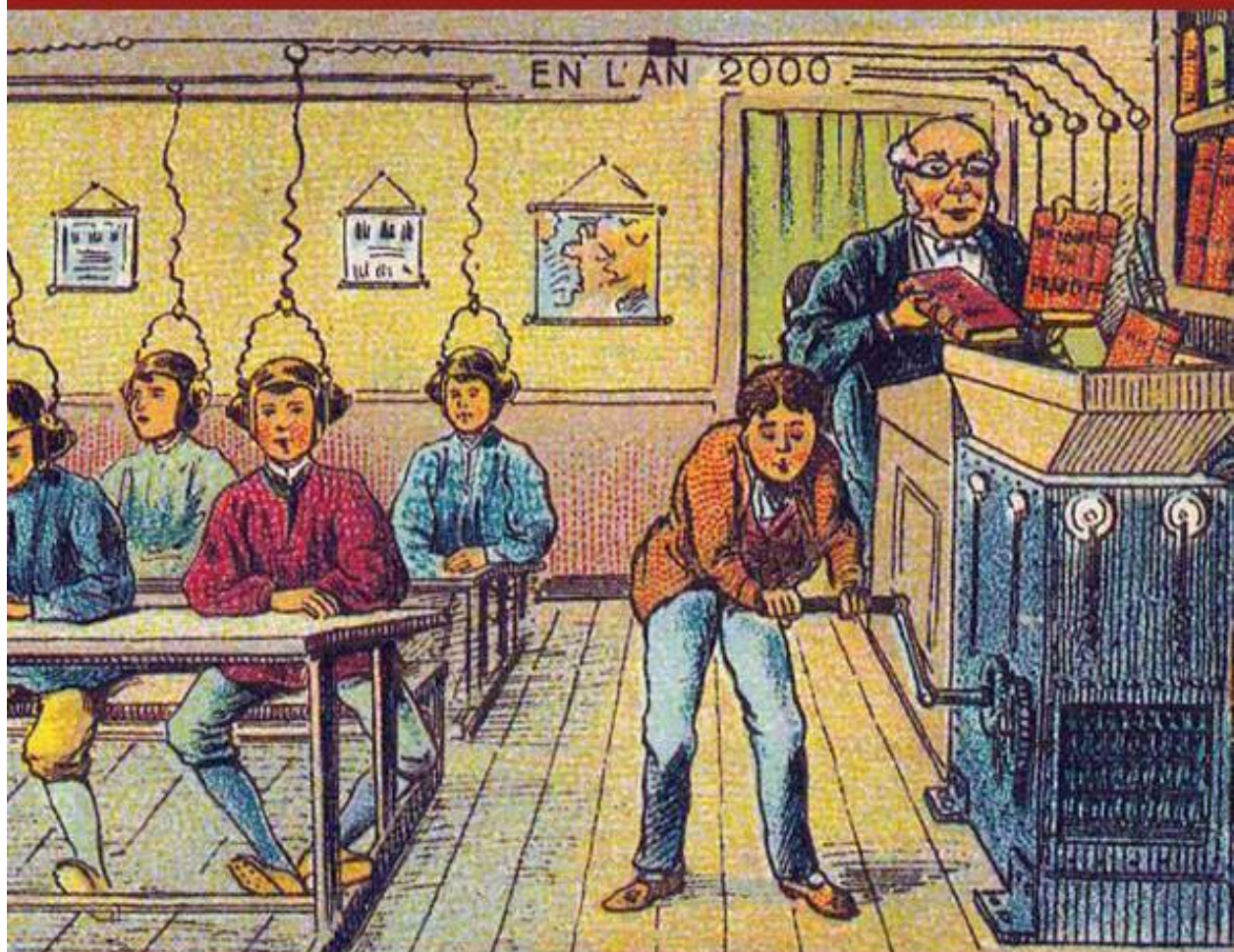


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DEL SIGLO XIX AL XXI. TENDENCIAS Y DEBATES
(Alicante, 20-22 de septiembre de 2018)

Mónica Moreno Seco (coord.)
Rafael Fernández Sirvent y Rosa Ana Gutiérrez Lloret (eds.)



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DOES WAR DEEPEN DISTRUST TOWARD THE STATE? REORIENTATION OF THE POLISH POLITICAL THOUGHT UNDER THE INFLUENCE OF NAPOLEONIC WARS⁵⁵³²

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Enlightenment reforms

The first period of political changes and of transformations of Polish political system began in 1764, with the ascension to the throne of Stanisław August Poniatowski, an enlightened ruler and reformer. He was the last in line of kings from what had once been a European power, that is the Polish-Lithuanian Commonwealth, a state with a number political institutions that made for a fairly specific and original republican tradition of this country. Alongside the reformist camp that was consolidating at the time, Stanisław August strove to pull the country out of stagnation and political collapse in which it had been moored for over 100 years. A great part of the erstwhile political elites had grown convinced of the backwardness of Polish territories in relation to Western Europe as the main point of reference, as well as of its weak statehood resulting from numerous systemic defects and mistaken assumptions upon which the heretofore existing concept of the Polish-Lithuanian Commonwealth had existed. An attempt at conducting complex reforms, however, ended in a failure and in the collapse of the state in 1795, by way of partitions carried out by the neighbouring powers. On the eve of the collapse, a number of comprehensive governance reforms were successfully implemented, especially as regarded the functioning of the Four-Year Sejm (1788-1792). The greatest success of this period was the adoption of a republican -and thus liberal- Constitution of 3 May 1791, which consisted in adapting Polish traditions to the requirements of a modern state.

