

CONTINUUM STUDIES IN EASTERN EUROPEAN HISTORY

Disorderly Liberty

*The political culture of the
Polish-Lithuanian Commonwealth
in the eighteenth century*

Jerzy Lukowski

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Contents

Preface	vii
Abbreviations	xiii
A note on Polish pronunciation	xiv
1 The Commonwealth of Poland-Lithuania: an introductory survey	1
2 Ancestral legacies	13
3 The search for harmony	33
4 Keeping the faith	55
5 Towards successful counsels	77
6 Confrontations with the Enlightenment: Felix Czacki and the <i>Monitor</i> , 1765, and the Zamoyski law code, 1780	99
7 Foreign aid	121
8 Marking time	149
9 Ferment	173
10 Judaica	205
11 Towards new Utopias	223
Epilogue	255
Appendix: The Constitution of 3 May 1791	261
Notes	273
Bibliography	315
Index	339

Jerzy Michalski
in memoriam
(9 April 1924–26 February 2007)

Preface

The eighteenth century was not a good time for Europe's republics. They were marginalised or in decline; or, at best, fictions in the minds of dreamers. 'It is astonishing that people regard republican government so highly, yet so few nations benefit from it', observed Montesquieu.¹ In 1772, the largest of these republics – the Commonwealth of Poland-Lithuania – suffered a massive loss of territory to its three more powerful neighbours, Russia, Prussia and Austria. It had been seemingly so long in decline that European chanceries adapted relatively easily to its dismemberment. The Commonwealth of the Two Nations, the *Rzeczpospolita Obojga Narodów*, was, after all, a passive political entity on the receiving end of the attentions of more dynamic neighbours. Yet Poland was, until the process of its disposal got under way, the largest state in Europe after Russia. The republican ideals and the political culture of its ruling class, its nobility, the *szlachta*, remain part of the historical legacy not only of what is today Poland, but also of the successor states: Lithuania, Ukraine, Belarus. This book represents an attempt to bring that little-known past to a wider scholarly audience.

Polish historiography has been peculiarly introspective. Excision from the map between 1795 and 1918 has made the very question of Poland's existence both a terminus and a point of departure for those trying to write its history. Following the Third Partition of 1795, it was a moot point whether a 'Poland' in any shape would, or could, emerge at all. The Revolutionary and Napoleonic wars may have brought some hope of a national rebirth, but they brought even greater disillusion. The Congress of Vienna at least created something called the Kingdom of Poland, a small state under the supposedly constitutional rule of the tsar of Russia. The tensions between constitutionalism and autocracy erupted in the abortive insurrections of 1830–1 and 1863–4. Those who wrote of Poland's history lived through these traumatic events: whether they approved or disapproved of the risings, they could not fail to be influenced by them and by the issue of whether there would ever be a restored, independent Polish state. The course of history turned them, whether they wished it or not, into moralists. Where historians of France have to ask, 'Why did the Revolution occur?', those of Poland had little choice but to ask, 'What went wrong?' From there, it was but a short step to asking, 'Who was to blame?' For the scholars and

gentlemanly dilettantes who formed the Society of the Friends of Learning in the then Prussian frontier town of Warsaw in 1800, the most they could expect was the preservation of language and historical memory. Was this all that 'Poland' could ever be? Language continued to evolve – it was, after all, the writers of the eighteenth century who conferred on it a new dynamism and plasticity. But what was the meaning of its history? Joachim Lelewel, for some the most outstanding historian of the nineteenth century, was suspicious of great aristocrats. Not only had they brought about Poland's plight, they seemed lukewarm or ambivalent about, even downright hostile to, the Rising of November 1830 – in which he served as a minister in the insurrectionary government. To him, aristocrats and nobles had perverted a once felicitous communitarian democracy and turned what should have been the birthright of all into the preserve of the few. Such cultural and mental baggage affected all who wrote about the past, so much so that Karol Boromeusz Hoffman (on the other side of the political divide from Lelewel) observed in 1841, 'We do not now write history as historians, but as politicians; we do not investigate the past for the truth, but to find arguments to support this or that opinion. For us, truth is a secondary quality and it would be appear to be no sin to lie in the service of our particular party; so often, without scruple, we twist historical facts to suit our inclinations and views.'² When all that truly belonged to the Poles was their past, it was bound to become a battleground inseparable from the present, as debate raged on about whether Poland could be resurrected, whether it should be revived or whether the Polish-speaking subjects of Prussia, Russia and Austria should finally reconcile themselves to their fate and accept what history had done to them.

