus University in Thorn.

major Polish political party *Self-Defence*⁹. Prof. Krajewski was accused of a shocking fraud in his seminal monograph *The January Uprising*¹⁰ in the region between the rivers *Skrwa* and *Drwęca*, published in 1994 by the Włocławek Scholarly Society. Furthermore, on 13 February 1995 Prof. Krajewski's fraudulent dissertation provided the basis for the decision of the Faculty of History at the Nicolaus Copernicus University (NCU)¹¹ in Thorn¹² to bestow upon him a post-doctoral degree. As per regulations, this decision was approved by the Central Commission for Academic Degrees and Titles (Central Commission)¹³ in Warsaw on

⁹ Translator's comment: *Self-Defence of the Republic of Poland* was the third largest Polish political party. Founded in 1992, it combined left-wing economic policies with conservative social policies. It was catapulted to prominence in the 2001 parliamentary elections. After the 2005 elections, the party's founder and leader, Mr Andrzej Lepper, was appointed Deputy Prime Minister in the Polish coalition government. Subsequently, a series of scandals broke out with accusations that the party's leaders were trading governmental posts in exchange for sex, which produced a major outcry in Poland. Despite the party's leadership's denial of such practices, the evidence supplied by numerous victims left little room for speculation. In 2007, Mr Lepper was dismissed from his position of Deputy Prime Minister and the party withdrew from the coalition. This precipitated a new election, at which the *Self-Defence* party collapsed to just 1.5% of the vote, losing all its parliamentary seats. On 5 August 2011, Mr Lepper, who was still the party's leader, was found dead in his office in Warsaw. His death was ruled a suicide by hanging.

¹⁰ Translator's comment: The January Uprising was an insurgency in the former Polish-Lithuanian Commonwealth against Russia that started on 22 January 1863 as a spontaneous protest by young Poles against conscription into the Imperial Russian Army. It was soon joined by high-ranking Polish-Lithuanian officers and various politicians. The insurrectionists, severely outnumbered and lacking serious outside support, were forced to resort to guerrilla warfare tactics. The uprising ended in 1865 when the very last of the insurgents were captured. Reprisals were severe, public executions were commonplace, and deportations to Siberia were massive. Public executions and deportations to Siberia led many Poles to abandon armed struggle and turn instead to the idea of "organic work": economic and cultural self-improvement.

¹¹ Translator's comment: The Nicolaus Copernicus University (NCU) in Thorn (Polish: Toruń) is a leading Polish academic and research institution, named in honour of the famous astronomer, who was born in this medieval town more than 500 years ago. It must be noted that the first higher education institution in Thorn was founded already in 1568 and was one of the first universities in northern Poland, attracting meritorious scholars from a wide range of disciplines. However, the Nicolaus Copernicus University in its modern form was only opened after World War II, in 1945. Presently NCU has 16 Faculties, among them: History; Humanities; Languages; Law and Administration; Mathematics and Computer Science; Political Science and International Studies; Physics, Astronomy and Applied Informatics; Theology.

¹² Translator's comment: Thorn (Polish: Toruń) is one of the oldest cities in Poland. It has a population of approximately 20,000. The astronomer Nicolaus Copernicus was born in Thorn on 19 February 1473.

¹³ Translator's comment: The Central Commission for Academic Degrees and Titles (Central Commission) is a national commission at the Office of Polish Prime Minister. The Central Commission is a collective body elected for the term of 4 years out of candidates proposed by the organisational units entitled to award a doctor's degree or a doctor's degree within the scope of art. Under legislation passed in 2003, the candidates are selected by the persons who have the academic title of professor or the title of professor within the scope of art and consists solely of professors or professors within the scope of art. The Central Commission is responsible for the quality and the

26 June 1995 and thus made legal¹⁴.

Unearthed: how professor plagiarised from a priest¹⁵

Prof. Krajewski's deceit first came to light when two journalists, Piotr Głuchowski and Marcin Kowalski, published the article 'How professor plagiarised from a priest' in the magazine *Broadsheet*, a supplement to the *Electoral Gazette*¹⁶. The reporters claimed that the historical data in the Prof. Krajewski's most significant treatise had not originated from the archival sources which he had listed in his monograph's bibliography. The journalists wrote that, in fact, Prof. Krajewski had never accessed these archival sources. Instead, he plagiarised both the data and the sources' list from the earlier monograph by the late Fr. Czesław Lissowski *The January Uprising in the Dobrzyń Land*, published in Płock¹⁷ in 1938.

