

Lecture 2

Poland at the Accession of King Stanisław August

1. Introduction

In 1764, Poland still appeared superficially to be a great state. Its area - approximately 282,000 square miles - made it the third largest state on continent. Its population, which had grown from around six million in 1660 to between eleven and eleven and a half million by 1704 and perhaps thirteen million by the mid-century was the fourth largest in Europe. But in fact the weakness of the state, which had first become evident in the great uprising of the Cossacks and Ukrainian peasantry led by Bohdan Khmielnitsky, was evident to all. In some ways, the problem is not why Poland was partitioned in 1772 and eventually lost its national independence in 1795, but why it had not been partitioned earlier.

The decline of Poland from the great state that it had been in the sixteenth and early seventeenth centuries can be attributed to many factors:

1. the lack of strong middle class
2. the lack of national heterogeneity - Polish-Lithuanian Commonwealth. Barely half of population of country Poles.
3. Oppression of the peasantry
4. Religious intolerance and lack of unity
5. Intellectual backwardness
6. Absence of secure national frontiers except in the South. (Carpathians)

Yet it is clear that the overriding reason for its decline lies on the weakness of the constitution with its famous, or rather notorious features, the elective monarchy, the supremacy of the diet and the *liberum veto*

2. The Polish Constitution

1. Constitution not unique

Merely an exaggerated and one-sided development of a type of political organization widespread in the middle ages – the state of estates – German *Ständestadt*. *Liberum veto* too has its equivalents elsewhere in medieval parliamentarism. Linked with idea that majority cannot bind minority. Only gradually was majority rule adopted in England; Aragon and Catalonia both had unanimity rule.

Specific feature of Polish situation was that whereas the constitutional struggles elsewhere led either to the victory of the crown over the estates, as in Spain and France or to the victory, with some qualification, of the estates over the crown, as in England, Scotland or the Netherlands, in Poland it led to ‘the triumph of a single class over the Crown and other classes alike.’ This triumphant class – the *szlachta* – which in eighteenth century Poland made up perhaps 8% of the population – then failed to organize its power - such a way as to give the country effective government. In the words of R.H Lord, author of the definitive study of the second partition of Poland:

A one-sided constitutional development, the failure to create a new political mechanism adapted to the new distribution of power in the state, and then prolonged anarchy and stagnation – these seem to be the essential causes of the decline of Poland.

2. Emergence of the szlachta and establishment of its political privileges

This comes relatively late – Polish state only emerges around 1000 and only united at end of thirteenth and beginning of the fourteenth centuries. But from fourteenth century, szlachta begins to play a political role and its importance grows extremely rapidly.

This phenomenon has perhaps 4 roots:

- a. End of ancient Piast dynasty (1370) and uncertain succession which leads by 1434 to practically elective monarchy.
- b. Relative weakness shown by kings who succeeded Kazimierz the Great, last of the Piasts (died 1370)
- c. Financial burdens which were imposed on crown by constant warfare in the fourteenth and fifteenth centuries.

1. Long struggle against the Teutonic Order – this had been invited to settle in Poland in 1228 by the Polish Prince Conrad of Mazovia to defend his territories against heathen Slavs and Balts. Within 50 years, the order had conquered Prussia and established a warlike crusader state which threatened to cut Poland from the Baltic.

Conflict between Poland and the order started in the 1340's

1410 Battle of Grunwald

1411 Treaty of Toruń

1466 Second treaty of Toruń

2. Conflicts also with:

a. Tartars

b. Muscovites

d. Attempts of Polish kings to establish themselves on the thrones of Hungary and Bohemia.

Need for money through taxation lead to great concessions to nobility.

1. Privilege of Kosice (1374).

This granted by King Louis of Anjou to secure his daughter's succession to the throne.

Conceded to szlachta:

a. Exemption from virtually all taxes.

b. Exemption from all duties to the state except unpaid military service.

2. Statues of Nieszawa (1454)

These granted by Kazimierz IV

1. Promises not to make new laws without szlachta consent.

2. Promises not to order *pospolite ruszenie* - general mobilization nation – without szlachta consent. This the first time the nobility admitted to the making of legislation – forerunner of the emergence of the Sejm, which was established in fact by statute *Nihil Novi* of 1505.

3. Interregnum of 1572

Crown had lost most of its prerogatives, but held a measure of its prestige and independence until the extinction of the Jagiellonian dynasty in 1572. This followed by nine months interregnum. Theory at once developed that now that old dynasty had disappeared, szlachta no longer had any master over them. Supreme power has lapsed into hands of szlachta.

