The Third of May, 1791

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<u>*August Zaleski Memorial Lecture*</u>

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I met Zaleski, then President of the Polish Government-in- Exile in London, I think in 1969. I was a postgraduate student, and I had been doing some research in the old Public Record Office in Chancery Lane into the activities of various Polish politicians in London during World War 1. The <u>Dramatis personae</u> of my research were: Roman Dmowski, as far as I was concerned the villain of the piece: Lewis Namier, then the Foreign Office's chief expert on Polish affairs, and not very sympathetic to Poland: Jan Horodyski, a sort of international aristocratic spy: and August Zaleski, the representative in London of the so-called 'activist' or Piłsudski camp.

During these researches, someone told me the surprising news that one of my principals, namely Zaleski, was alive and well, and still in London. So I duly made an appointment, and went along to the <u>Zamek</u>, 'the Castle' at 43, Eaton Place to meet him, and to ask him about the events of fifty, nearly sixty years before. Of course, I soon became more intrigued by the extraordinary, unreal world of the Government-in-Exile than by the skulduggery of the First World War.

At that time, in the late 1960s, the Polish Government-in-Exile existed in a twilight zone somewhere between tragedy, comedy and fantasy. It had lost official recognition by its original host and ally, the British Government, nearly a quarter of a century earlier. Yet it had been neither expelled nor closed down. It simply continued to exist. It had very little contact with Poland, ruled since 1945 by a Soviet-imposed communist regime; and I think it is fair to say that most people in Poland were unaware

that it had survived. Zaleski himself was a lonely figure, isolated not only by the cold shoulder of the British, but also by a serious political split among the Polish exiles in Britain - most of whom has withdrawn their support. He, and the tiny band of faithful at the Zamek appeared to be like a sort of living museum, - the 'world of 1939' miraculously preserved in aspic.

On reflection, I came to see that Zaleski and the Government-in-Exile possessed a perfectly reasonable and honourable raison d'etre. They saw themselves as the guardians of a pre-war constitution, which had been overthrown by Nazi and Soviet violence, and by Allied complicity in that violence, but which still provided the only thread of legitimacy in Poland's affairs. They were the keepers of an important symbol; and were sustained by the belief that sooner or later Good would prevail over Evil, that Poland's genuine traditions would eventually assert themselves against alien force. I am pleased to say that in November 1990 Zaleski's latest and last successor was able to return to Poland, and, by handing the pre-war presidential regalia to Poland's first post-war, democratic President, Lech Wałęsa, to bring the fifty-year saga of the Government-in-Exile to a very proper conclusion.

This theme of Constitutions overthrown by force, and of persecuted traditions upheld by symbols, is very distant from the British or the American experience, where, fortunately and exceptionally, foreign occupation has had no place. But it provides a fitting introduction to today's lecture. For in modern Polish History, the crushing of constitutions by outside brutality has been the norm. At a rough count, Poland over the last 200 years has seen seven or eight constitutional regimes in which the democratic principles of government by consent and the rule of law has been recognised. There are several marginal items: but the main list would probably include, in reverse order: the March Constitution of 1921, as amended in 1935: the Austrian regime in late nineteenth century Galicia, with a provincial diet in Lwow and access to the imperial Reichsrat in Vienna: the Constitution of the autonomous Duchy of Poznan, which functioned 1830-48 within Prussia: the miniscule Republic of Cracow, which operated 1815-32: the Constitution of the Duchy of Warsaw, which functioned 1807-12: the

embryonic National Government of Tadeusz Kościuszko in 1794: and the Constitution of 3 May 1791, which was in force for some fourteen months. Every single one of these constitutional experiments was suppressed by outside force, usually by the Russian Army: and it is that legacy of strangulated constitutionalism which is today's topic. The following talk will be half way between an academic paper, and a memorial speech - in any event, a few reflections on the 'Third of May 1791.'

The Third of May, 1791

For some reason, in recent years, there has been a rash of Bi-centennials. All sorts of people have been celebrating the 200th anniversary of famous events in late eighteenth century Europe. This year, 1791, is above all the bi-centennial of 'the Divine Mozart', the man who supplied the sound track for the period in question.

Among the bi-centennials, there have been several relating to revolutions and constitutions of the late eighteenth century. This is no accident, because the end of the eighteenth century, at the culmination of the Enlightenment, was an era when Absolutist or Monarchial forms of government were giving way to 'limited', or 'constitutional' forms of government in many parts of Europe. In 1976, already fifteen years ago, we had the razzamatazz of the American Bi-centennial, celebrating the American Revolution, (or should I say the Rebellion) which is still with us.