The then Dean of the Faculty of History at the Nicolaus Copernicus University, Prof.

standards of the doctoral degree, post-doctoral degree and the academic title of professor or these degrees and titles within the scope of art. The Central Commission awards the right to confer both levels of doctoral degrees or these degrees within the scope of art to organised fields of study at tertiary education institutions, controls activities of the units authorised to award academic degrees and degrees within the scope of art, connected with awarding these degrees, approves resolutions passed by the councils of the above-said units on awarding the post-doctoral degree and the post-doctoral degree within the scope of art. The Central Commission directly assesses applications for professorial title or the title of professor within the scope of art through ad hoc committees which it nominates for each case. The Central Commission operates mainly through disciplinary sub-panels. The number of professorial titles awarded is approximately 500 annually (approximately equal to net replacement of deaths/retirements), and of post-doctoral degrees – approximately 850. The numbers of both doctoral and post-doctoral degrees have been increasing since 2004, after Poland joined the European Union.

¹⁴ Translator's comment: This piece of information added by the translator is based on the article published in the Polish language in a monthly magazine for Poland's academics, *Academic Forum*, in June 2012. (Miałem jednak rację, Marek Wroński FA 06/2012 Forum Akademickie, Lublin: Akademicka Oficyna Wydawnicza, ISBN:1233-0930. Retrieved on 16 August 2016 from <https://forumakademickie.pl/fa/2012/06/mialem-jednak-racje/>)

¹⁵ All subtitles by translator

¹⁶ Translator's comment: The *Electoral Gazette* is a daily Polish liberal newspaper with the largest circulation. It was first published on 8 May 1989, under the motto, "There's no freedom without Solidarity". Its founding was an outcome of the agreement between the Polish communist government and political opponents centred around the *Solidarity* movement. The paper was to serve as the voice of *Solidarity* during the run-up to semi-free elections held on 4 June 1989 (hence the newspaper's title). It was the first legal newspaper not controlled by the communists. The paper's editor-in-chief, since its founding, has been Polish anti-communist dissident Adam Michnik. The paper's headquarters are located in Warsaw but it publishes daily local editions in over 20 Polish cities.

¹⁷ Translator's comment: Płock is a regional town in central Poland located on the Vistula river.

Waldemar Rezmer, analysed both books personally and, after confirming that Prof. Krajewski had plagiarised in his monograph, announced this astonishing discovery to his Faculty's Council. On 19 June 2007, the Council appointed a Special Committee to formally investigate the allegations. Chairman of the Committee Prof. Szczepan Wierzchosławski and members Dr Magdalena Niedzielska and Dr Leszek Kuk presented the results of their analysis in a 40-odd-page report which they released at the Council's meeting on 22 January 2008. Extensive excerpts from this communique were reprinted in *Academic Forum* in October 2008¹⁸.

The Committee's main conclusion was that Prof. Krajewski's dissertation was not original and that it failed to meet the requirements of a post-doctoral degree thesis. It contained factual errors and errors in logic resulting from a faulty research methodology. There were also serious problems with research integrity. For instance, Prof. Krajewski's book contained a large number of borrowings and acquisitions. These originated not only from the book by Fr. Lissowski, as was initially suspected, but also from works of Stanisław Myśliborski-Wołowski, Leonard Ratajczyk, Władysław Karbowski, Marian Przedpełski and Emanuel Halicz. Moreover, the structure of the monograph and the biographical dictionary at its end were also copied from Fr. Lissowski's work.

The Special Committee made inquiries at the archives where Prof. Krajewski had supposedly conducted his research, namely the Central Archives of Historical Records in Warsaw, the State Archives in Płock and the Diocesan Archives in Płock. In their letters to these archives, the Special Committee asked whether the files that Prof. Krajewski referred to in his dissertation existed at the time the historian was allegedly analysing them and, if so, whether the appropriate bibliographical signatures he referred to were in existence.