According to Jerzy Gordziejew: «Whereas the authors of the concept behind political reforms of the late Saxon period and the early days of the reign of Stanisław August exhibited interest in the issue of reorganization of the administrative apparatus, the problem of territorial administration did not receive sufficient attention in their works»⁵⁵³³. Thus, the undoubted breakthrough that took place in the organization of administrative structures on the local level, did not come until the introduction of civil and military order commissions in 1789, while their predecessors -good order commissions of 1768- had, owing to their limited scope of tasks and competences, an incomparably lesser power to influence the socioeconomic life of the province. Nevertheless, their very establishment was tantamount to the implementation of a general territorial administration in the country, which had been virtually non-existent in Poland, as the country was in disarray. When creating new offices, the reformers did not reject the key elements of the Polish self-government system⁵⁵³⁴. For this reason, they determined that local officials had to be elected, and that the

⁵⁵³² The present paper has been prepared under the project «Administrative Thought in the Kingdom of Poland 1814-1831» financed by the National Science Centre (Narodowe Centrum Nauki) on the basis of decision no. DEC-2013/11/D/HS5/01901.

⁵⁵³³ Jerzy GORDZIEJEW: *Komisje porządkowe cywilno-wojskowe w Wielkim Księstwie Litewskim w okresie Sejmu Czteroletniego (1789-1792)*, Cracow, 2010, p. 18.

⁵⁵³⁴ Józef GIEROWSKI: *Na szlakach Rzeczypospolitej w nowożytnej Europie*, Cracow, 2008, pp. 127-135.

nobility would retain its privileges in such elections. Moreover, the order commissions were subordinated not only to the central administrative authorities, but were also dependent on the local social representation in the form of dietines and communal assemblies. On the other hand, «the crystallization of the concepts of rebuilding the administration and of appointment of order commissions may have been influenced by the political experiences of enlightened absolutism countries, including the directions of development of local public administration»⁵⁵³⁵.

The reforms created by the camp of Polish reformers under the reign of king Stanisław August Poniatowski represented an original, native solution. Its originality stemmed from the attempt to transform state structures in the spirit that did not reject certain elements of the old republican tradition, albeit in a modified, improved or modernized form. The fundamental sources of inspiration for these modifications may be traced back to both the Western European enlightenment thought (republican and liberal), and especially to the concept of Montesquieu's separation of powers, as well as to the English system. Both these models were compatible with the Polish tradition. It rested on the maintenance of the leading role of Sejm as the legislative power, which also had some instruments to wield influence on the executive. At the local level, the Polish tradition was in turn expressed by the self-governing nature of local administration. Reforms introduced under the rule of Stanisław August Poniatowski also laid the first foundations for the bureaucratic structure of administration, in principle inspired by the organizational models typical of states that embraced enlightened absolutism, with the reservation, however, of avoiding excessive centralism and instruments of state interference whenever it jeopardized the sphere of freedoms and rights of citizens, mainly noblemen. The excessive strengthening of the executive power ran against the Polish republican tradition and was out of the question.

New administration in the Duchy of Warsaw

The situation changed after the fall of the Polish state. The central Polish territories, along with the capital city of Warsaw, fell under the control of Prussia and under the management of its highly bureaucratized and centralized administration, in keeping with the enlightened absolutism model. The direct contact with the orderly and modernized state left a rather lasting impression on the later attitude of Polish elites to the typically Prussian mechanisms of state functioning. Prussian models became an important point of reference. Especially those mechanisms on which the organization of Prussian administration was built, were generally deemed as progressive and worth keeping.

The political configuration was upturned by the Napoleonic Wars. The year 1807 marked the establishment of the Duchy of Warsaw, which, albeit under the French protectorate, was ruled with a degree of sovereignty by the Polish political elites, who considered Napoleon's initiative of 22 July 1807 an attempt at the restitution of the Polish statehood. Napoleon's constitution, however, accounted for the Polish pre-partition political and legal traditions only to a very limited extent. This legal transfer was particularly visible in the manner of administrative organization.

In determining the administrative system of the Duchy of Warsaw in the constitution of 22 July 1807, the French emperor decided to fashion it after the way that administration was organized in

⁵⁵³⁵ Jerzy GORDZIEJEW: *Komisje porządkowe cywilno-wojskowe...*, p. 23.