Proceed to take possession of state. Organize armed provincial associations – ‘confederations’ – these replace royal courts and officials. Whole nature of election changes. Previously succession had been in fact confined to Jagiellonian dynasty. Now gentry free to choose whom they wished. Ruler to be the delegate of the electors.

New constitution buttressed by impact of humanism and new learning. Political and legal ideas of classical antiquity freely bandied about in Poland – ‘Tyranny,’ ‘freedom,’ ‘equality’. Szlachta came to consider themselves as the re-incarnation of the Roman republic. Did not history show that in ancient republics political rights had been confined to one class of well-born, wealthy and leisured citizens below which stood a servile population? Was not a deputy exercising a *liberum veto* – which became established by mid seventeenth century – acting like a Roman senator? Was not the confederation – the sworn assembly of nobles in which majority decisions did obtain – a new form of the Roman dictatorship?

Jesuits and Catholic Church also support new constitutions. (A.F. Pollard, *The Jesuits in Poland*) This seen as the way to win the gentry back from Protestantism – which had indeed made great progress in the republic in the sixteenth century.

The result of these developments were that the King of Poland, with rare exceptions, was only a figurehead. Did retain some prerogatives – most notably that of

appointing officials both civil and ecclesiastical but opportunities made for life and no measure afterwards controlling appointees. Some attempts to reassert the power of the monarchy. e.g. under Stephen Batory (1575 - 1586), under Zygmunt, the first to the Swedish Vasas to sit on the throne of Poland (1586-1632), under Jan Kazimierz (1648-68) and under Jan Sobieski (1674-96). But all unsuccessful.

3. Emergence of Szlachta to political dominance goes alongside its achievement of social dominance

1. In the fourteenth and fifteenth centuries, the szlachta had not enjoyed complete dominance

a. townspeople had large rights

b. peasants still free cultivators

2. Enserfment of peasantry

This a process characteristic of the whole Eastern Europe with this period and had largely economic roots. In the case of Poland, it was linked with the large-scale export of grain down the Vistula. By a series of 'constitutions' between 1496 and 1573, the peasant was bound to the soil, his obligations in rent and labor increased, he was deprived of the protection of the law and even subjected to the religion of his master. Not clear whether lord possessed the *jus vitae et necis*, but it was assumed he did. Cases of its exercise are certainly not lacking.

3. Subjection of Towns

This more difficult to explain - and a completely satisfactory analysis of the problem does not exist.

a. In fifteenth and early sixteenth centuries, Polish towns at the height of their prosperity. They also enjoyed substantial political rights. This particularly true of the largest of them, Kraków.

1. They had learned even earlier than the szlachta to assert this its by means of confederation.
2. Their approval frequently sought by the Crown for important political acts.
3. They had sent representatives throughout the fifteenth century to these shadowy institutions from which the Sejm later emerged.

Yet when Diet given legal join with statute *Nihil Novi* (1505) cities found themselves virtually included. Kraków, the capital alone possessed right of representation. Its representatives so abused and humiliated by szlachta that ceased to appear at Sejm by end of sixteenth century.

Throughout seventeenth century and eighteenth century, however, four or five towns do retain their right to participation in:

1. elections to the throne
2. in extraordinary diets
3. in confederations

But in practice had lost all political power. One exception to this development.

The special role of the grain exporting city of Danzig.

This process not confined to Poland – occurred also in Bohemia, Moravia and Hungary. But rapidity of political extinction of towns in Poland is striking.

Reasons:

1. Towns German – though this changed in sixteenth century
 2. Economic decline – end of Black Sea-Baltic route with Turkish conquest of area between Dniestr and Dniepr.
 3. Strong hostility of szlachta
 - a. Exclude bourgeois from offices in state
 - b. Similarly with higher church offices.
 - c. Forbidden to own land outside walls.
 4. Municipal rights virtually destroyed in noble towns, restricted in royal towns.
 5. Trade adversely effected by legislation of gentry.
 - a. Law of 1565 forbade native merchants to export or import any goods whatsoever.
 - b. Law of 1643 limits rate of interest
 6. Effect of wars of seventeenth century
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4. Polish clergy

Drop out of Sejm in late fifteenth century as separate state.

Monopoly of higher church offices reserved to aristocracy.