History became a kind of national cultural, even spiritual, projection: a what might have been if only Poland had survived, not only for historians, but for almost anyone opining on the subject: novelists, artists or philosophers. Writers deprived of their own country sought consolation in a mythical past in which Poland was the *antemurale Christianitatis*, the 'bulwark of Christendom', not only against the Islamic Turk, but the Orthodox Russian and even, at a pinch, the Protestant German; and looked to an indifferent Europe which Poland had for so long 'protected' to concern itself with their aspirations. Those who knew better preferred to hold their peace.³ Heavy-handed censorship, notably after 1864 in the Russian-occupied territories, made serious research problematic. After 1867, historical scholarship could flourish in the more relaxed atmosphere of Austrian Galicia, but such freedom could give rise to vituperative argument. Particularly bitter polemic surrounded the so-called Kraków School of historians, active in the late nineteenth and early twentieth centuries, whose most outstanding exponent, Michał Bobrzyński, produced in 1879 his *Outline History of Poland – Dzieje Polski w zarysie*, a blistering critique of Poland as a failed state. Even among those prepared to accept Bobrzyński's strictures, there was a strong

feeling that the circumstances were not right to give voice to them – after all, his work appeared barely fifteen years after the emotionally visceral failure of the ‘January Insurrection’ of 1863–4. At least as hostile reactions greeted the iconic series of paintings depicting the turning points of Polish history from the brush of the Kraków artist, Jan Matejko. ‘It does not do to insult your mother’s grave,’ pronounced one eminent authority.⁴

Bobrzyński’s was the first scholarly synthesis of Poland’s history to be produced. That it was so long before such a work could appear demonstrates how difficult it was to find a purchase on that difficult past and its elusive meanings. Was Bobrzyński simply a Habsburg stooge who had bought into the Bismarckian supremacy of the state? Was he an anti-democrat who had no time for liberal ideas? Wherever any historian found himself on the political or historiographical spectrum, such were the questions that would inevitably dog him. Nor did matters become any less complicated in the twentieth century. Poland was resurrected in 1918, only to be pitched into a struggle for its existence with Bolshevik Russia in 1920–1. Its interwar politics were as tortured as ever. It survived the ordeal of the Second World War, to re-emerge with frontiers which had once more been drastically redrawn; and for those historians not sympathetic to the new communist regime, the immediate post-war years were as traumatic as anything experienced during the upheavals of the previous century.⁵

All this is to say that to pick over Poland’s past is to enter an inadequately mapped minefield. In comparison with the research conducted on western European states, that conducted into Poland’s remains sparse indeed. The dominant figure of eighteenth-century historiography is Władysław Konopczyński. Born in 1880, died in 1952, his life reflected the vicissitudes of his country. He began his scholarly career under Austro-Hungarian rule, fell out with the Piłsudski inter-war regime, survived the Second World War despite three months in the Sachsenhausen concentration camp and died besmirched and reviled by an unforgiving, mean-minded communist government.⁶ Driven by a self-imposed duty to construct a platform of work on the eighteenth century, which would make up lost historiographical ground, he was a man who tried to write too much. His style is often maddeningly obscure – he did not always seem to appreciate that not all of his readers shared his familiarity with the period. There was little relating to politics and constitutional developments that he did not touch upon. His work remains an indispensable entrée for any student of the eighteenth century. His study of the *liberum veto* still remains a standard, even though subsequent historians have done much to enlarge understanding of that curious device. No one can study the trauma of the Confederacy of Bar without reference to his magisterial work on the subject.⁷ Some of the leading post-war historians – Bogusław Leśnodorski and Józef Gierowski (who picked up much of their enthusiasm for the eighteenth century at Konopczyński’s illicit seminars

in Sachsenhausen), Emanuel Rostworowski, Jerzy Michalski – were his pupils. Much post-war historiography is a coda to what he wrote.

There has, at least for the pre-modern period, been something of a tendency for Polish historians to move on as soon as one author has ‘covered’ a particular subject. Too few have revisited and revised topics in the way that is taken for granted in more richly resourced countries. For all the industrious devotion of Konopczyński and others, huge gaps remain. The crucial parliament of 1788–92 was first subject to intensive scholarly investigation by the Reverend Walerian Kalinka, whose unfinished two-volume history appeared as long ago as 1880–1 – one of the first reliable studies of almost any aspect of Poland’s history. It had run to four editions by 1895. Later historians, most notably Bogusław Leśnodorski, Emanuel Rostworowski, Jerzy Michalski, Zofia Zielińska and Anna Grześkowiak-Krwawicz (to name but the most outstanding), have added invaluable to our knowledge of key aspects of the Sejm’s activities, but Kalinka remains the standard.⁸ Writing in Austrian Galicia, Kalinka did not have access to the Sejm’s own archival record – kept inaccessibly, until 1964, in the Soviet Union. Between 1955 and 1969, six volumes of materials pertaining to the Four Years Sejm were published under the auspices of Polish government agencies. As one of the editors delicately put it, choice of materials was perforce dictated by ‘the influence of non-scholarly motives . . . from an editorial point of view not the most important ones.’ It is nonetheless regrettable that the prohibitive costs prevented its continuation.⁹ Russian archives, which contain vast amounts of materials relating to Poland, began to be fully opened to researchers during the 1990s, but even now, such access can remain problematic.¹⁰