The Archives in Warsaw replied that the documents listed in the letter they received from the Special Committee had been destroyed during World War II. On the other hand, the State Archives in Płock stated that some of the documents from their collection survived the war but not the ones that Prof. Krajewski referred to in his dissertation. Also, the records of researchers who studied their archives did not include Prof. Krajewski's name. What is more,

¹⁸ Translator's comment: The excerpts were reprinted in the article 'Ocena merytoryczna' by Marek Wroński, *Academic Forum*, October 2008, FA 10/2008, (<https://forumakademiczne.pl/fa/2008/10/ocena-merytoryczna/>).

the Płock Diocesan Archives that Prof. Krajewski claimed to have analysed had been moved to Germany during World War II and have been returned to Poland only after the year 2000. As noted earlier, Prof. Krajewski published his dissertation in 1994.

Nightmarish legal maze

The report prepared by the Special Committee was duly examined by the Central Commission for Academic Degrees and Titles in Warsaw. At the end of May 2008, the Commission came to a conclusion that the Council of the Faculty of History at the Nicolaus Copernicus University must re-examine their original 1995 decision on the basis of which Prof. Krajewski was awarded his post-doctoral degree. Thus the Central Commission ex-officio commenced a process of the re-assessment of Prof. Krajewski's post-doctoral degree.

However, the process was inexcusably stalled by the History Faculty for a year¹⁹. Finally, the new Dean of the History Faculty, Prof. Jacek Gzella, scheduled a Council meeting for 16 June 2009 to resolve the matter. The verdict was that Prof. Krajewski's work did not meet the requirements for a post-doctoral degree and thus the Council decided not to carry out the re-assessment of his post-doctoral degree. This re-assessment was a legal requirement which had to be fulfilled if Prof. Krajewski were to retain his post-doctoral degree. However, the procedure that led to the Council's decision not to re-assess Prof. Krajewski's post-doctoral degree was conducted without engaging appropriate reviewers as required by law. At the same time, the Council failed to revoke – which was also against the law – its first decision of 13 February 1995 which originally bestowed a post-doctoral degree upon Prof. Krajewski¹⁹.

These very serious legal errors on the part of the NCU's authorities led to inception of a nightmarish legal maze that came back to haunt not only the NCU but also the central Polish academic authorities²⁰.

Among other things, a paradoxical situation ensued in which two contradictory resolutions were simultaneously legally binding. The first was still legally enforceable resolution of the NCU's History Faculty Council of 13 February 1995 which originally bestowed a post-

¹⁹ Translator's comment: This piece of information added by the translator is based on the article published in the Polish language in a monthly magazine for Poland's academics, *Academic Forum*, in June 2012. (Miałem jednak rację, Marek Wroński FA 06/2012 Forum Akademickie, Lublin: Akademicka Oficyna Wydawnicza, ISBN:1233-0930. Retrieved on 16 August 2016 from <https://forumakademickie.pl/fa/2012/06/mialem-jednak-racje/>)

²⁰ Comment added by translator

doctoral degree upon Prof. Krajewski. At the same time, the Council's resolution of 16 June 2009 – that Prof. Krajewski's post-doctoral dissertation did not meet the requirements for a post-doctoral degree – was deemed equally lawful²¹.

At first Prof. Krajewski did not appeal against the ruling of the NCU's Faculty Council of 16 June 2009 that his work did not meet the requirements for a post-doctoral degree and the decision of the Council not to carry out a re-assessment of his post-doctoral degree.

Consequently, as per the regulations at that time, in December 2009 the Board of the Central Commission for Academic Degrees and Titles revoked its initial resolution of 26 June 1995 which originally approved Prof. Krajewski's post-doctoral degree. Thus, it seemed that Prof. Krajewski's post-doctoral degree – that was erroneously bestowed upon him on 26 June 1995 – was, after more than 14 years, formally rescinded²².

But unfortunately, at the same time, the Central Commission made a legal error. Namely, the Central Commission did not revoke the History Faculty Council's resolution of 16 June 2009 which the Council made without engaging appropriate reviewers as required by law. Instead, the Central Commission revoked its own initial resolution of 26 June 1995 which originally approved Prof. Krajewski's post-doctoral degree²³.

