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Between legal regulation and ideology. Citizenship in the First Years of the Second Polish Republic (1918-1926)²

Abstract

The main aim of this paper is to analyze citizenship in the first years of the Second Polish Republic (1918-1926). The time between 1918 when Poland regained its independence after 123 of the “Partitions period”, and 1926 when Józef Pilsudski led a coup d’état, was in fact the only period of parliamentary democracy until 1989. Therefore, it is particularly captivating to research the debate on the concept of citizenship that took place in Poland nearly 100 years ago, during the period of transition from the peripheral lands of Austrian, German and Russian empires into a united Polish state. In the first years of its existence the reborn Polish statehood had to face many crucial problems. One of the most important among them was: how to define a “Polish citizen”? Was he supposed to be only a member of the Polish nation in the ethnic meaning? Or maybe the Polish constitution should rather include such a definition which could include everyone living within the borders of the Polish state? The question became crucial in 1922, when it occurred that nearly 1/3 of inhabitants of the reborn state were members of ethnic minorities. The paper presents the debate on citizenship which took place in Poland between 1918 and 1926. The regulations of the bill on citizenship of 1920 and the constitution of 1921 are discussed as well as the judiciary of the Supreme Court. The paper is supplemented with a brief review of statements by leading Polish statesmen and jurists.

Key words: citizenship, identity, interwar period, nationality, Poland

I. Introductory remarks

The main aim of this paper is to analyze citizenship in the first years of the Second Polish Republic (1918-1926).³ The time between 1918 when Poland regained its independence after 123 of the “Partitions period”⁴, and 1926 when Józef Pilsudski lead a *coup d’état*, was in fact the only period of parliamentary democracy until 1989. Therefore, it is particularly captivating to research the debate on the concept of citizenship that took place in Poland

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³ History of Poland in the 20th century is a well examined subject of study in English-language literature. The following publications shall be mentioned: Davies, Norman: God’s Playground, vol. 2: 1795 to the present, Oxford, 2005; Stachura, Peter D.: Poland in the Twentieth Century, London, 1999.; Stachura, Peter D.: Poland 1918-1945, London – New York, 2004.; Leslie, Robert Frank (coord.): The History of Poland since 1863, Cambridge, 1980.

⁴ The commonly accepted date of Poland regaining its independence is 11th November, 1918 when Józef Pilsudski took power over Polish armed forces. Since the bill of 23rd April 1937, the date of 11th November is officially celebrated as the anniversary of Poland regaining its independence in 1918 (with the exception for the communist period when celebrating the Independence Day was strictly prohibited) – article 1 of the bill of 23rd April, 1937 on the Independence Day, Journal of Laws 1937, issue 33, position 255.

nearly 100 years ago, during the period of transition from the peripheral lands of Austrian, German and Russian empires into a united Polish state. The reborn Polish state inherited a large variety of legal systems which consisted of a mosaic of regulations. However, from the very beginning of the reconstruction of Poland as an independent state, it was a foregone conclusion that it would be impossible to enforce a legal system of one of the occupational powers all over the territory of the Republic, or to revive the legal system from before the Partitions.⁵ Thus, it was inevitable to jointly prepare, despite the boundaries present on the Polish land for 123 years, a new set of regulations in the field of citizenship and to overcome mistrust between Poles raised and educated in different states.⁶

The first step was to define the idea of citizenship. What was crucial about the idea of citizenship in the first years of the Second Polish Republic was the fact that Poland regained independence after 123 years of non-existence of the Polish statehood. Despite the fact that there was no Polish state *per se*, at the threshold of independence there were Polish lawyers, politicians and other activists who were ready to shape the concept of citizenship in the reborn state.⁷ It is particularly captivating to scrutinize the process of formation of legal regulations of Polish citizenship as its roots can be traced back to three different legal and political systems since the Second Polish Republic consisted of parts which had belonged to Austria, Prussia and Russia.⁸