In 1988-89, we had the tri-centennial of the so-called 'Bloodless Revolution' in England - an event which, as any Irishman will tell you, was neither bloodless nor really a revolution. Then in 1989 we had the bi-centennial of the French Revolution, of the Declaration of Human Rights. And now Poland's Revolution, and the Polish 'Constitution of Third May' ... the first, of its kind in Europe. Those who are not specialists in the period, or who are not Poles, may be forgiven for wondering - which Revolution?

Compared to the events in the USA or in France, the Polish Revolution was rather mundane. The scene in the Senate Chamber of the Royal Castle in Warsaw on 3rd May 1791, was tense enough but not in itself specially dramatic. Some two hundred members of parliament were meeting on the second day after the Easter recess, and a noisy crowd, twenty or thirty thousand strong, was listening expectantly in the gallery and beneath the windows. They were witnessing a sort of peaceful, parliamentary coup d'etat. The parliamentary agenda had been changed without notice, and, in the absence of many potential opponents, a bill for the radical reform of the country's government was being pushed through. The bill's promoters, who included

the King, the Speaker and self-styled Patriotic Party, had been preparing in ill-kept secrecy. Its opponents, who had met the previous night in the Russian Ambassador's residence to discuss armed intervention, had been caught off balance. When they raised points of order against the breach of parliamentary procedures, the speaker told them 'This is a day of revolution, and all formalities must be suspended'. The King, (who was to prove the last king of Poland,) was present with an armed retinue. When his throne was mobbed by supporters, eager for the royal assent, he swore an oath proferred by the Bishop of Cracow, then spoke the words, 'Przysięgałem Bogu, żałować nie będę'. (I have sworn to God; I shall not regret it.) The company then trooped out to the cathedral for the new Constitution to receive the Church's blessing. At the same time, a group of oppositionists headed for the Warsaw courthouse to lodge a legal protest. It was the sort of controversial day which might have taken place in any of the few countries which possessed a parliamentary system at the time. It would probably not be so well remembered if it had not led first to war with Russia, and within four years to the destruction of the entire State. For the Constitution sparked a crisis which was to cut short Poland's independent political history until the twentieth century.

The Constitution of Third May was the culmination of the work of the 'Great Parliament' which had been in almost constant session for the past three years. The extensive reform programme of that Parliament had been conceived by the King as a corollary to his intended revision of the Republic's humiliating relationship with its neighbours. Ever since the disaster of the First Partition of 1773, he had been hoping to re-establish an independent position in foreign affairs, and, after the death of Frederick the Great in 1786, and the succession of a more sympathetic Prussian King, he had felt things moving his way. In 1787, when he hosted the Empress Catherine at his castle of Kaniów on the Dnieper, he had urged the Russians to accept Poland-Lithuania as a genuine partner and ally. He had hoped to put an end to the decades of chaos and resentment resulting from Russia's constant interference in the Republic's affairs. At Kaniów, however, he had received a rude shock. The Empress turned him

down flat - indicating that she had no interest either in a reformed Poland or in a Polish alliance. She wanted Poland-Lithuania to remain a Russian protectorate. But the parliamentary reform programme went ahead regardless. From the start, therefore, the work of the reformers proceeded in defiance of Russia's wishes, and was seen by all concerned as a process designed to shake off Russian domination of Poland. The recovery of independence, desired by the King and reformers, but opposed by a clique of pro-Russian magnates, lay at the centre of the operation.

At the same time the Great Parliament had been turned into a confederation, so that it could operate by majority voting this procedure was aimed at defeating the liberum veto, the nefarious practice retained at Russian insistence ever since 1717, and regularly used by St Petersburg's Polish agents to block unwelcome changes. The liberum veto, was cynically recalled by Russian and Prussian propaganda as evidence of Poland's unfitness to govern itself. In reality, it had only survived thanks to the treaties of guarantee which had held the Republic in subjection for seventy years.

Logically enough, the first celebration of the Constitution took place on the first anniversary, that is on 3 May 1792. The streets of Warsaw were lined with troops in gala uniforms. The bands and banners of the city guilds supplied the music and the decorations. A procession to the Church of the Holy Cross was headed by ministers, senators, and by delegations from distant towns and palatinates. Amidst the ringing of bells, and shouts of Vivat rex, and patriotic songs, the King arrived in a crystal coach to deliver his speech:

"'Prawdziwy i jedyny cel utworzenia nowej formy rządu."nie był inny, tylko żeby, ile po ludzku być może, wszyscy narodu polskiego współziomkowie równie byli uczestnikami udziału wolności i ubezpieczenia własności swoich'..."