Legal maze grows in malignacy

This turn of affairs stunned Prof. Krajewski. At this stage the only way for him to challenge the Central Commission's verdict was to fight it at the District Administrative Court in Warsaw. Thus Prof. Krajewski filed a complaint on 11 February 2010 arguing that the Central

²¹ Translator's comment: This piece of information added by the translator is based on the article published in the Polish language in a monthly magazine for Poland's academics, *Academic Forum*, in June 2012. (Miałem jednak rację, Marek Wroński FA 06/2012 Forum Akademickie, Lublin: Akademiacka Oficyna Wydawnicza, ISBN:1233-0930. Retrieved on 16 August 2016 from <https://forumakademickie.pl/fa/2012/06/mialem-jednak-racje/>)

²² This excerpt was edited by translator

²³ Translator's comment: This piece of information added by the translator is based on the article published in the Polish language in a monthly magazine for Poland's academics, *Academic Forum*, in June 2012. (Miałem jednak rację, Marek Wroński FA 06/2012 Forum Akademickie, Lublin: Akademiacka Oficyna Wydawnicza, ISBN:1233-0930. Retrieved on 16 August 2016 from <https://forumakademickie.pl/fa/2012/06/mialem-jednak-racje/>)

Commission's decision was made after the statutory limitation period has expired²⁴. However, the Court dismissed his objection on 12 August 2010, explaining that in regards to plagiarism in academic works, e.g. doctoral, post-doctoral and professorial dissertations, the statutory limitation period does not apply. If, while working towards a degree, the candidate had violated academic integrity, it is lawful to rescind this degree regardless of how much time has elapsed since the degree was awarded. The District Administrative Court in Warsaw thus ruled that the Central Commission had not breached any regulations when it repealed its own resolution made 15 years earlier – the resolution of 26 June 1995 that had approved Prof. Krajewski's post-doctoral degree.

But, regretfully, the District Administrative Court in Warsaw did not notice legal errors made in this matter so far²⁵.

In turn, Prof. Krajewski appealed against the above judgement of the District Administrative Court in Warsaw to the Supreme Administrative Court of the Republic of Poland. Among other complaints, he appealed against the verdict to rescind his post-doctoral degree arguing that it was made after the statutory limitation period had expired²⁶. As noted, this verdict was made on the basis that Prof. Krajewski's post-doctoral dissertation was not original and that it violated research integrity principles. During the cassation hearing, which took place on 17 May 2011, the Supreme Administrative Court overturned the District Administrative Court's verdict and ordered a retrial. This was exactly what Prof. Krajewski had hoped for²⁷.

However, the reason for the decision was different from what the Prof. Krajewski had expected²⁸. The Supreme Administrative Court did not challenge the ruling of the NCU's

²⁴ This excerpt was edited by translator

²⁵ Translator's comment: This piece of information added by the translator is based on the article published in the Polish language in a monthly magazine for Poland's academics, *Academic Forum*, in June 2012. (Miałem jednak rację, Marek Wroński FA 06/2012 Forum Akademickie, Lublin: Akademicka Oficyna Wydawnicza, ISBN:1233-0930. Retrieved on 16 August 2016 from <https://forumakademickie.pl/fa/2012/06/mialem-jednak-racje/>)

²⁶ Translator's comment: This piece of information added by the translator is based on the section 'The latest court judgements' of the article 'Professor chameleon' by Marek Wroński, translated into English by Anna Schneider. Retrieved on 16 August 2016 from <http://www.bmartin.cc/dissent/documents/Wronski/Wronski1106.pdf>

²⁷ Comment added by translator

²⁸ Comment added by translator

History Faculty Council of 16 June 2009 that Prof. Krajewski's post-doctoral dissertation failed to meet the criteria of original research and that it violated principles of academic integrity. Instead, the judge concentrated on the decision of the Central Commission for Academic Degrees and Titles made in December 2009 that upheld the ruling of the NCU's History Faculty Council of 16 June 2009 (which was the very matter against which Prof. Krajewski was appealing). The judge found that by approving it, the Central Commission failed to consider the case on the merits as per the requirements of Art. 151 of the Administrative Proceedings Code. Consequently, the Supreme Administrative Court overturned the judgment of the District Administrative Court and ordered a retrial.