Kalinka aside, there is no comprehensive study of most of the parliaments of the eighteenth century – including such key ones as the ‘Silent Sejm’ of 1717 or the Partition Sejmy of 1773–5 or 1793.¹¹ Jerzy Michalski died before he was able to complete his study of the important Sejm of 1776. Great swathes of the century remain either a near *terra incognita* or cry out for reconsideration. The interregnum of 1733–6 is a case in point; and the history of that of 1763–4, though better served, is still far from fully explored.¹² The searing experience of the Great Northern War is by no means comprehensively covered, for all the sterling work of Józef Gierowski and his associates.¹³ Jacek Staszewski, Jerzy Dygdała and other historians at the University of Toruń have done much truly pioneering work on Poland’s relations with Saxony and the regional history of Royal (Polish) Prussia.¹⁴ No matter how good in parts the historiographic record is, nothing hides the fact that it is still patchy. Most of the key political texts remain either unavailable in modern editions or are accessible only as selections. In 1954, Bogusław Leśnodorski and Helena Wereszycka produced what was, in its way, a model edition of the key writings of one of the leading reformist thinkers of the late eighteenth century, Hugo Kołłątaj (though in an ideologically less fraught

age, the tenor of much of their commentary would have undoubtedly been rather different).¹⁵ Sadly, it is the only edition of its kind. As regards 'modern' editions, the most important reforming text of the century, Stanisław Konarski's *On the Means to Successful Counsels*, languishes inexplicably in published extracts.¹⁶

Post-war Polish historical scholarship has, however, largely managed to drag itself free of the neuroses of earlier times. After 1956, censorship was lessened, party lines were gradually less stringently imposed, in part, possibly, because so much appeared in specialist publications of necessarily restricted circulation. Pre-industrial society was a relatively ideologically safe topic. From the 1950s, Poland was the communist state most open to the degenerate west, whose pernicious influences seeped into and enriched its intellectual life, just as they had done two centuries previously.¹⁷ Contemporary historical debate is largely free of the passions of the past, certainly those of the nineteenth century. Tangible expression of a consciousness of the damaging perspectives of the injured nationalism of much previous historiography has come about in the work of the Institute of East-Central Europe in Lublin, which was set up in 1992 to seek contributions from historians of all the successor states of the former Polish-Lithuanian Commonwealth towards a new history of the region.¹⁸

Much has been done in the work of political culture and political ideas. As so often, the starting-point has to be Władysław Konopczyński, notably his *Polish Political Writers of the Eighteenth Century*, published posthumously in 1966.¹⁹ An enormous amount of work has appeared since his death, covering all aspects of noble ideology and culture. Particular mention might be made of Janusz Maciejewski's essay of 1971, which sought to rehabilitate conservative republican ideas,²⁰ but a greater awareness of the complexities of the subject was inevitable. All the post-war historians previously mentioned have contributed greatly to exploring the subject, few more so than Jerzy Michalski and Emanuel Rostworowski, and, of a younger generation, Zofia Zielińska and Anna Grześkowiak-Krwawicz.²¹ Wojciech Kriegseisen, whose painstaking research has done much to illuminate the world of the *szlachta*, deserves further notice for his pioneering exploration of the variegated world of Polish Protestantism.²²

Mention, too, must be made of the contributions of historians working outside Poland, many of them with close family or other personal connections to that country. The most magisterial survey of Poland's past in English is Norman Davies' *God's Playground*, the Polish translation of which, *Boże Igrzysko*, has long been a best-seller. The present writer's *Liberty's Folly: the Polish-Lithuanian Commonwealth in the Eighteenth Century, 1697–1795*, can serve as an introduction to its subject. Invaluable and detailed studies of the closing decades of the eighteenth century have come from Adam Zamoyski and Richard Butterwick. Gershon Hundert's studies of Jewish life offer insights into a world which the present work can deal with only all too cursorily. Robert Frost and Andrzej Kamiński

have contributed to a wider historical perspective, while Karin Friedrich's work on Polish Prussia is a necessary reminder that 'Prussia' was something far wider and richer than is often imagined.²³

There is no overview of noble political culture as a whole for the eighteenth century, certainly nothing to compare with what Edward Opaliński has done for the late sixteenth and early seventeenth centuries.²⁴ The present work seeks to present itself as a step in that direction. It has drawn extensively on political texts, memoirs, correspondence and instructions from local political assemblies – as well as the secondary literature presented above, though what has been reviewed barely amounts to the tip of a scholarly iceberg. It is also in its own way, a commentary on and perhaps even a guide to the history of the *Rzeczpospolita Obojga Narodów*, the Commonwealth of the Two Nations, in the last hundred years of its existence.