France. This was the first time in the history of Polish government and administration when it was organized according to bureaucratic principles and strictly centralized, and the authority was passed onto the hands of officials. Napoleon decided to separate the offices of the minister of internal affairs, of police, justice, treasury and war. The organizational model of local administration was also antipodal to the pre-partition solutions. It was now based on the French office of prefects in departments and their strictly subordinate sub-prefects in poviats, which in principle were to hold all administrative power out in the field. The French administrative jurisprudence, exercised by prefectural councils and the Council of State, was also a new institutional form in the Polish territories.

This entire situation was a reminiscence of the fact that the introduction of numerous solutions foreign to the Polish tradition had divided the political elites of the Duchy. A part of them supported the implementation of Napoleonic ways. Even before the octroyment, the circle of so-called Jacobins endorsed the fullest possible adoption of the French model⁵⁵³⁶. Some even appealed to Napoleon to introduce the French constitution *en bloc*⁵⁵³⁷. The Polish occidentalists accepted *a priori* the superiority of Napoleonic institutions, departing from the assumption that an emperor who propagates revolutionary postulates is a repository of civilizational progress, and thus that the legal and political solutions proposed by him are worthy of reception as universally valuable, «eternal, unyielding, general, same for all times, places and countries»⁵⁵³⁸.

Yet the majority of the political elite approached the foreign political institutions with caution or reluctance. Many still remembered the times of king Poniatowski well; they had participated in the reforms of those times and expected the reinstatement of the pre-partition system, and most notably of the May 3 Constitution. For example, all three presidents of the Council of Ministers and of the Council of State-Stanisław Małachowski, Ludwik Gutakowski and Stanisław Potocki, had been active deputies of the Four-Year Sejm, and the first one of them, as speaker of that Sejm, had participated in the drafting of the May 3 Constitution. Criticism against the system introduced in the Duchy of Warsaw mounted as the shortcomings of the organization of central and local management became more visible. Soon, parts of the ruling elites, as well as representatives of departmental councils and Sejms convened in the years 1809, 1811 and 1812 began to call for a reform of the administrative system that was still in the making, but those who voiced such demands usually steered clear of the issue of possible constitutional amendments. More far-reaching postulates could only be articulated surreptitiously, as, owing to the stance of the French side and of the monarch (Duke of Warsaw was the Saxon king Frederic Wilhelm), changing the constitution was out of the question. Thus, since the constitution was immutable, the reforming circles seldom debated on issues that could not be modified without constitutional amendments, such as introducing constitutional liability of ministers before the Sejm, introduction of self-government administration, changing the departmental division or appointment of collegial

⁵⁵³⁶ Marcei HANDELSMAN: *Z dziejów Księstwa Warszawskiego. Geneza Księstwa i jego statutu*, Warsaw, 1911, pp. 127-128; Bogusław LEŚNODORSKI: *Polscy Jakobini: karta z dziejów insurekcji 1794 roku*, Warsaw, 1960, pp. 303-311.

⁵⁵³⁷ Marian KALLAS: *Konstytucja Księstwa Warszawskiego, jej powstanie, systematyka i główne instytucje w związku z praktyką i ustawodawstwem szczegółowym*, Toruń, 1970, p. 28.

⁵⁵³⁸ Marcei HANDELSMAN: *Rozwój narodowości nowoczesnej*, Warsaw, 1973, pp. 169, 174. Similarly, the leading representative of the Polish intellectual elites, Hugo Kołłątaj, professed that a time was approaching when «the inhabitant of any part of the Earth, whichever way he goes [...] will find in each country [...] the same constitution, the same laws». Hugo KOŁŁĄTAJ: *Uwagi nad teraźniejszym położeniem tej części ziemi polskiej, którą od pokoju tylżyckiego zaczęto zwać Księstwem Warszawskim*, Leipzig, 1808, p. 127.

offices. The constitutional act, however, only outlined the administrative system, making it perfectly feasible to go through with a complex political reform without having to interfere with its contents. Therefore, soon the first proposals and drafts for the administrative reform emerged. In fact, the issue of fixing the political and administrative relations occupied an important position in the Duchy of Warsaw throughout the entire period of its existence⁵⁵³⁹.

Reorientation of Polish political thought after Napoleon's fall

Maciej Janowski, who researches the history of the 19th century liberalism, is of the opinion that Polish political thought in the Duchy of Warsaw was relatively homogeneous. Janowski comes to a conclusion that even the beliefs of the «former Jacobins» who, in the meantime, had managed to turn into «ardent supporters of constitutional monarchy», sprang «from the same roots» as those of the «more moderate veterans of Stanislaus Poniatowski's reforms», who «created the elites of the Duchy»⁵⁵⁴⁰. The philosophical reorientation of the latter, who started as republicans⁵⁵⁴¹ and later became supporters of such «monarchical rule» which can safely unite its power with «sensible freedom»⁵⁵⁴², facilitated closer ideological relations between the «ex-Jacobins» and the «veterans». At the same time Janowski states that the «evolution from Jacobinism to increasingly moderate liberalism, performed without renouncing old beliefs or foundations of life philosophy», which was characteristic for «the whole group of the Enlightenment activists» constitutes «an important element in the history of Polish liberalism, hatching out between the third partition and the Congress of Vienna»⁵⁵⁴³.