The aftermath of the above decision was another verdict of the District Administrative Court. On 14 September 2011, the judge ruled that the Central Commission's decision from December 2009, which Prof. Krajewski was contesting, was not enforceable.

This was in line with the verdict of the Supreme Administrative Court of 17 May 2011. As noted, this decision of the Central Commission revoked its initial resolution of 26 June 1995 which originally had approved Prof. Krajewski's post-doctoral degree. So the final result was that this degree was rescinded²⁹.

In the explanation of the verdict, the judge of the District Administrative Court stated that the Central Commission failed to give proper, genuine and realistic consideration to the merits of the case as per the requirements of Art. 151, Par. 1(2) of the Polish Administrative Proceedings Code.

All the documentation was now returned to the Central Commission. On 28 November 2011, the Board of the Central Commission again revoked its own resolution made back on 26 June 1995. This was the original resolution to approve the NCU's History Faculty Council's first decision of 13 February 1995 to bestow upon Prof. Krajewski a post-doctoral degree. In this situation, because any further proceedings to award this post-doctoral degree to Prof. Krajewski became seemingly devoid of purpose, the Central Commission made a decision to discontinue them.

²⁹ Comment added by translator

Again, Prof. Krajewski filed a complaint against the above rulings of the Central Commission to the District Administrative Court in Warsaw. And again, by the judgment of 15 May 2012, the District Court overturned the decision of the Central Commission of 28 November 2011. What is more, the District Court also overturned the resolution of the NCU's History Faculty Council of 16 June 2009 not to carry out a re-assessment of Prof. Krajewski's post-doctoral degree (which later resulted in this degree being rescinded).

In the explanation of the verdict, the judge of the District Administrative Court stated that it is necessary to evaluate the original resolution of the NCU's History Faculty Council of 13 February 1995 to bestow upon Prof. Krajewski a post-doctoral degree. This evaluation was essential in order to make a lawful decision whether Prof. Krajewski's post-doctoral degree could or could not be re-examined. Then, depending on the outcome of this assessment, the resolution will have to be either approved or challenged through appropriate legal proceedings. The judge further stated that, because the above requirements were not met, the original resolution to award Prof. Krajewski a post-doctoral degree has not been overturned so far. This was despite the fact that the Central Commission based their ruling on two widely known pieces of Polish legislation. The first one was Art. 29, Par. 2 of the Act of 14 March 2003 on The Academic Degrees and the Academic Title as well as on the Degrees and the Title within the Scope of Art. The second piece of legislation was Art. 151, Par. 1(2) of the Polish Administrative Proceedings Code.

Furthermore, the judge stated that the latest proceedings of the Central Commission did not resolve the matter whether to award or not to award Prof. Krajewski a post-doctoral degree. This was despite the fact that the Central Commission repeatedly overturned its own decision to approve the original resolution of the NCU's History Faculty Council of 13 February 1995 to bestow the post-doctoral degree upon Prof. Krajewski³⁰.

Legal deadlock

As if the above were not enough, it became clear that all the actions of the NCU's History Faculty Council and the Central Commission so far resulted in creating tremendous legal

³⁰ This excerpt was edited by translator

difficulties. Namely, a paradoxical situation ensued in which two contradictory resolutions were simultaneously legally binding.

The first legally enforceable resolution awarded Prof. Krajewski the post-doctoral degree and the second one, which was deemed equally lawful, was the decision of the Council not to carry out a re-assessment of his post-doctoral degree (which later resulted in this degree being rescinded).

What a legal Gordian knot!³¹

Consequently, in the judgement of 15 May 2012 the District Administrative Court decided that it was necessary to overturn the second resolution, namely the resolution of the NCU's History Faculty Council of 16 June 2009 not to carry out a re-assessment of Prof. Krajewski's post-doctoral degree (which later resulted in this degree being rescinded).

Although the above verdict of the District Court was clear and difficult to challenge because it addressed the undeniable legal errors, the Central Commission decided to file a cassation complaint to the Supreme Administrative Court of the Republic of Poland – which was dismissed on 8 November 2012.