After a solemn Mass, the King laid the foundation stone of the Church of Divine Providence, (which was destined never to be built). For even as they celebrated in Warsaw, a Russian Army was preparing to invade, and to crush the Constitution and all it stood for. Less than two weeks later, the Russians crossed the frontier at

Targowica in Ukraine, accompanied by a group of Polish collaborators. That invasion began the cycle of events which was to destroy the Polish-Lithuanian state.

3 May 1792 proved to be the last occasion for many years when the Constitution could be openly celebrated. For most of the nineteenth and twentieth century Warsaw has been ruled by alien powers - by Prussians, Tsars, Nazis, or Communists, none of whom were eager to permit the anniversary to be publicly remembered. In the last 200 years, the anniversary celebrations of 3 May have been permitted on less than one quarter of the possible occasions. It is a fair barometer of Poland's subjugation. In our century, they took place, interestingly enough in 1916, 1917 and 1918 under German Occupation, from 1919-1939 during Poland's brief inter-war independence; and for a couple of years after the Second World War. After that, they were totally suppressed by the Communist Government until revived, under pressure from Solidarity, in 1981.

So, one is dealing with a Constitution that never really took off, that was suppressed almost as soon as it was enacted. It was, an infant strangled in its cradle. That is why it raised such emotions, why it has become one of the prime symbols amidst all of Poland's other terrible oppressions.

The Constitution of Third May needs to be discussed in the context of the country which produced it. The Commonwealth, of Poland-Lithuania - the Rzeczpospolita - was a very different country from the Poland of today. Like the United Kingdom of England and Scotland, it was a dual state which had passed from a personal union of crowns to a voluntary constitutional union. In 1791, the Kingdom of Poland and the Grand Duchy of Lithuania had been joined together for more than four hundred years, that is for five times as long as England and Scotland. It was no passing aberration, no Saisonstaat as the Prussians were apt to say. Indeed, it was much older, and better established than the neighbouring Kingdom of Prussia.

The Polish Commonwealth was also very large. (One has to be careful with an American audience because anything in Europe by American standards is minute.) Suffice it to say, that its population of 11 million was twice that of Great Britain, and its

territory of roughly 1 million km was similar to that of France or of Texas. Prior to the rise of Muscovy, it had been absolutely the largest state in Europe.

More importantly, Poland-Lithuania was a democracy of the modern type, but a democracy nonetheless, with ancient roots and strong principles. It was a democracy of nobles, who elected their King and who undertook their deliberations both in provincial assemblies and in the central Sejm or parliament. Contrary to what its enemies said, it was a democracy which worked - at least till the era of its terminal decline. If it resembled any of its neighbours, it was less like the great Russian Republic of Novgorod, destroyed by the Muscovites, and more like the Holy Roman Empire on the other side in Germany. Its noble citizens enjoyed far-reaching liberties which included the Principle of Unanimity and the Right of Resistance. The former invalidated any law that was not guaranteed at all. The latter laid down that any ruler who broke the laws could be legally opposed. The fundamental privileges of the nobles, their 'Magna Carta', dated from 1374: their freedom from arrest, their 'Habeaus Corpus', from 1434. Their Statute of Nihil Novi, which was equivalent to the American principle of 'No Taxation without Representation', dated from 1505. The final Act of Union between Poland and Lithuania took place at Lublin in 1569 - nearly half a century before the founding of Massachusetts.

One would like to add some nuances to this abbreviated, not to say rose-tinted picture, but one has also to say that even the basic facts do not always find their way into general textbooks. To those who point out, quite correctly that these noble democrats of Poland-Lithuania were serf-owners, and few historians would deny them the title of democrat for that. Serfdom in east and central Europe like slavery in the southern states, repulsive though it is to modern ideas, was a fact of life which Poland shared with all its neighbours - Germany, Austria, Russia. One thing looks slightly odd. Among all those thousands of American historians working on their early constitutional period, hardly anyone has noticed the very obvious similarities between the USA and Poland-Lithuania.

Old Poland was a multinational, multidenominational and multicultural society. Multiculturalism is a common term in modern politics; and one cannot suggest that Poland-Lithuania was somehow a forerunner of diversification. It is not entirely irrelevant to enquire how large a pre-modern state sought to cope with the numerous national, religious and linguistic groups in its midst. It did so in ways, which for their day, were rare, if not exceptional.