The «veterans», obviously attached to national heritage, and particularly to the achievements developed at the time of the Great Sejm including, first and foremost, the Constitution of 3rd May, displayed natural attachment to liberal values. The author is of the opinion that the late-Enlightenment philosophy, which brought together the Jacobins and the veterans, consisted in the belief that a «tool for realising future happiness of humanity» had been invented. That tool was state administration, which was supposed to constitute «the subject of great fascination for former liberals»⁵⁵⁴⁴. It was necessary to have a strong state, able to consistently implement social-economic reforms, desirable in the eyes of the ideologists of state modernisation⁵⁵⁴⁵. Relatively numerous members of the Polish elite -for example Szaniawski- were fascinated by the achievements of the Prussian state with regard to order, extensive and uniform legislation⁵⁵⁴⁶ and efficiently operating bureaucracy⁵⁵⁴⁷. On the other hand, it was difficult to question the necessity

⁵⁵³⁹ Paweł CICHON: *Rozwój myśli administracyjnej w Księstwie Warszawskim 1807-1815*, Cracow, 2006, p. 69.

⁵⁵⁴⁰ Maciej MYCIELSKI: «*Miasto ma mieszkańców wieś obywateli*». *Kajetana Koźmiana koncepcje wspólnoty politycznej (do 1830 roku)*, Wrocław, Wydawnictwo Uniwersytetu Wrocławskiego, 2004, s. 37.

⁵⁵⁴¹ Marcei HANDELSMAN: *Rozwój narodowości nowoczesnej...*, pp. 111-196; Waław TOKARZ: *Ostatnie lata Hugona Kollataja (1794-1812)*, Cracow, 1905, vol. I, pp. 272-275, 331-334.

⁵⁵⁴² *Korespondencja w materiach obraz kraju i narodu polskiego rozjaśniających*, Warsaw, 1808, p. 161.

⁵⁵⁴³ Maciej JANOWSKI: *Polska myśl liberalna do 1918 roku*, Warsaw, Znak, 1998, pp. 31-32.

⁵⁵⁴⁴ Maciej JANOWSKI: *Polska...*, p. 35.

⁵⁵⁴⁵ *Korespondencja w materiach...*, pp. 68-69.

⁵⁵⁴⁶ Tomasz CHRZANOWSKI: *Polskie elity intelektualne wobec przemian społecznych i politycznych lat 1795-1830*, Olsztyn, OBN im. Kętrzyńskiego, 2009, p. 132.

⁵⁵⁴⁷ *Korespondencja w materiach...*, pp. 172, 175-178.

of introducing a strong executive when fearing the return of pre-partition anarchy, which led to the collapse of the Polish state⁵⁵⁴⁸.

The belief that administration may serve as an excellent tool to realise the ideas of progress, was strengthened by the opinion that Napoleon had also managed to develop «a system based on universal principles of intellect, compliant with laws of nature and ensuring happiness of the subjects»⁵⁵⁴⁹. By virtue of the constitution given by Napoleon on the 22nd July 1807, this «phantom of exclusiveness» of the system finally ceased to haunt. That is why the «ex-Jacobins», such as Hugo Kołłątaj, similarly to some at least of the «veterans» from the times of Stanislaus Poniatowski, constituting then the elites of the Duchy of Warsaw, were pleased to accept the principle, guaranteed in the Dresden constitution, of «uniformity of the government» centralised in accordance with the French model, and with an administrative system, organisationally ordered, subjected to it in compliance with clearly established criteria⁵⁵⁵⁰. That organisationally ordered and unified administrative system, which could be presented in a simple and legible way, may have been perceived by some as the «ideal of rationality»⁵⁵⁵¹.

If that was the case, it was possible -in accordance with the assumptions of cameralism and police science⁵⁵⁵², which were becoming increasingly popular in Poland- to suggest in the developed programmes that administration should be entrusted with comprehensive care for the society. The growing importance of bureaucracy in social life was approved and supported by Stanisław Węgrzecki, a lawyer, for whom in a modern state «administration ensures that all the evil in the society is reversed [...] A child, before it sees the world, is already under the protection of administration, which provides healthy food for its mother and clean air, as well as makes all the unpleasant and revolting sights disappear»⁵⁵⁵³. Such «naive statist enthusiasm», characteristic for some members of the enlightened elites of the Duchy of Warsaw was translated, to some extent, into «supporting maximal interference of the state with economic life»⁵⁵⁵⁴. It was obvious for intellectual elites that passivity of the state with regard to economy may, in the 19th century, lead only to economic stagnation. Despite that, the «economic activity of the state» did not have to lead, immediately, to «state intervention in strict meaning of this word» or be contrary to «praise for economic freedom». «It was more about rebuilding the infrastructure and creating conditions for the [development] of individual entrepreneurship»⁵⁵⁵⁵. In accordance with the cameralist tradition, the interest of the enlightened was [still] focused not so much on pure economic theory, but on the meeting point of economy and administration»⁵⁵⁵⁶.