Central Commission's decisive actions vs NCU's inaction

The verdict of the District Administrative Court in Warsaw of 15 May 2012 was final. Therefore the Central Commission instructed the Dean of the Faculty of History at the NCU, Prof. Gzella, to formulate and substantiate a basis for re-examination of Prof. Krajewski's post-doctoral dissertation and then appoint new reviewers and instigate this re-examination. Obviously, it was impossible for Prof. Gzella to carry out the above instructions without first annulling the original resolution of the NCU's History Faculty Council of 13 February 1995 to bestow a post-doctoral degree upon Prof. Krajewski. If only Prof. Gzella actioned this annulment, then the resolution – which was such a stumbling block – would have finally become unexecutable (as per the requirements the District Administrative Court set out in the

³¹ Comments added by translator

explanation of its verdict made on 15 May 2012)³².

Constitutional complaint or how ‘thoroughbred’ legal maze gets its pedigree ...

However, Dean Prof. Gzella unexcusably stalled with the annulment for over a year. Shockingly, he decided – without any legal basis – to wait until a decision is made in relation to yet another complaint by Prof. Krajewski. Indeed, on 4 June 2013 the historian filed a constitutional complaint to the Constitutional Tribunal concerning violation of Art. 2 of the Constitution of the Republic of Poland. In his complaint, Prof. Krajewski claimed that Art. 29, Par. 2 of the Act of 14 March 2003 on The Academic Degrees and the Academic Title as well as on the Degrees and the Title within the Scope of Art unconstitutionally removed the limitation period in some of the cases to which previously such statutory limitation period applied³³.

Obviously, Prof. Krajewski’s complaint referred to a lack of limitation period in regard to revoking decisions to award academic degrees. It must be stressed that filing a constitutional complaint by Prof. Krajewski did not entitle the Dean to suspend the procedure aimed at re-examining Prof. Krajewski’s post-doctoral dissertation. Even more baffling and undefendable was the fact that, when after few months Prof. Krajewski’s complaint was dismissed by the Constitutional Tribunal, the Dean kept stalling the administrative proceedings and still did not act on the instructions of the Central Commission³⁴.

How the illustrious academic read from ashes of documents burnt before he was born – or the absurd world of Prof. Krajewski

After several warnings from the Central Commission and a veiled threat to revoke the NCU’s History Faculty’s rights to award post-doctoral degrees, the Faculty Council finally appointed four new reviewers. As per the new regulation, which were updated since 1995, two

³² Comment added by translator

³³ This excerpt was edited by translator

³⁴ This excerpt was edited by translator

reviewers were nominated by the Faculty Council and the other two by the Central Commission³⁵.

The first reviewer, Prof. Tomasz Kizwalter from the Institute of History at the University of Warsaw found that Prof. Krajewski's original works were mostly of modest scholarly significance. More importantly, his post-doctoral dissertation relied too much on the pre-World War II book by Fr. Lissowski to be qualified as independent research. Furthermore, some of the archival sources cited by Prof. Krajewski (e.g. the files of the war-time Governor of the District of Lipno) were destroyed on 1 September 1944 during the anti-German uprising in Warsaw during WWII.

Prof. Krajewski could not have examined those documents half a century or so after they had been burnt! And to raise the level of absurdity even further, they were burnt before the illustrious Professor himself was even born!³⁶

The reviewer concluded that Prof. Krajewski's post-doctoral dissertation neither met the requirements for an original scholarly publication, nor did it contribute to a sufficient degree towards the advancement of any academic discipline.

The next reviewer, Prof. Kazimierz Stegner from the Institute of History at the University of Gdańsk, pointed out that some of Prof. Krajewski's publications duplicated the content of his other publications. He also found that the post-doctoral dissertation was written and published carelessly. It appeared to be a collection of random facts rather than a scholarly monograph. The facts were presented disorderly rather than following a logically thought out plan. Also, Prof. Krajewski did not even attempt to synthesise and draw conclusions as is expected of scholarly work at the post-doctoral level. The reviewer stressed that it was impossible for Prof. Krajewski to have examined all of the sources he had listed in the bibliography because some of them (e.g. those belonging to the Diocesan Archives in Płock) had been destroyed during World War II, before Prof. Krajewski himself was even born! The other sources cited, which Prof. Krajewski claimed to have examined, had been moved to Germany in 1945 and returned to Poland only after the year 2000, some 5 years after the publication of Prof.