At a time when most countries in Europe were intent on creating a modern, centralised and bureaucratic state, Poland-Lithuania persisted in maintaining its traditions of local and communal autonomy. At a time when most of Europe was racked by murderous religious wars, Poland-Lithuania succeeded in practising a far-reaching, though by no means perfect degree of religious toleration.

The various communities involved make a long list. The vernacular languages were, in order of their frequency: Polish, Ruthenian (that is, in modern parlance, Ukrainian and Byelorussian), Yiddish, Lithuanian, German, Tatar, Armenian.

The official languages in order of importance, were: in the Kingdom of Poland, Latin, Polish, and with time an inimitable blend of Latin and Polish known as macaroni: the Grand Duchy of Lithuania to 1600, ruski (that is, Old Byelorussian), later, as in the Kingdom, Latin and Polish: and finally, in the cities of Royal Prussia, German and Latin.

The main religious communities included the following: Roman Catholicism (which was the religion of state), Calvinist Protestant (which attracted a large sector of the nobility in the late sixteenth century), Lutheran protestant (in the German cities), the unitarian Polish Brethren, Greek Catholics or Uniates (who appeared in force in the Ruthenian population after 1596), Orthodox Christians including refugee Old Believers from Russia, Armenian Christians, Moslems, Orthodox rabbinical Judaism, Chassidid Judaism (which began life in Poland, in the 1750s), Karaite Judaism, and lastly Jewish Frankism, which appeared in the 1760s. As a result, the sacred languages which were in circulation, and which were taught in the religious schools, included: Church Latin, Old Church Slavonic, Armenian, Arabic and Hebrew. It takes half an hour just to read

the list. What present-day Poles do not always realise: in those earlier centuries, the link between Polishness and Roman Catholicism was not so close as it became in later times, also, that Polish-speaking Roman Catholics (the groups which Stalin as well as most Polish nationalists have taken as their definition of 'who is a Pole?') formed barely 50% of the total inhabitants - it is impossible to say exactly because there was no census prior to the Partitions.

Communal autonomy was one of the pillars of this complicated society. There were autonomous jurisdictions on the social plane where nobles, clergy, and burghers each governed their own affairs in their own assemblies, under their own privileges, and in their own law courts. And there ere autonomous jurisdictions of different sorts relating to particular regions, cities, or religious groups. A couple of examples must suffice - the city of Danzig, and Polish Jewry.

Danzig, which was the chief port and the largest city of the Rzeczpospolita, enjoyed greater autonomy than any other comparable city in northern Europe. Having begged for incorporation into the Kingdom of Poland in the mid fifteenth century, it was granted extensive charter and liberties in 1580 (?) by Poland's great Hungarian king, Stefan Bathory who thereby ensured its loyalty for the rest of the Rzeczpospolita's existence. The citizens of Danzig were solidly German by language and culture, to the point where Polish visitors to the city were habitually reduced to conversing there in Latin. Yet these German Danzigers were fiercely proud of being Polish. The one person the Danzigers loved to hate was the German king of Prussia and hence to Germany. That is why, when Danzig was so annexed in 1793, without their consent, they promptly rebelled.

The Jewish community of Poland-Lithuania also enjoyed far reaching autonomy. It was protected by royal charters going back to the thirteenth century, and frequently renewed. The Jews had the unconditional right to practise their religion without harassment. They governed themselves in a self-regulating kahal or 'commune' in most Polish cities. They collected their own taxes; and for two hundred years, until 1764, they legislated and debated in their own parliament, the Council of

the Four Lands. In an age when Jews were barred from practically every major country of Europe, most notably from Germany and from Russia, Poland-Lithuania provided the one large safe haven where Jewry could survive and, generally speaking, flourish. It was the great 'place of refuge', and one should not be forgotten. At least 80 per cent of all Jews alive today can trace their family origins to somewhere in Poland-Lithuania.

Of course, the old slogan 'Paradise for the noble, purgatory for the Jews, and hell for the peasants' requires a detailed gloss. The realia are complicated enough.