Consequently, the political and legal debate was led by politicians and lawyers raised and educated in different states, some of which ceased to exist.⁹ Lawyers from the Austrian partition exerted the greatest impact on the newly created regulations, since the formerly Austrian part of Poland (Galicia) was in fact the only part of the partitioned Poland where Poles could enjoy cultural freedom to some extent. Poles from the part of Poland which previously belonged to the Second German Empire had different attitude towards the matters of citizenship since their national aspirations were counteracted, especially under Otto von Bismarck's rule and his *Kulturkampf*. Therefore, Poles from the Prussian partition did not have so much experience in exercising parliamentary debates and legislative process as those from the formerly Austrian Galicia. However, as regards the freedom to demonstrate the fact of belonging to the Polish nation, the worst situation was in the Russian partition, where any signs of sympathizing with the Polish nationality were strictly forbidden and persecuted.¹⁰

As it can be concluded from the short draft of the situation on the eve of Polish independence after the Partitions Period, the situation differed a lot depending on the territorial aspect. This conclusion had a direct impact on the viewpoints on the idea of citizenship, presented by different politicians and lawyers. As a consequence, the debate on the concept of citizenship which took place in Poland after 1918 was especially captivating. One of the crucial problems which the reborn Polish statehood had to face in the first years of its existence was: how to define a "Polish citizen"? Was he or she supposed to be only a member of a Polish nation in the ethnic meaning? Or maybe the Polish constitution should

⁵ Płaza, Stanisław: *Historia prawa w Polsce na tle porównawczym*, vol. 3: Okres międzywojenny, Krakow, 2001, p. 35.

⁶ Pobóg-Malinowski, Władysław: *Najnowsza historia polityczna Polski*, vol. 2 1919-1939, London, 1956, p. 5.

⁷ Markiewicz, Jerzy: *Kształtowanie się polskiego systemu prawa sądowego i jego twórcy w okresie międzywojennym 1919-1939 (Wybrane zagadnienia)*. In *Teka Komisji Prawniczej Polskiej Akademii Nauk. Oddział w Lublinie*, 2010, vol. 3, p. 114-115.

⁸ Bardach, Juliusz – Bogusław, Leśnodorski – Michał Pietrzak: *Historia ustroju i prawa polskiego*, Warsaw, 2005, p. 552.

⁹ As regards the educational path of Polish lawyers at the threshold of the interwar period cf.: Marszał Marszał, Maciej: *Spór o model prawnika w Drugiej Rzeczypospolitej*. In *Krakowskie Studia z Historii Państwa i Prawa*, 2015, issue 2, no. 8, p. 173-174.

¹⁰ The situation of Poles under the three partitions was compared by Salmonowicz, Stanisław: *Polski wiek XIX*. In *Czasy Nowożytne*. 1998, issue 5.

rather adopt an inclusive definition embracing every person living within the borders of the Polish state? From the very beginning of the works on the Polish constitution it was clear that any regulations shall be carefully considered as the social support for the new authorities was not ensured, especially among ethnic minorities. The question of citizenship became crucial in 1922, when it occurred that nearly $\frac{1}{3}$ of inhabitants of the reborn state were members of ethnic minorities¹¹.

This paper is aimed to describe the debate on citizenship which took place in Poland between 1918 and 1926. The regulations of the bill on citizenship of 1920 and the constitution of 1921 will be discussed as well as the judiciary of the Supreme Court. Presentation of standpoints on the issue of citizenship given by various statesmen, legal scholars and jurists will play a crucial role in the paper. This review of standpoints is designed to show the variety of interpretations of what citizenship was and how it was supposed to be regulated. The paper will be summarized with an analysis of the outcomes of the debate on citizenship and its consequences in the Polish legal history.