³⁵ This excerpt was edited by translator

³⁶ Comments added by translator

Krajewski's dissertation! This obviously means that Prof. Krajewski's claim that he used primary historical sources is a lie. Furthermore, the monograph contained text that was copied word-for-word by Prof. Krajewski from Fr. Lissowski's and other authors' works. For these reasons, the dissertation did not meet the requirements of a post-doctoral treatise. At the same time, Prof. Krajewski did not have a sufficient body of scholarly achievements at the level that would justify awarding him a post-doctoral degree on that basis alone³⁷.

The third reviewer, Prof. Wiesław Caban from the Institute of History at the Jan Kochanowski University in Kielce, examined the works published by Prof. Krajewski since he was awarded his PhD. These included about 30 papers published in regional scholarly journals and 35 non-journal published papers as well as two books. Prof. Caban judged these works as a comparatively important contribution to the total body of research related to the land of Dobrzyń. However, in regards to Prof. Krajewski's post-doctoral dissertation, the reviewer, who concentrated on the footnotes (515 in total), uncovered undisputable evidence of a large scale research fraud. He found that many of the footnotes violated the principles of academic integrity because they contained information that Prof. Krajewski could have neither established himself nor verified. In summary, the reviewer concluded that the monograph was in large part simply a rehash of Fr. Lissowski's book. For that reason, it did not meet the requirements for a post-doctoral dissertations, which meant that it could not be treated as a basis for the conferment of the post-doctoral degree upon Prof. Krajewski.

The fourth and last reviewer was Prof. Andrzej Nowak from the Institute of History of the Polish Academy of Sciences³⁸ in Warsaw. In his opinion, Prof. Krajewski was a hard-working and praiseworthy regional historian. His scholarly output in the period between his PhD (1985) and post-doctoral candidature (1994) was considerable and the reviewer deemed that it was sufficient in scale, scope and complexity to partially fulfil the statutory requirements for a post-doctoral degree. Another requirement that Prof. Krajewski had to fulfill was to publish a post-doctoral dissertation. In reference to the latter, the reviewer pointed out that the NCU's

³⁷ This excerpt was edited by translator

³⁸ Translator's comment: The Polish Academy of Sciences (PAS) is Poland's top academy of sciences and a major scientific advisory body, with headquarters in Warsaw. It was established in 1951 and operates through an elected corporation of leading scholars and research institutions and through its committees. Among its aims is also coordination and overseeing of numerous research institutes, which employ over 2 000 people. It receives one third of the Polish government's total budget for science.

History Faculty Council should have never appointed the late Prof. Sławomir Kalembka as an original reviewer of Prof. Krajewski's post-doctoral dissertation because of a conflict of interest – Prof. Kalembka was already the reviewer for the publisher. Commenting on the use of the archival sources in the post-doctoral dissertation, Prof. Nowak stated that Prof. Krajewski, instead of presenting his own point of view, simply presented the findings from the book by Fr. Lissowski to which he referred about 100 times.

Furthermore, the files of the war-time Governor of the District of Lipno that Prof. Krajewski supposedly analysed had burnt during World War II as part of the Archives of Historical Records in Warsaw. Hence, Prof. Krajewski, by citing them and claiming falsely that he had personally examined them, had committed a blatant and shameless research fraud³⁹.

Prof. Nowak also criticised Prof. Krajewski for ignoring a number of important books on the January Uprising, including the seminal monograph published under the editorship of the foremost expert in this field, Prof. S. Kieniewicz. Because of the above described flaws in the methodology as well as violations of the most basic rules of research integrity, Prof. Nowak concluded that, regretfully, Prof. Krajewski's post-doctoral candidature had to be terminated.