The statutes De non tolerandis Judaeis for example, deserve mention. Several Polish cities, including the capital, Warsaw, passed legislation against Jews residing and trading within the city walls: and that legislation is sometimes cited to suggest that Warsaw was guilty of discriminating against Jews. On the other hand, one has to recognise that the Jews were in a similar position to several other groups, such as nobles and peasants, who were also barred from residing in the city. Indeed, the great mass of the population who were serfs ad terram adscripti, tended to think of the Jews as overprivileged. What is important, is to see what actually happened. In the case of Warsaw, the Jews, who were barred from the city, joined the forces with the Polish nobles, who were also barred from the city, and set up a series of commercial and residential districts in the immediate vicinity of the city walls. The Noble-Jewish alliance was one of the dominant features of old Polish society. Without it, there is no way of explaining how the city of Warsaw, whilst trying to enforce a policy of not tolerating Jews, was also the centre of absolutely the largest Jewish community in the world. On this issue, the Constitution of 3 May did nothing to alter the status quo.

On the wider question of religious toleration, Poland-Lithuania had no equal. It was the only major state of early modern Europe to have a statute of universal toleration built into its fundamental laws. The act of the Confederation of Warsaw, first enacted in 1573 and many times renewed, required the King and all the nobles to settle religious differences without resorting to force. The only small group to be specifically excluded, on the insistence of the Calvinists, were the Polish Brethren, who, as

unitarians were regarded as less than Christian by the main Christian denominations. And even they were able to escape any effective persecution through the sympathy of various protective cities or magnates. It has to be said that the principle of toleration was sometimes observed in the breach; and that in the eighteenth century, the Roman Catholic Church grew more militant, more exclusive. Even so, in Poland-Lithuania there was no St Barthelemy's Eve, and no wars of religion. Compared with countries like Great Britain which did not fully emancipate its Catholics until 1829 and its Jews until 1860, the Polish record was impressive.

In all these questions of autonomy and toleration, there was one obvious And damaging gap - namely in Rus', that is, in today's Ukraine. Ukraine spent four to five centuries of its formative development first in Lithuania then in Poland- and it is that long experience which made it so very different from its fellow East Slav neighbour, Russia. It had a rich cultural identity, immense economic potential and great strategic significance. One might have expected that the supposedly democratic, and tolerant Republic would have paid attention to its interests. Yet, for a whole gamut of reasons, Ukraine was not granted the liberties which others enjoyed. The Orthodox Church of the East was never on an equal footing with Roman Catholicism, and for four decades in the early seventeenth century was actually suspended. The Uniate Greek Catholic Church to which most Ukrainians belonged after 1596, was not admitted to the episcopal benches of the Senate. The Dniepr Cossacks, who supplied the principal military force of the eastern palatinates were denied both the full autonomy and status of nobility which they much desired. As a result, after several bloody revolts, the Cossacks under Bohdan Chmielnicki launched the Rising to end all Risings in 1648. The stirring and tragic events of those years are known to all literate Poles through the historical novels of Henry Sienkiewicz, (one of whose works, Ogniem i Mieczem. 'By Fire and by Sword' has just been republished in New York in an excellent new English translation.) Ten years after 1648, when a proposal emerged for the creation of a tripartite Republic, i.e. Poland-Lithuania-Ukraine, the proposal was no longer politically viable. The greater part of Ukraine, including Kiev, jumped straight from

the Polish frying pan into the Russian fire, from which it is extricating itself only now. By 1791, twenty years after the First Partition, when Lwów and much of Galicia had passed to Austria, most of the Republic's Ukainians had long since passed under Russian control.

But to return to the Constitution. There are three salient points in its make-up that need to be borne in mind.

Firstly, one has to remember that the once great Commonwealth of Poland-Lithuania had fallen on hard times. Ever since the Cossack and Swedish wars, which killed more than a quarter of the entire population, it had been in severe economic regression. And for seventy years before 1791, it had been run as a form of Russian protectorate - reminiscent in many striking ways to the puppet states set up in eastern Europe by the Soviet Union after 1945. In 1773, it had been subjected to the first of three Partitions that dismembered it piece by piece. It had its own King and its own government, but ever since the time of Peter the Great it had been disarmed and subject to constant Russian interference and intimidation. It was in a state of anarchy that Russian policy deliberately maintained. The main aim of the new Constitution was to shake off this Russian control, and to recover genuine independence. [It was pushed through in a brief interval when the Russian Army was preoccupied in a Turkish War.]