4. Social Structure of Poland

1. Szlachta

Comprised perhaps 8% of total populations.

Theoretically all members of the szlachta equal. In fact, however, wide divergences.

a. Great Magnates

Potockis, Czartoryskis, Radziwiłłs. Almost sovereign on their vast estates.

Kept courts, kept standing armies, even had a sort of foreign policy.

Rivalry between them.

b. Middle nobility

Fairly well-to-do. Took little part in politics. Mostly occupied on their own estates.

3. Poor nobility – so-called ‘barefoot szlachta’.

Had either little or no land. Enjoyed only noble status. Hundreds and even thousands as retainers of magnates.

2. Townspeople

These perhaps 15% of population. Decline of towns

By middle of eighteenth century, not a single town with a population of more than

50,000. Only 7 with more than 10,000

3. Jews

4. Peasants

Nearly 80% of population Over 80% of them were serfs.

Badly off because lacked royal protection

5. The Polish Political System

The social and political dominance of the gentry might not have proved as disastrous as it did had the victorious szlachta been able to establish some sort of political institutions to maintain effective power. But this was not the case. Authority lost by crown passed not to Sejm, but to local assemblies, the so-called Sejmiks and in last analysis to the individual magnates.

Reasons:

1. Size of republic. Important for all nobles to attend Sejm
2. Strength of local allegiances – reunion of country in fourteenth century superficial.

Left strong local particularisms

3. Decline of royal power

Development of Sejmiks

At beginning of fifteenth century old provincial councils of dignitaries and magnates transformed into assemblies of szlachta of each land. Between 50 and 60 of each of these.

Through these that szlachta exercised power.

1. King obliged to consult Sejmiks separately for purposes of taxation
2. Similarly for *pospolite ruszenie*.

Emergence of Sejm

Central council or *Wiec* had exercised great influences under first Jagiellonians over decision of Crown in matters of general policy. Throughout fifteenth century, szlachta and townspeople and to a lesser extent the clergy sometimes attended. Uncertain the exact forms these took. Organic connections between Sejmiki and *Wiec* (now known as Sejm) clearly established by end of fifteenth century.

In 1493, Sejm organized on a bi-cameral basis

1. Representatives of Sejmiks form House of Deputies
2. Upper House – Senate – formed by archbishops, bishops, palatines, castellans and great officer of crown.

Equal to House of Representatives in respect of legislative rights.

Character of Polish part thus would obviously depend on character of relationship between Sejm and Sejmiks.

‘The predominance of the former would mean the continuation of the unification of the realm and perhaps the development of a strong central government; the predominance of the Sejmiks on the other hand would involve decentralization, disunion, impotence.’(R.H.Lord)

At outset decentralizing tendency prevailed. Deputies closely supervised by Sejmiks. Sejm represented a Congress of Ambassadors. Reform attempt under Zygmunt

II (1548-1572). This initiated by Protestant gentry. Aimed at giving Sejm the character of a real parliament by:

1. eliminating imperative mandates
2. establishing majority rule in voting
3. subordinating Sejmiks to Sejm.

Next generation sees developments move in opposite direction. Effect of 1572 interregnum.

Gentry prefer to decide all important matters through Sejmiks. 'In the seventeenth century, the Republic came to resemble a loose federation of 50 or 60 sovereign states.'

(R.H.Lord)

Palatinates develop to the utmost their judicial and administrative autonomy.

Sejmiks asserted wide rights:

1. Granted or refused taxes, either through their deputies or directly, when question was referred to them.
2. Assessed and collected taxes. Turned over to Crown treasurers only as much of taxes as they thought fit.
3. Raised and maintained their own provincial armies.

Some centralization reestablished in eighteenth century

1. Unity of army restored, though its size limited to 24,000 men – a ridiculous figure. In fact, barely half this number generally kept under arms.
2. Sejm of 1717 establishes permanent taxes to be levied according to a fixed scale by officials of central government. Ends financial power of Sejmiks

But taxes still low. In 1750 annual revenues of state have been calculated to be 1-

13th of those of Russia, those of France.

Sejm remains important. Its functioning was dominated by three principal constitutional provisions:

1. System of imperative mandate

Since 1572, instructions given to deputies by Sejmiks had grown increasingly detailed.

Custom of holding sejmiki relacyjne to assess activity of deputies.