Triumph of justice ... if only temporary

Subsequently, the NCU's History Faculty Council appointed a Post-doctoral Committee. It was composed of Chairman Prof. Stanisław Roszak and members Prof. Jarosław Kłaczko, Assoc. Prof. Wanda Roman, and Prof. Aleksander Smoliński. On 22 September 2015, the Committee examined the reviewers' reports on Prof. Krajewski's post-doctoral dissertation and his academic achievements since his PhD. As all the four reports were unequivocally negative, the Committee recommended that the Faculty Council terminate the process aimed at re-establishing Prof. Krajewski's post-doctoral degree.

The Post-doctoral Committee's recommendation was examined during the Faculty Council's meeting on 13 October 2015. Firstly, Dean Prof. Gzella explained the legal aspects related to the current stage of re-examination of Prof. Krajewski's post-doctoral degree. Next, Prof.

³⁹ This excerpt was edited by translator

Roszak read out the Post-doctoral Committee's report. A short discussion ensued, after which a secret ballot was conducted to decide whether the process aimed at re-establishing Prof. Krajewski's post-doctoral degree was to be terminated or not. Of those taking part in the ballot, 40 voted for termination, while 6 abstained. The next ballot was conducted to decide whether to overturn the Faculty Council's resolution of 13 February 1995 which originally awarded Prof. Krajewski the post-doctoral degree. This time 39 voted for overturning, while 7 abstained.

Prof. Krajewski 'strikes back' with yet another appeal

At the beginning of November 2015, Prof. Krajewski filed a multi-page appeal to the Central Commission for Academic Degrees and Titles in Warsaw. In his submission, he mainly questioned the legislative basis on which his post-doctoral degree was first re-assessed back in 2008. Prof. Krajewski's complaint was that the reassessment was carried out after the statutory limitation period of 10 years had already expired. He also stated that the administrative procedure applied was in itself wrong, as it was based on the legislation that was binding in 2008 and not on the legislation that was in force in 1995 – the year that his post-doctoral degree was awarded. Furthermore, Prof. Krajewski reiterated his previous arguments that only the original reviewers of his post-doctoral dissertation had an in-depth knowledge of the history of the January Uprising. Thus, according to Prof. Krajewski only they could correctly evaluate his work. In contrast, the current reviewers concentrated only on minor and unimportant details of his dissertation and, according to Prof. Krajewski, were just 'nitpicking'. Furthermore, Prof. Krajewski stated that he has never been hiding the fact that he used the book by Fr. Lissowski – he cited it in his post-doctoral dissertation more than a hundred times. Yet nobody had previously treated this approach as plagiarism⁴⁰.

On 8 December 2015 the NCU's History Faculty Council met to discuss Prof. Krajewski's appeal to the Central Commission. Through majority vote, it was concluded that the procedure of reassessment of Prof. Krajewski's post-doctoral degree was conducted according to the requirements set out in the verdicts of the administrative courts. As stipulated in these verdicts, the premise for a re-examination was confirmed which resulted in the resolution of

⁴⁰ This excerpt was edited by translator

13 February 1995 being revoked. This was the original resolution that awarded Prof. Krajewski a post-doctoral degree. As a result, the Faculty Council declined to support Prof. Krajewski's appeal to the Central Commission.

Further twists in Prof. Krajewski's crooked paths

Presently, the Central Commission for Academic Degrees and Titles is assessing Prof. Krajewski's appeal. This requires appointing a Super Reviewer who will decide whether the procedures applied were correct and whether the reports prepared by the last four reviewers were objective. If the Super Reviewer's opinion is positive, the Section of Humanities of the Central Commission will conduct a secret ballot to decide whether to accept or to reject it.

Subsequently, on the basis of advisory documentation of the Section of Humanities, a decision likely dismissing Prof. Krajewski's appeal will be probably made by the Central Commission's Board in late autumn 2016 (in the Northern Hemisphere⁴¹). Afterwards, Prof. Krajewski will still be able to contest the Board's judgement – first in the District Administrative Court in Warsaw and then in the Supreme Administrative Court of the Republic of Poland.

If Prof. Krajewski decides to continue his legal charade, the proceedings will probably take further two to three years ... and allow more time to publicly spread complaints to wide audiences how this distinguished and esteemed scholar is being oppressed and victimised⁴².

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⁴¹ Comment added by translator

⁴² This excerpt was edited by translator