Secondly, the Constitution was formulated in the full flood of the Enlightenment. It introduced an enlightened, limited monarchy of the British type - that is, a hereditary but constitutional monarchy: the division of powers, a parliament representing both halves of the state (Poland and Lithuania), a suffrage extended to both gentry and bourgeoisie. Associated legislation had brought in a strong standing army for defending it against Poland's militaristic neighbours, and an effective civil service. To modern ears, this sounds rather unexciting. But for the time, and the place, it was well worthy of note. True enough, Poland's Constitution had its shortcomings, especially in the social sphere. Unlike its French counterpart, it did not abolish serfdom at a stroke. In that sphere, it confined itself - to bringing the serfs

within the scope of the law. This was, in fact, a significant step forward. Indeed the Polish Constitution's preference for evolutionary as opposed to revolutionary change, was one of the qualities which attracted the approval of many contemporaries. The enthusiasm of Edmund Burke, for example, whose criticism of the excesses of the French Revolution is generally taken to be the starting-point of modern conversation, was unbounded. Burke's approval of the Polish Revolution ought to be as well known as his disapproval of the French one. Of the 'Third of May', he wrote:

'The means were as striking to the imagination, as they were satisfying to the reason, and soothing to the moral sentiments... Humanity has everything o rejoice and glory in, nothing to be ashamed of, nothing to suffer. So far as it has gone, it is probably the most pure...public good which has ever been conferred on mankind...

Everything was kept in its place and order, but in that place and order everything was bettered. To add to this unheard-of conjunction of wisdom and fortune, this happy wonder, not one drop of blood was spilled, no treachery, no outrage... happy people if know they how proceed as they've begun".

(I think he liked it)

At a later date, Karl Marx expressed a similarly fulsome opinion.

To my mind, the Constitution of Third May is a classic product of the European Enlightenment. In political matters, the philosophes looked above all to British sources, both in the theories of John Locke and to the practices of the Westminster system; and the Polish reformers followed their lead. The pre-eminent Polish scholar of the subject, the late Emmanuel Rostworowski, has described the Constitution as a compromise between the wishes of a lifelong Anglophile King, and the republican leanings of the Patriot leaders, who looked more to the example of the United States. This blend of British and American influences is not so common in eastern Europe to say the least. What is depressing, is that so little such information finds its way into general circulation. How often, in surveys of the European Enlightenment, can one look in vain for any mention of the Polish Constitution! How much space is given to Poland's neighbours the so-called Enlightened Despots, such as Frederick or Catherine

the Great, who were so very much more despotic than enlightened! (Incidentally, the King's strong English connections still have a living momento in his collection of paintings which he did not manage to pay for before his forced abdication, and which can still be seen in London, at Dulwich Gallery).

Thirdly, one has to keep track of the revolutionary context in Europe as a whole. Western Europe was transfixed by the extraordinary torrent of changes in France. Prussia and Austria, though not entirely hostile to Poland's renaissance, were preparing for a French War. In eastern Europe, therefore, Russia was left virtually a free hand. The Russian Empress, Catherine the Great, had opposed the King's schemes from the start, and in 1787, at the meeting mentioned earlier at Kaniow (near Czernobyl), she had rejected all suggestions of a Russo-Polish relationship of equal terms. What she wanted was a Poland permanently disarmed and permanently accessible to any manipulations that suited St Petersburg's purpose. As a result, she regarded the demarche of the Polish parliament as a calculated insult to herself and a breach of the treaties of guarantee. From there, it was a simple step for her to denounce the Constitutionalists as Jacobins (which they expressly were not), to treat her own Polish partisans as the only legitimate group (which they were not), and to resort to force. The Russo-Polish War of 1792-3: the Second Partition, the National Rising of Tadeusz Kościuszko and the final act of vivisection of 1795, all flowed from that decision. In the preamble to the Treaties of Partitions, the Partitioners took care to emphasise that Poland-Lithuania had been destroyed reluctantly by the will of God and for the good of mankind, because it was ungovernable. 'If you believe that,' as the Duke of Wellington said,....

The events of the late 18th century no doubt seem pretty distant from contemporary affairs. Yet there are good reasons for keeping the past in mind when considering the extraordinary collapse of the Soviet Block in Europe in recent years, and the imminent disintegration of the Soviet Union itself. For one thing, the Partitions

of Poland-Lithuania, as completed in 1795, formed a major stage in the formation of that overextended empire, which Russia can no longer sustain. For another, as each of the countries breaks free from the Soviet tutelage, and struggles in the direction of Democracy, Independence and the Free Market, each of them looks to its historical traditions as a source of inspiration and psychological support. In the Polish case, the re-adoption of the Third of May as the official National Day, in place of the Communists' spurious festival of 22 July, is a clear sign that the new authorities are turning once again to the country's ancient democratic tradition.