II. Defining citizenship

The main question Polish interwar legislators faced was: who is a Polish citizen? In fact, the newly created state of Poland consisted of several territories which had been divided by borders for more than a century. What is even more, Poland in its definitive borders was inhabited by numerous minorities which constituted about one third of the Second Polish Republic's population. Since a significant part of the society did not identify with the Polish nation in the ethnic meaning, Polish elites, including especially politicians and lawyers, had to cope with the problem of defining the idea of nation and, as a consequence, also lay the grounds for a definition of citizen.

It is claimed that the issue of citizenship had to be solved fast in order to lay foundations for the unification of Polish territories. The first question which had to be answered was: who was supposed to become a Polish citizen *ex lege*?¹² In this filed the greatest problem was connected with the Russian Empire which in fact ceased to exist. The October Revolution and the civil war in the former Romanov Empire caused not only displacement of masses of people, but also resulted in a destruction of archives and record books. As a consequence, in the territories previously occupied by Russia it was extremely hard to reconstruct lists of inhabitants of particular villages, not to mention whole voivodships. Another issue of particular legal importance was fulfilment of international obligations, contained mainly in the treaty of Versailles¹³. The treaty stipulated plebiscites in Upper Silesia, and in Warmia, Masuria and the Powiśle Region (the East Prussian Plebiscite). The last among the significant questions faced by Polish politicians and lawyers was the issue of people who settled on the Polish territories during the Partitions period, when the Polish state was erased from the maps, and did not feel members of the Polish nation neither in the ethnic meaning nor in the political one.

According to the Cambridge Dictionary, citizenship is defined as: “the state of being

¹¹ According to the national census carried out in September 1921 on the basis of the Bill of 21st October 1919 on Organization of Administrative Statistics (Journal of Laws 1919, number 85, position 464) 69% of the population living in Poland declared Polish nationality. However, this census did not include the territory of the so-called Central Lithuania and that part of the Silesian Voivodeship which previously belonged to the German Empire.

¹² Pokoj, Jakub: Regulacja prawna obywatelstwa polskiego w pierwszych latach II RP. In Internetowy Przegląd Prawniczy TBSP UJ, 2014/4, p. 20-22.

¹³ Journal of Laws 1920, number 35, position 200.

a member of a particular country and having rights because of it".¹⁴ The aforementioned contemporary definition could be applied to the interwar period as well. It does not differ precisely the legal concept of citizenship and the fact of belonging to a state. In the judicature of the Polish interwar Supreme Court both citizenship and belonging to a state were used synonymously.¹⁵ The matters of citizenship can be approached in two ways: in an administrative meaning and in a constitutional one. In the first meaning, citizenship is strictly connected with the catalogue of rights granted to particular individuals by constitutions and bills.

Present-day legal scholars state that there can be distinguished citizenship in the interior meaning and citizenship in the international meaning.¹⁶ Citizenship is nowadays also perceived as one of human rights.¹⁷ Generally, in the interwar period citizenship was understood as a special bond between a particular individual and a state, and was a narrower term than belonging to a state.¹⁸ It was indicated that citizenship was a category of a bond which was a much closer relationship between a citizenship and a state than in the case of belonging to a state.¹⁹ For the purposes of this very paper citizenship is understood as a bond between a state and a natural person, which is demonstrated by possession of a certain catalogue of rights and obligations by a particular human.

III. Attitude towards citizenship of Polish political groups

The issue of citizenship was frequently raised by Roman Rybarski, a leading nationalist politician.²⁰ Shortly after Poland regained its independence, Rybarski published several papers devoted to the issue of citizenship, nationality (in the political meaning) and the boundaries between these two concepts. Rybarski, as a representative of the national movement, was promoting the idea of basing citizenship on the foundation of ethnicity. According to Rybarski, article 2 of the March Constitution of 1921, which stipulated that the superior authority in the state belongs to the "Nation", claimed that the full scope of citizens' rights shall belong only to these citizens who were of Polish ethnicity. Therefore, Rybarski claimed that Polish citizens who did not feel they belonged to the Polish nation in the ethnic meaning were supposed to be deprived of certain rights.²¹ According to Rybarski, those who were not willing to combine citizenship with belonging to the Polish nation were "perceiving the Polish soil as a hotel, in which a man can check-in and calmly check-out (...) They demand that anyone who lives in Poland, even for a short period of time, could easily be granted right to gain citizenship"²². As it can be seen from the above excerpt from Rybarski's writings, the nationalists were willing to restrict the possibility of gaining citizenship only to Poles in the ethnic meaning.