Individual representatives of economic thought at the time showed themselves to be -like Wawrzyniec Surowiecki- «precursors of the dependent development theory», aware of the fact that Poland, in the international arena, would not stand much chance in free competition among the countries without active support from its government. At the same time they thought, however, that it is necessary to act with moderation when selecting the measures of interference in economic

⁵⁵⁴⁸ Tomasz CHRZANOWSKI: *Polskie elity intelektualne...*, p. 133.

⁵⁵⁴⁹ Maciej JANOWSKI: *Polska myśl liberalna...*, p. 33.

⁵⁵⁵⁰ Hugo KOŁŁĄTAJ, *Uwagi nad teraźniejszym położeniem...*, pp. 120-121, 180.

⁵⁵⁵¹ Maciej JANOWSKI, *Polska myśl liberalna...*, p. 36.

⁵⁵⁵² Maciej JANOWSKI, *Polska myśl liberalna...*, pp. 36-37.

⁵⁵⁵³ Stanisław WĘGRZECKI: *Rozprawa o profesjach i profesjonalistach*, Warsaw, 1810, pp. 190-191.

⁵⁵⁵⁴ Maciej JANOWSKI, *Polska myśl liberalna...*, p. 40.

⁵⁵⁵⁵ *Ibid.*, pp. 40-41.

⁵⁵⁵⁶ *Ibid.*, p. 41.

life⁵⁵⁵⁷. There was a belief that the enlightened national constitutional government, already familiar with the «laws governing social and economic development» would use that knowledge appropriately in the public interest⁵⁵⁵⁸. The system should be based on bureaucratic centralisation, as the officials should only be obedient and competent⁵⁵⁵⁹.

It seems, however, that the circle of people who believed in causative power of administration -particularly in its foreign, Napoleonic form- as an ideal tool for social transformation, was limited, practically from the very beginnings of the Duchy of Warsaw. It included a small group of intellectual and political elites in the Duchy, whose size was decreasing, as new shortcomings were being revealed.

Hence it is necessary to give another dimension to Maciej Janowski's categorical statement, namely that «It is extremely necessary for understanding the origins of Polish liberal thought to be aware of the fact that the liberalism -or rather proto-liberalism- in the Duchy of Warsaw is, in truth, reflected in statism, in enthusiasm concerning the idea of a state and belief that state administration, on which almost religious qualities are bestowed, is omnipotent»⁵⁵⁶⁰. Firstly, the belief that administration is omnipotent was expressed only by some members of the elites, whose number decreased together with accumulation of subsequent problems in managing the public sphere, frequently encountered by the authorities in the Duchy. Secondly, the belief in the idea of a state, generating statist inclinations among the liberals, was weakening to a smaller degree, as the increasing disappointment in bureaucracy was usually accompanied by the hope that such state of affairs may be radically improved following the necessary reforms and elimination of organisational defects from the administrative system.

Outbreak of popular discontent as a result of Napoleonic wars

Aversion towards the government and bureaucratic structures was growing gradually and proportionally to the increasing political and financial difficulties of the state, which resulted from the necessity to wage subsequent Napoleonic wars. The breakthrough and, at the same time, the apogee of hatred towards the government and administration, which were ruthlessly enforcing all the obligations imposed on the society, while abusing their power more and more frequently in response to common disorganisation and growing chaos, occurred in connection with Napoleon's defeat in his campaign against Russia and later as a result of the occupation, by the Russian army, of the Duchy of Warsaw in the year 1813. Despite the fact that, in conformity to the will expressed by the Russian Tsar, Alexander I, the reconstruction of a new independent form of Polish statehood (the Kingdom of Poland) began in 1814, the attitude, not only of the masses, but also of a significant part of the enlightened elites, towards the government and bureaucracy organised in accordance with modern principles, had radically changed. There was a real threat that the future state would decide to eliminate professional local administration in its entirety and return to the 18th century relations, or at least would drastically reduce bureaucratic structures. A group of the so-called traditionalists, having obtained wide social support, now had the means to implement

⁵⁵⁵⁷ Janusz GÓRSKI, *Polska myśl ekonomiczna a rozwój gospodarczy 1807-1830*, Warsaw, 1963, p. 180.

⁵⁵⁵⁸ Maciej JANOWSKI, *Polska myśl liberalna...*, p. 44.

⁵⁵⁵⁹ *Ibid.*

⁵⁵⁶⁰ *Ibid.*, p. 45.

their programme of radical reforms, overthrowing the political system established in the Duchy of Warsaw and reintroducing anachronistic forms of Polish statehood from the past centuries.