In this regard, there are many misunderstandings, and much disinformation. One frequently hears in western comments, and even in academic debate, that Poland has no democratic tradition. The old chestnut surfaced strongly during the recent presidential elections, as it had done with regular monotony over the last 200 years. It can be found in the speeches of John Bright, the Manchester Liberal, in the 1830's who, in the interests of Free Trade with Russia was given to praising the democratic inclinations of Nicholas I; and it was particularly prevalent in the Allied publicity of Second World War vintage, which, habitually scolded the 'troublesome', 'irresponsible' or even 'Fascist' Poles for not working smoothly with the Great (and democratic) Stalin. Only yesterday, at a seminar here in Harvard, one could hear a speaker from Czechoslovakia, pitching for western investment, who was eagerly contrasting the democratic tradition of his own country with that of Czechoslovakia's neighbours, especially Poland, which supposedly has no such advantages.

Of course, one has to make an important distinction between democratic traditions and practical democratic experience, which no-one in eastern Europe under the age of perhaps 70 can actually possess. Fifty years of Nazi and Soviet tyranny effectively rules out any chance of putting democratic traditions into practice. One has only to recall the Solidarity Congress of September 1981, probably the first major democratic assembly in eastern Europe since the War, to see what a beer garden can result when would-be democrats, with no experience of free speech, insist on exercising it.

One must also distinguish between the democratic traditions and ideals, which may predominate in a nation's political culture, and the deviations from those ideals which occur in the course of political conflict. In Poland's case, all historians have to cope with the example of the Second Republic, which was launched in 1918-21 with a model of speedy and democratic Constitution-making, only to fall foul, sixty-five years ago to this very day - on 15 May 1926 - to a coup-d'etat by its leading democrat. Marshal Piłsudske was the very antithesis of the 'Fascist', which later communist propaganda tried to turn into. He was the leader of the broad left-wing of Polish politics, and it was his anxieties about the intentions of his right-wing nationalist rivals, who at the time were rather too sympathetic for comfort to Mussolini, that led him into a show of force. The Senacja Regime, which he introduced in 1926, must never be classified with the totalitarian monsters emerging across Poland's frontiers in Stalin's Russia or in Hitler's Germany. Even so, it clearly offended against parliamentary norms, to say the least, and its example poses worrying questions about the ambiguities of the democratic traditions.

In the end, Democracy can only be as sound as the democrats who run it. There are many instances in history, starting with Berlin in 1933, where manifestly undemocratic figures emerge through a manifestly democratic process. Similarly, it is entirely possible for misguided democrats to be tempted into the use of undemocratic means in the cause of defending democracy. In this sense, Poland's 'democratic tradition', like many others, is certainly ambivalent.

On the wider historiographical question, it is curious why Poland's democratic tradition, finds so little place in most western textbooks. On this score, that our sins of omission can be traced to three particular sources at least. For a start, there's a peculiarly parochial view of 'Western Civilisation' which never seems to encompass countries such as Poland or Hungary even when they were absolutely the largest units of western Christendom. Then, there's the insidious propaganda of the assorted Tsars, Emperors and politruks who have ruled eastern Europe for the last years, and whose outpourings continue to be received all too uncritically. Lastly, there is the continuing

influence of political alliances in the twentieth century, which brought the western powers into the same camp first of imperial Russia, and later, in 1941-5, with Stalin's Soviet Union. As a result, there is in existence, I believe, something which might be called 'the allied scheme' of contemporary History which governs many of our basic assumptions. One of its characteristics is a habit which has conditioned many western democrats to forget their democratic principles whenever the subject of eastern or east-central Europe is raised. It colours current political attitudes - for example, towards, Lithuanian demands for Independence. But above all, it has encouraged a state of affairs where, apart from Russia, the nations of eastern Europe have no identity, where even history majors can graduate with no knowledge of such exotic places as Poland, Lithuania or Ukraine, and where, in consequence, almost anything can be said about them without danger of contradiction.

Poland's loss of its Constitution, therefore, had repercussions which are still being felt today:

It provided the empires of eastern and central Europe with an unnatural political monopoly which lasted throughout the 19th century, and which in the 20th century, provided the focus not only European, but of world conflict.

The destruction of Poland-Lithuania was a necessary precondition for the Rise of Prussia and for the expansion of Russia-in-Europe. Without the Partitions, it is hard to conceive either of a Germany dominated and united by Prussia, or of the German-Russian rivalry which provided the central issue of two world wars.