¹⁴ <https://dictionary.cambridge.org/pl/dictionary/english/citizenship> [access on: 23.10.2019].

¹⁵ Cf. the sentence of Polish Supreme Court of 14th May 1924, signature. K 52/24.

¹⁶ Cf. Jagielski, Jacek: *Obywatelstwo polskie*, Warsaw, 1998, p. 11.

¹⁷ Garlicki, Lech: *Czy prawo do obywatelstwa należy do katalogu praw człowieka?* In *Obywatelstwo w Europie Środkowo-Wschodniej*, Piotr Bajda (coord.), Warsaw, 1996, p. 10-11.

¹⁸ Cybichowski, Zygmunt: *O pojęciu i istocie przynależności państwowej*, Warsaw, 1920, p. 9.

¹⁹ Jagielski, Jacek: *Obywatelstwo polskie*, Warsaw, 1998, p. 11, Ramus Walenty: *Instytucje prawa o obywatelstwie polskim*, Warsaw, 1980, p. 10.

²⁰ Born in 1887 in Zator (then Austria-Hungary), died at the Nazi Death Camp Auschwitz-Birkenau in 1942. Chodorowski, Jerzy (1997) – Roman Rybarski (1887–1942): z historii polskiej myśli ekonomicznej i prawnoustrojowej pierwszej połowy XX wieku. In *Acta Universitatis Wratislaviensis*, number 1854.).

²¹ Lewandowska-Malec, Izabela: *Demokracje polskie. Tradycje – współczesność – oczekiwania*, Krakow, 2013, p. 151-152.

²² Rudnicki, Szymon: *Roman Rybarski o narodzie, ustroju i gospodarce*, Warsaw, 1997, p. 29-30.

At the opposite poles from the nationalists' postulates were those presented by socialists. According to the socialists, citizenship was to be granted regardless of ethnic nationality, and thus nationality could not be a factor affecting one's scope of political rights. According to a prominent socialist Zygmunt Żuławski²³, members of the neighboring nations (e.g. Ukrainians, Belarussians, Lithuanians etc.) should have had the right to create their own state as well as to be members of the Polish society and possess Polish citizenship.²⁴ It can be therefore assumed that the socialists proposed an inclusive idea of citizenship. According to them, citizenship was to be gained or granted regardless of nationality in the ethnic meaning.

A moderate standpoint was presented by the peasant factions. However, it shall be noted that the peasant movement between 1918 and 1926 had not been consolidated yet and therefore at that time its members presented a large variety of viewpoints in any particular matters, including citizenship. Nevertheless, generally members of the peasant movement and its most reputable theorists were rather closer to the socialists than to the nationalists as regards the issue of citizenship. One of them, Stanisław Thugutt²⁵, stated that the Polish state *"is based on Polish historical tradition, however we need to take into account the fact that 2/3 of its population belongs to the Polish nation. This fact does not exclude the greatest possible respect for any other culture, for any other language and it does not exclude care which the government shall take of the ethnic minorities in creating their own cultures"*.²⁶ The peasants' representatives therefore presented a favorable standpoint towards ethnic minorities and were inclined to grant all citizens a full scope of political rights.