During the discussion in 1814-1815 there were a few traditionalists opinions of Józef Kalasanty Szaniawski, Franciszek Grabowski, Kajetan and Józef Koźmians. The most radical was a voice of Joachim Owidzki from more conservative Galician part of the Duchy of Warsaw. Owidzki wanted to abandon experiments which consisted in basing administration on the professional bureaucracy class, and he rapidly criticised it in his pronouncements, particularly in his second memorial of the 12th July 1814, titled «*Appeal of a Pole to the Honourable Gentlemen drafting the constitution*». Owidzki was of the opinion that «the unnecessary profusion of officials, who exploit and bore their brothers, is far from bringing those benefits which are warranted by being appropriately selected. The more people fill the offices, the more money has to be spent to maintain them which, in turn, results in oppression and later in destruction»⁵⁵⁶¹. That was why he demanded that «the new government should do their utmost to avoid the excess of officials and limit their number to a minimum, remembering that the Fatherland does not need that multitude to make good choices»⁵⁵⁶². That purpose was to be served by a «changed [...] order of action, i.e. transforming empty formalities into useful acts». This way «the burdensome list of officials would be shortened, leaving only those servants who are useful for the government; the public affairs would be given a braver direction and the Poles would cease to bemoan their future destiny»⁵⁵⁶³. However, what Owidzki lacked in this case was a more concrete positive programme which would make it possible to elaborate and perform the reform to protect the state «not only from imminent downfall, but to ensure safe existence within its territory»⁵⁵⁶⁴.

The issue of the number of officials took on an added importance in view of Joachim Owidzki's belief that, irrespective of the adopted model of administration, the majority of problems is generated by the behaviour of officials, who notoriously abuse their power. Owidzki gave the malady which affected the state and the country in the year 1814 the name of «red tape mania». By stating that «public officials appointed to serve the country are worthy of the nation's trust [...] when they try to achieve the tasks entrusted to them, and when they simply [...] act in accordance with the law»⁵⁵⁶⁵, he was trying to show in his memorial that such state of affairs had been completely distorted, which could be commonly perceived in smaller towns and rural areas⁵⁵⁶⁶.

In his opinion, the problem with officials was felt by everyone «with pain in their hearts», and everyone «had been terribly affected» by their behaviour⁵⁵⁶⁷. Owidzki noticed the social alienation of the officials' caste, which resulted from «the evil inevitably caused by inadvertent organisation of state authorities»⁵⁵⁶⁸, and pointed out the tendency among the officials to abuse their power and follow solely their own interests. He believed that such situation, when coupled with flawed organisation of administration as the executive tool of the government, may lead to permanent loss

⁵⁵⁶¹ Joachim OWIDZKI: *Rzucone myśli względem wewnętrznego urzędzenia kraju*, 1814, The Central Archives of Historical Acts in Warsaw, Zamoyskis files, manuscript N.º 86, p. 37.

⁵⁵⁶² Joachim OWIDZKI: *Głos Polaka do Szanownych Mężów układających Konstytucję*, 1814, The Central Archives of Historical Acts in Warsaw, Zamoyskis files, manuscript N.º 86, p. 26.

⁵⁵⁶³ Joachim OWIDZKI: *Rzucone myśli...*, pp. 34-35.

⁵⁵⁶⁴ *Ibid.*, p. 32.

⁵⁵⁶⁵ Joachim OWIDZKI: *Głos Polaka do Szanownych Mężów...*, p. 20.

⁵⁵⁶⁶ Joachim OWIDZKI: *Rzucone myśli...*, p. 37.

⁵⁵⁶⁷ Joachim OWIDZKI: *Głos Polaka do Szanownych Mężów...*, p. 24.

⁵⁵⁶⁸ *Ibid.*, p. 25.

of trust in the people governing the country, and to the increase of antagonisms in mutual relationships between the state authorities and the nation⁵⁵⁶⁹.

The overblown and tangled administrative system on the one hand resulted in the necessity to employ an army of officials, and on the other hand made the administration incomprehensible and unapproachable for the citizens, which was reflected in their negative attitude towards the government and the state. Owidzki explained his point of view in the following way: «Although a favourable presentation of issues may awaken people's enthusiasm, yet it confuses them when providing non-feasible measures and, by irritating the citizens, may result in the downfall of the society. There is then no more of this useful trust between the ruled and the rulers. These precious relationships, which resulted in the necessity to render mutual assistance and which, particularly beneficial for us, so often saved the nation during its latest adversity, have been terminated». At present, however -in Owidzki's opinion- it has become painful for us that the internal administration, instead of protecting, multiplying and perfecting the *res publica*, has obviously destroyed it; and the fact that its implementation is unsatisfactory for us, is the fault of the persons appointed for governmental positions and of the organisation of the authorities, which has created such relationships among the officials that hardly ever could they be useful for their fatherland and, in most situations, acted to its detriment or, faced with obstacles at every step, looked with indifference at the damage suffered by their country, being unable to remedy the situation. The fault, therefore, lies with both the people and the government and, having taken hold there, brought about the worst possible effects. It is no longer a government that generates lawlessness. What results in damage is no longer useful. The administration units, originally linked with each other, are no longer effective if allowed to abandon their goals, while the citizens are deeply troubled when the taxes they have paid into the treasury at the expense of great effort, are not used for their intended purpose»⁵⁵⁷⁰.