By turning against the Constitution of 3rd May, Catherine the Great was setting the course which underlay much of modern European history. A strong Prussia, and a bloated Russia, with a common frontier running through the heart of historic Poland, were essential elements both of the 19th Century Peace, and of the Twentieth Century's wars.

It is no exaggeration to say that the legacy of 1791-5 lies at the root of Mr Gorbachev's overextended Soviet empire. The peoples of the Old Republic are in the forefront of the opposition to Soviet power. Poland's SOLIDARITY headed the

collapse of the outer empire. Lithuania and Ukraine are in the van of the rebellious nationalities which are collapsing the USSR itself. In that part of the world, the consequences of Russia's unwise projection of power in 1791-5 are only now beginning to unravel.

By the same token, the crushing of the Constitution denied all the nations of Poland-Lithuania any chance of political evolution within the democratic framework which an undefeated commonwealth might have provided. One cannot say how the Rzeczpospolita might have fared in the age of Nationalism. It may well have suffered the fate of Austro-Hungary. For Poles, Lithuanians, Byelorussians and Ukrainians and Jews, however, no alternative destiny can hardly have matched the miseries which awaited them under the Partitions, under the Tsars, and above all under Stalin.

By destroying the Republic, the catastrophe of 1972-5 also destroyed all sense of common destiny which its citizens had previously shared. Poles, Polish Jews, Lithuanians and Byelorussians and some Ukrainians retained something of their former solidarity until the suppression of the January rising in 1863/4. After that, each went their separate ways. The divorce is very much in evidence in emigration, not least in the USA, where none of the ethnic groups originating in the old Republic seem to realise that they have much in common.

In the case of the Republic's Jews, who automatically become citizens either of Prussia or Austria or Russia, three distinct communities were created in the place of one. Apart from the minority who assimilated into Polish culture, they lost all sense of their former 'Polish' identity.

By losing their statehood, the former citizens of the Republic also lost their voice, their ability to state their case in the world with authority. The world fawns on success, and the empires, who in their day were mighty successful, were able to spread their propaganda with impunity. Most Historians in the West get no further than simply repeating the Partitioners' own alibis. They simply repeat that official story about the Republic being destroyed because it was 'ungovernable'. The fact is, it was destroyed exactly because the Constitution of Third May had made it governable.

After the Partitions, the old Republic became a ghost-country, a land of no substance, whose claims could not be verified. Edmund Burke, frustrated by Poland's isolation, once stated that it was a country which must be deemed to lie 'on the moon'. At the end of the 19th century, the French dramatist, Alfred Jarry, founder of the Theatre of the Absurd, placed his plot 'en Pologne c'est-à-dire, nulle part (in Poland, that's to say, nowhere).

And yet. Look at the world around you. Where are the Partitioners now? The Austrian Empire collapsed in 1918. Prussia has gone for good. The Russian Empire is dying from a terminal disease. Yet there is a Poland. There is a Lithuania and a Byelorussia and a Ukraine, which will soon be independent. And free people everywhere can celebrate the Third of May. This is no mean achievement.

The legacy of 1791, is above all, a legacy of deprivation. Ten million people at the time, whose descendants now number nearer 100 million, were deprived not just of a Constitution, and of an independent state, but also of all the future benefits that would have flowed from the preservation of state and constitution. They were deprived of a self-managed economy in the age of modernisation: an independent foreign policy in the age of Revolution and after: and a group of autonomous cultures in the Age of Nationalism. No-one knows what achievements those lost benefits might have fostered. What one can say is that the monstrous act of deprivation has had serious and deleterious effects on all concerned. Nine or ten generations have been saddled with passions and resentments that have eaten away at their health and substance. Like rats in a cage, the deprived nations have turned on each other as often as they turned on their common tormentors. Blind, exclusive, pathological nationalism has been bred among all the people of the area, and can be encountered wherever the legacy of deprivation lingers. It is most virulent where the sense of deprivation is strongest, and it provides one of the major problems of those elements of the population who are seeking a better way.

In Poland, and in Poland's neighbours who are engaged once again in a vast operation of constitution-making and damage control, or in some cases in the

fundamental quest for independence, the memory of times before the Deprivation can act as a source of comfort and inspiration. In countries which have little practical experience of democracy through no fault of their own, the memory of a long-lost Democratic Tradition, and of Constitutions past, must be very precious indeed.

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The Minda de Gunzburg Center for European Studies

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