Another influential political group in the interwar period were the supporters of Józef Piłsudski, called *"Piłsudczycy"*. Despite the fact that they took over power in 1926, after the time scope of this very paper, some of their political concepts were presented even before the successful *coup d'état* in 1926. One of the most prominent supporters of Piłsudski, Wacław Makowski²⁷, claimed that one of the most relevant causes of the absence of bonds between the state and its citizens was the *"lack of sense in a citizen's responsibility in Poland, lack of awareness that everyone is responsible for their actions, and that each particular citizen is responsible for every phenomenon taking place in Poland"*.²⁸ It can be therefore stated that the issue of citizenship did not play a key role in the political and legal thought of Piłsudczycy. The main issue for them was the state and any other matters, including citizenship played subsidiary roles. Although citizenship was considered by them as an important bond between the state and its inhabitants, it was of only subsidiary character as Piłsudski wanted the state to gather people regardless of their ethnicity. What is even more, Makowski argued that the state's authority was indeed a kind of cooperation of all citizens, based on common agreement.²⁹

IV. Statutory regulation

The main attempt to solve the aforementioned questions regarding the definition of citizenship was the bill of 20th January 1920 on Citizenship of the Polish State.³⁰ It laid the

²³ Born in 1880 in Austria-Hungary, died in 1949 (Śliwa, Michał: Zygmunt Żuławski. Zarys biografii, Krakow, 1993.).

²⁴ Śliwa, Michał (ed.): Zygmunt Żuławski o ustroju społecznym i demokracji, Warsaw, 2000, p. 82.

²⁵ Born in Russia in 1873, died in 1941 (Thugutt, Stanisław: Autobiografia, Warsaw, 1984.).

²⁶ Wic, Władysław: Stanisław Thugutt o demokracji i ustroju Polski, Warsaw, 1998, p. 95.

²⁷ Born in Russia in 1880, died in 1942 (Kornat [2007], p. 206).

²⁸ Kulesza, Władysław T. (ed.): Wacław Makowski o państwie społecznym, Warsaw, 1998, p. 202.

²⁹ Makowski, Wacław: Obywatel a Rzeczpospolita, Warsaw, 1924, p. 18.

³⁰ Journal of Laws 1920, number 7, position 44.

foundations on which a Polish legislator issued several other regulations in the field of citizenship. The main regulation was contained in article 2 which stipulated that a Polish citizen was anyone who met the criteria described in the bill, regardless of sex, age, religion or nationality. The first three of the aforementioned stipulations were indisputable, whereas the issue of nationality was the source of unending disputes.

The acquisition of citizenship *ex lege* was contingent upon territorial aspects. In the formerly Austrian and German parts of Poland the acquisition of Polish citizenship was correlated with prior occupational regulations. As it was mentioned before, the most difficult was the situation in the formerly Russian part of Poland. In the so-called Congress Kingdom of Poland citizenship was granted on the basis of local entries in official registers. On the date of entry into force of the bill of 20th January 1920, the issue of the Eastern border of Poland was still disputable and therefore it was impossible to solve the problem of the great number of Poles settled in various parts of the Romanov Empire, including Siberia and Central Asia. This controversy was solved no earlier than in the treaty of Riga signed by Poland and the USSR on 18th March 1921.³¹ On the basis of article VI of the treaty Polish Minister of Interior issued a decree in the field of citizenship of people living in the former Romanov state.³² It stipulated that any person living in the territories of the former Russian Empire, who felt Polish and could provide evidence of connections with Poland, Polish culture and the Polish language, could apply for Polish citizenship and repatriation to Poland.