Even setting aside the problems connected with inappropriately organised administration and overblown civil list, Owidzki was of the opinion that power vested in officials can deprave them. When referring to the behaviour and characteristics ascribed to bureaucrats, he used the language which became more radicalised under the influence of emotions. Owidzki believed that «there is no tyranny among the civilians [...] more terrible than that when an insolent official, having elevated himself above the others, thinks that he holds in his hands the possessions and destiny of his brothers. Then, like a wild creature, he will sacrifice everything to his desires and even the power of the law is not strong enough to suppress his inclinations». He stated that «this condition has apparently become separate from the body whence it emerged. It has become menacing and dangerous and needs to be confined in the future...»⁵⁵⁷¹, then adding: «For some time members of this class, driven by their passions, have not seen [anything] but their own interests, which constituted a repulsive incentive for their actions and a foundation for their personal plans. They have thus directed against themselves terrible reproaches and complaints, which now have to be taken where our hopes for the future are repositied...»⁵⁵⁷². Using rhetoric figures and epithets, Owidzki referred to the officials as «bogies» which «feast on blood and tears»⁵⁵⁷³. He asked: «How can the Fatherland exist, if it is inhabited by such unfriendly monsters?», and answered: «Therefore

⁵⁵⁶⁹ Joachim OWIDZKI: *Rzuczone myśli...*, pp. 35-36.

⁵⁵⁷⁰ *Ibid.*, p. 36.

⁵⁵⁷¹ Joachim OWIDZKI: *Głos Polaka do Szanownych Mężów...*, p. 19.

⁵⁵⁷² *Ibid.*, p. 20.

⁵⁵⁷³ *Ibid.*, p. 26.

it has disappeared from its place and been replaced by the predatory red tape mania»⁵⁵⁷⁴. The officials who stray from the path of righteousness consequently cease to be officials», i.e. people who are dedicated to serving the society. Polish officials have irrevocably «tainted [...] the sanctity of the contract connected with their office»⁵⁵⁷⁵, and because of that deserve to face dire consequences of their actions and to be removed from performing public functions. Owidzki thundered: «Officials -degenerate sons of our common mother!!! [...] is it possible for a man, no matter what or who he becomes, to cease to be the person he was born and forget the duties towards others he has undertaken? His connections are always sacred and unchanged, and they [...] cannot be destroyed by destiny. [...] Thus it is the fault of the evil system, which corrupted you, the officials, and made you become enemies even of your own brothers. [...]. The time has come for the nation to know you for what you are and to keep a tight rein on your actions»⁵⁵⁷⁶.

Then, «bemoaning the things which have caused our downfall and which we will remember for a long time», Owidzki wrote a whole litany of charges against the «degenerate» officials abusing their power. It is worth quoting, particularly due to the fact that it illustrates, first and foremost, the sources of aversion towards bureaucracy, which were especially relevant at the time when the works on new principles, which were to form the basis for future administration of the Kingdom of Poland, were beginning⁵⁵⁷⁷.

With relation to the «red tape mania» Joachim Owidzki formulated the following bill of indictment: «Who, in our country, [...] has most eagerly written a decree authorising the officials to leave their homeland in case of war and in this unusual situation, thoroughly forgetting about those to whom they owed safety and protection, and caring only for their own [interests]? The officials themselves. Who wanted to look in cold blood at our [...] destruction and disorder? The same officials. Who squandered, took and peddled, without shame, the public funds, which people paid in by the sweat of their brows? Always the officials. Who, in a scandalous manner, neglected their work, transferring the obligations onto arbitrarily selected deputies, thus creating destructive disorder and openly admitting that they wanted to be officials, although [...] their duties were borne by others? Unfortunately, the same officials. Who, I ask, failed to pay the army, was indifferent to its privations [...], failed to curb the naturally predatory instincts of warehouse-men, or dared to hinder using public funds for useful purposes? The officials. Who created such a long civil list that the persons thereon, having squandered all the funds, put the res publica in the greatest jeopardy, while the voracious officials became accustomed to plunder and abuse? The same officials. Who, I ask with regret, having destroyed the property of poor citizens, dared to deny the noble nation its rights and freedoms, and with even more disregard for its native customs, presented the people with forms and ways which were foreign and unintelligible for them, arbitrarily calling such forms and ways «procedures» and advising the citizens to observe them? Always the same national officials. Who impudently balked at submitting accounts concerning the contributions made by citizens, which had been spent with such generosity; who delayed in that matter and dared to act with such meanness? The officials. Who, finally, was the source of trepidation by scaring

⁵⁵⁷⁴ *Ibid.*

⁵⁵⁷⁵ *Ibid.*, p. 20.

⁵⁵⁷⁶ Joachim OWIDZKI: *Głos Polaka do Szanownych Meżów...*, p. 22.