‘The fate of every question thus depended not so much upon the debates in the Sejm as upon the referendum taken in 50 or 60 tumultuous gatherings of - for the most part - ignorant and narrow minded country squires.’

2. Liberum veto

This the logical consequence of the imperative mandate. The ultimate absurdity of the Polish Constitution.

Its effect:

1. defeated a particular proposition
2. dissolved the Diet
3. nullified all decisions previously taken by the Assembly

A late constitutional development. In sixteenth century a determined minority generally able to check actions of majority. But if dissenters few, no real notice taken of them. Developed in seventeenth century – gentry obsession of danger of autocratic government In 1652, a deputy Siciński ‘exploded’ Sejm. Liberum veto from now on becomes an established constant practice, although it has no written sanction. Sejmiks often expressly ordered its application. Mass of Szlachta regard it as a useful safeguard

against injustice or tyranny - the 'palladium of liberty', the 'jewel of the constitution.'

Of the 55 Sejms held between 1652 and 1764, 49 exploded. Almost one third of these by the vote of 1 deputy. During reign of August III not a single Sejm lives out its normal life. Yet Sejm met only once – 2 years and then for 6 weeks. Thus it practically ceased to function.

3. Confederation

The one means of getting round the *Liberum veto*. Yet remedy worse than disease.

This the confederation 'a voluntary aimed association of individuals formed for the specific purpose of putting through its specified projects in face of any opposition.'

Typically medieval concept. Common in Poland in the fourteenth and fifteenth century.

Emerges again after 1572.

Three kinds of Confederation:

1. Formed during interregnum
2. Formed to assist King in a great emergency
3. Formed to oppose him

Useful because meant majority rule obtained. But had serious defects. This what gave rise to epigram: 'The government of Poland was anarchy tempered by civil war.' Or in the *szlachta* saying 'Polska nierządem stoi' (Poland survives because of the absence of a central government).

5. Saxon Period

August II (1697-1733)

August III (1733-1763)

The Saxon period sees virtual loss of independence. Republic divided into 2 great aristocratic connections:

1. Czartoryskis 'The Family.' Linked broadly with Russia.
2. Potockis - linked broadly with France.

Election of king a bad omen. French candidate elected first - Prince Francois de Condé. August of Saxony obtains his crown largely through intervention of Russians and to a lesser extent the Austrians. Undisguised intimidation and bribery.

Once in power, August plunges recklessly into second great northern war on side of Russia. Russia's initial defeats. Splits in Polish nobility. French party favour Sweden. King of Sweden thus in 1704 creates his own king, Stanisław Leszczyński.

August now sees no hope to himself save in Russian alliance. 'That was a fateful step. For after Poltava, the Swedes disappeared, but the Muscovites remained, nominally as allies and protectors, really as masters.' (R.H.Lord) Indeed, one of the most important results of the Second Great Northern War was the establishment of Russia as the predominant power in Poland. Russian diplomats become highly familiar with the workings of the Polish constitutions

1. How to run Sejm
2. How to run Sejmiks
3. How to organize a confederation

In the years 1716-17 Peter mediates between Poles and August. This mediation backed up by a display of military force. The agreement which resulted limited size of

Polish army to 24,000 men.

August now hopes to introduce an autocratic constitution and to break with Tsar, forming an alliance with Sweden and Britain. But distrust of nation made this impossible. In 1720, a Treaty of Alliance was concluded between Prussia and Russia to maintain 'liberties' of Poland

At the same time, the growing religious intolerance in Poland afforded further opportunities for intervention. The worst incident has been described as the 'massacre of Torun'.

August II now repeatedly proposes to Russia and Prussia a partition of Poland if the remains of the country could be handed over to him as an hereditary kingdom. Tsar against these proposals. Polish dependence on Russia diminished slightly after death of Peter. But cardinal principal of maintaining 'golden liberty' upheld.

1733: Death of August II. Both Potockis and Czartoryskis obtain elector of Leszczyński. Russia, Prussia and Austrian intervention to secure the election of August III.

1735 Peace of Vienna obliges Leszczyński to abdicate

August III particularly weak and incompetent. Spent the 30 years of his reign almost exclusively in Saxony. Russian intervention also diminishes somewhat. Russian statesmen too preoccupied with war and with Turkey and Sweden and then with two great German conflicts

Division between Czartoryskis and Potockis paralyses Sejm. Czartoryskis move increasingly towards Russia. Had indeed planned a *coup* and Catherine when king died on 5 October 1763