Poland also had to fulfil the requirements stated in article 91 of the treaty of Versailles³³ which stipulated that people settled on the disputed territories would have an option to choose whether they wanted to stay in their place of residence and acquire the citizenship resulting from the particular location, or to choose another citizenship and in a certain period of time change a place of residence. In order to exercise the law of option it was necessary to make a formal statement in a special form (confirmed by a mayor or notary). The source of particular controversies was the fact that according to the implemented rules, the execution of the law of option was irrevocable, which was confirmed by a subsequent judiciary of the Supreme Administrative Tribunal.³⁴ The analysis of the judiciary of the Tribunal indicates that the most frequent reason for the selection of German citizenship was the threat of being conscripted to a Polish army and taking part in the Polish-Soviet war. After the war had ended, these people usually wanted to cancel the prior statement in order not to abandon homeland, but it occurred to be impossible. In further articles the bill of 20th January 1920 included several ways of acquiring citizenship, including an administrative way (by a decree of the Minister of Interiors), thanks to a service in a Polish army or administration and by marriage (however, only women could gain citizenship by the grace of marriage – men were not that privileged).³⁵ Generally speaking, the bill was based mainly on *ius sanguinis* as regards citizenship of children.

V. The Constitution of March 1921

Another regulation of Polish citizenship was contained in the March Constitution of 1921³⁶, which was adopted nearly one year after the bill had been passed. The fifth chapter of the Constitution was entitled: “Common obligations and civil rights”. It shall be noted that in

³¹ Journal of Laws 1921, number 49, position 300.

³² Journal of Laws 1921, number 59, position 375.

³³ Journal of Laws 1920, number 57, position 358.

³⁴ Signature Kr. 453/23.

³⁵ Cf. Rzenno (2016), p. 335.

³⁶ Journal of Laws 1921, number 44, position 267.

Polish the phrase “civil rights” is translated as “prawa obywatelskie” and the exact meaning of the phrase is: “the rights of citizens”. Roughly speaking, the main aim of the constitutional regulations was to underline special bonds between a citizen and the state. For example, article 87 excluded the possibility of being a citizen of any other state in case of possessing Polish citizenship. According to Polish legal scholars³⁷ and politicians³⁸, being a citizen of more than one state was perceived as abnormality and therefore it was constitutionally banned. Since some of the constitutional rights were reserved to Polish citizens, for example the right to choose a place of residence³⁹, non-citizens were put in worse conditions than Polish citizens.

The March Constitution declared that specific regulations in the field of citizenship were to be regulated in sub-constitutional sources of law, and thus, the regulations of the bill of 20th January 1920 were given the constitutional basis. Articles 89 and 90 of the March Constitution stated two most important obligations of Polish citizens: faithfulness to the Republic and observance of laws, including the Constitution and sub-constitutional laws. An interpretation of the two aforementioned obligations remained a source of disputes among legal scholars. For example, Stanisław Starzyński claimed that articles 89 and 90 stated the general basis of all citizens’ obligations to the state, including extra-legal ones like upbringing children in a patriotic way.⁴⁰ On the other hand, Władysław Leopold Jaworski stated that faithfulness to the Republic and observance of laws could not be perceived as a source of any obligations since these were stipulations of a purely declarative character.⁴¹ However, both Starzyński and Jaworski agreed that citizenship was an emanation of the bonds between the state and a natural person.⁴²

The interpretation of constitutional regulations in the field of citizenship was a source of permanent political argument during the period of parliamentary democracy in Poland (until 1926). Nationalists highlighted article 2 of the March Constitution which stated that: “The supervising authority in the State belongs to the Nation” and interpreted articles 89 and 90 in the light of ethnic meaning of the term “nation”.⁴³ Therefore, nationalists insisted on depriving minorities of a vast majority of constitutional rights.⁴⁴ On the other hand, socialists claimed that belonging to a nation in the ethnic meaning was not a source of division of Polish citizens on the grounds of the March Constitution.⁴⁵ The farmers’ parties presented a moderate standpoint. According to them, the term “nation” in the March Constitution should have been interpreted as the entire population living in Poland.⁴⁶

This point of view was also common among the supporters of Józef Piłsudski, who took over power in 1926, and therefore the concept of “political nation” prevailed after the *coup d’état* in 1926.⁴⁷ Piłsudski and his followers claimed that a lack of sense of belonging to

³⁷ Starzyński, Stanisław: *Konstytucja Państwa Polskiego*, Lwów, 1921, p. 47.