⁵⁵⁷⁷ Stanisław KACZKOWSKI: *O Sejmie, a mianowicie Izbie Poselskiej w powstaniu polskim 29 listopada 1830 roku*, Jagiellonian Library, manuscript n.º 4349, vol. 9, pp. 2v., 4v., 7v.; Stanisław KACZKOWSKI, *Urzędomania*, Jagiellonian Library, manuscript n.º 4349, vol. 2, pp. 9-10.

peaceful people with war, in order to divide between themselves the remainder of public funds? The vile officials»⁵⁵⁷⁸.

As it can be seen, the list of grave sins was a long one and led Joachim Owidzki to a conclusion that thorough «purification» of the personnel was necessary⁵⁵⁷⁹. He wrote: «[Therefore] if we want to remedy the evil in the country effectively, we first have to deal with the tools used by the Government: the damaged ones should be replaced, and a perfect creation shall rest on solid foundations»⁵⁵⁸⁰. He was of the opinion that only «a small [...] number of old officials deserves to be placed on the future civil list. Our future hopes shall not be spoilt by degenerate things; let the places occupied by intrigues and bribery be filled with competence and virtue»⁵⁵⁸¹. Owidzki believed that what the officials needed was a shock, which could be achieved by a purge. He persuaded: «One particularly threatening example may work effectively and restore to us the nobility and virtue of our forefathers. [...] It would therefore destroy your current sacrifice, if amnesty was to cover now all the petty plunder and dirt. Many vile people are counting on it. But you, Honourable Gentlemen [members of the Civil Reform Committee] give the proof of harsh justice in this matter and convince your brothers that your sensitivity is affected by their misfortunes. Finally, please recall that the previous sessions of the Sejm were full of numerous grievances and complaints made by the representatives of the nation against the excessive number and wrongdoings of the officials. Honourable Gentlemen, you shall walk in glory if you free the nation from these destructive locusts, and our beloved country shall recover the precious affection of its citizens»⁵⁵⁸². Owidzki pointed out that no regulations would put the administration in a suitable order in the future, «if the officials [...] were not held accountable for the misdeeds connected with their work before independent courts, where they would have to provide explanation for their behaviour»⁵⁵⁸³. In particular, it should be applied to tax officials and other persons who have at their disposal public funds, with the aim of using them for their activities. Owidzki emphasised that «it is essential for all these officials who have dealt in public funds or retained them for their own use to be held responsible»⁵⁵⁸⁴.

Summary

Aversion towards a strong government was somehow natural, well-established by strong ideology deeply rooted in Polish tradition of a feudal state of nobility. The dislike for bureaucracy also grew on that ground and undoubtedly increased from the moment when the body of professional official servants was created for the first time in the Duchy of Warsaw, as a distinctive society group, which constituted a real threat for the noblemen's interests. The war disorganisation of the Napoleonic era, coupled with the increasing oppression of the people reached its apogee at the downfall of France and occupation of Poland by the Russian army in the year 1813. The incessant war unrest, war damage and progressive pauperisation constituted solid grounds for deepening the

⁵⁵⁷⁸ Joachim OWIDZKI: *Głos Polaka do Szanownych Mężów...*, pp. 20-22.

⁵⁵⁷⁹ *Ibid.*, p. 26.

⁵⁵⁸⁰ *Ibid.*, p. 20.

⁵⁵⁸¹ *Ibid.* pp. 23-24.

⁵⁵⁸² *Ibid.*, pp. 24-25.

⁵⁵⁸³ Joachim OWIDZKI: *Głos Polaka do Szanownych Mężów...*, p. 19.

⁵⁵⁸⁴ *Ibid.*, p. 24.

distrust towards the executive authorities, which began to turn into hatred, aimed particularly at local officials, who were directly responsible for strict enforcement of public obligations. All that resulted, on the one hand, in the attempt to return to anachronistic pre-partition institutions, made by the elites responsible for transforming the Napoleonic state into the Kingdom of Poland, as the new state organism under the rule of the tsar. Some members of the traditionally-minded elites began to support openly the dismantling of the entire modern system for governing the country, as something completely discredited in the public eye. Resentments returned with double force, which was partly reflected in the constitution of the Kingdom of Poland enacted in the year 1815, which yet tried to reconcile the attempts to restore the former institutions with the Napoleonic heritage. On the other hand, however, in those war conditions, the original enthusiasm for executive authorities, characteristic for some members of the post-Enlightenment elites had been exhausted, as well as the belief that such authorities could constitute an almost-perfect instrument for modernisation and transformation of the backward state. In contrast, the critical attitude towards the government was strengthened; as a result, the strongest ideological trend in the Kingdom of Poland, i.e. the new liberal one, assumed the character of the trend which, *ex definitione*, regarded the executive authorities with distrust and, because of that, aimed, to a much greater extent than before, at limiting their power and subjecting them to more and more restrictive control mechanisms. That relationship formed the basis of the antagonism between the government and the political opposition in the Kingdom of Poland, which was quickly worsening, and finally led, in the years 1830-1831, to the revolt against the Polish executive powers, and thereby against the Russian emperor, which ultimately finished the Russian experiment of maintaining a separate liberal Polish state establishment.