³⁸ Rudnicki, Szymon: *Roman Rybarski o narodzie, ustroju i gospodarce*, Warsaw, 1997, p. 30. Rybarski called possessing more than one citizenship as a “pathological incident”.

³⁹ For example, according to article 101 of the March Constitution of 1921 the right to choose a place of residence was reserved only to Polish citizens – sentence of the Polish Supreme Administrative Tribunal of 10th November 1924, signature K 270/24.

⁴⁰ Starzyński, Stanisław: *Konstytucja Państwa Polskiego*, Lwów, 1921, p. 47-48.

⁴¹ Jaworski, Władysław Leopold: *Projekt konstytucji*, Kraków, 1928, p. 190.

⁴² Starzyński, Stanisław: *Obywatelstwo państwa polskiego*, Kraków, 1921; Komarnicki, Wacław: *Ustrój państwowy Rzeczypospolitej Polskiej*, vol. II, London, 1943, p. 208-212; Jaworski, Władysław Leopold: *Projekt konstytucji*, Kraków, 1928, p. 189-196.

⁴³ Rudnicki, Szymon: *Roman Rybarski o narodzie, ustroju i gospodarce*, Warsaw, 1997, p. 29-30.

⁴⁴ Lewandowska-Malec, Izabela: *Demokracje polskie. Tradycje – współczesność – oczekiwania*, Kraków, 2013, p. 151-152.

⁴⁵ Śliwa, Michał (ed.): *Zygmunt Żuławski o ustroju społecznym i demokracji*, Warsaw, 2000, p. 82.

⁴⁶ Wic, Władysław: *Stanisław Thugutt o demokracji i ustroju Polski*, Warsaw, 1998, p. 95.

⁴⁷ Makowski, Wacław: *Obywatel a Rzeczpospolita*, Warsaw, 1924, p. 18.

the nation and the state was the main cause of the crisis of Polish parliamentarism, which pushed Pilsudski to revolt against the government.⁴⁸

VI. Conclusions

To summarize, it shall be noted that during the rebirth of the Republic of Poland matters of citizenship were one of the most controversial legal and political problems. Citizenship and its legal frames were among the most important battlefields between the most significant players on the Polish political and legal scene. During the short period of parliamentary democracy in Poland, until 1926, the issues of citizenship undoubtedly contributed to strengthening of the political divisions between various political parties and their supporters. Therefore, at first glance it might seem that the issues of citizenship had a destructive influence on Polish parliamentarism. However, it must be underlined that the regulation of citizenship resulted in a great progress in a political and legal thought. The legal and political disputes contributed to the rebirth of Polish legal and political thought after the partitions period.

The main controversy between various political groups was the issue of ethnicity and its influence on citizenship. Most of the political scene (socialists, “Piłsudczycy” and most of agrarians) claimed that citizenship and the full scope of political rights should be independent from nationality in the ethnic meaning. The political will of the aforementioned groups was focused on erasing the divisions which arose during 123 of captivity. As a result, representatives of these groups aimed to erase the differences and build a nation, in a political meaning, of any population living within the borders of Poland. On the other hand, some political groups, especially the nationalists, attempted to unite the ideas of ethnic nationality and citizenship, in order to deprive ethnic minorities of political rights.

The results of the political debate which took place in Poland between 1918 and 1926 are precious even nowadays since after 1926 Poland did not have a chance to openly discuss vital political and legal issues until 1989, when the communist regime in Poland collapsed. Therefore, even if the results of the debate were partially wasted after 1926, when the authoritarian regime was formed, the heritage of the interwar debate on citizenship remains a precious part of Polish legal culture.

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⁴⁸ Kulesza, Władysław T. (ed.): Waclaw Makowski o państwie społecznym, Warsaw, 1998, p. 202.

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