This book is the result of more years of research than I care to contemplate. It would not have been possible without the award of a research readership by the British Academy between 2003 and 2005 and its system of scholarly exchanges with eastern European institutions, most notably the Polish and Lithuanian Academies of Sciences. I owe an immense debt of gratitude to conversations with many people. In Britain, to Karin Friedrich, Robert Frost and Richard Butterwick (to whose observations I am particularly obliged); in Poland, Zofia Zielińska, Anna Grześkowiak-Krwawicz and Wojciech Kriegseisen; and to Łukasz Kądziera whose untimely death in 1997 robbed his country of one of its most promising historians; in Lithuania, to Jūratė Kiaupienė. My chief intellectual debt however is to Jerzy Michalski, who died in February 2007 and who for many years encouraged me in my work. This book, no matter how unworthily, is dedicated to him.

Abbreviations

AGAD	Archiwum Główne Akt Dawnych, Warsaw
ZP	Zbiór Popielów (in AGAD)
BC	Biblioteka Czartoryskich, Kraków
BJ	Biblioteka Jagiellońska, Kraków
BPAN	Biblioteka Polskiej Akademii Nauk, (formerly Polska Akademia Umiejętności), Kraków
KH	Kwartalnik Historyczny
LMAB	Lietuvos Mokslų Akademijos Biblioteka, Vilnius
MDSC	<i>Materiały do dziejów Sejmu Czteroletniego</i> , 1–5, eds. J. Woliński, J. Michalski, E. Rostworowski; 6, ed. A. Eisenbach. Wrocław: Ossolineum, 1959–69
PSB	<i>Polski Słownik Biograficzny</i> , ed. W. Konopczyński <i>et al.</i> Kraków: Polska Akademia Umiejętności, 1935–
VL	<i>Volumina Legum</i> . 11 vols, St Petersburg – Kraków, 1859–89 edn [Photographic reprint, 1980. Warsaw: Biblioteka Narodowa]
WAP Kraków	Wojewódzkie Archiwum Państwowe, oddział na Wawelu, Kraków
WAP Lublin	Lublin, Wojewódzkie Archiwum Państwowe

A note on Polish pronunciation

Readers unfamiliar with Polish pronunciation may find the following guide helpful. It is not intended for linguistic purists.

ą	similar to the French 'On' if crossed with the 'o' of 'home'
ę	similar to the French 'On' if crossed with the 'e' in 'red'
ó	u, as in 'hook'
y	i, as in 'hit'
ci	short 'chee' as in 'chip'
si	short 'shee' as in 'ship'
Ć, ć	'ch' as in 'chip'
cz	'ch' but harsher
c	'ts' as in 'lots', except in the combinations 'ci' and 'cz'
Ł, ł	'w' as in 'waste'
ń	slightly softened 'n' – as in Spanish 'ñ'
ś	'sh' as in 'ship'
sz	'sh' but harsher
rz, Ź, ź	as the above but with a 'z' sound (as in 'Brezhnev')
w	'v' as in 'very'
zi	pronounced as the first two letters of the French 'gîte'
Ź, ź	pronounced as the first letter of the French 'gîte'

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Map of Constituencies (palatinates and countries)





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The Commonwealth of Poland-Lithuania: an introductory survey

The values and attitudes towards politics and society of those who participate in the political process – the political culture of any state – is conditioned by its institutions and processes. Inevitably, that culture will make its own impact on those institutions and processes. This is simply to say that republican states produce a republican culture and, if that culture generates dissent, it will be a dissent conditioned by the prevailing republicanism. The ideas of the Venetian and Dutch republics or those of more-or-less self-governing Imperial cities or city-states reflected the challenges facing them and the way in which their political institutions coped. They did not necessarily produce coherent, unified theories of republicanism – or, if they did, they often emerged slowly and in a piecemeal fashion. Medieval and early modern republicanism was, at least in its origins, primarily a civic culture, driven mainly by the struggle of cities or city-led regions to retain their independence against often seemingly remorseless forces from without – German emperors, Italian tyrants, Spanish monarchs. It could, however, take wider forms: the French wars of religion were to a significant degree a struggle by the *noblesse* to maintain old rights and liberties against an insidious monarchy apparently bent on overthrowing ancient norms and customs for its own self-aggrandisement. The enemy was above all a real enemy within the monarchy itself, not a hostile menace from beyond the frontiers. It was much the same in England during parliament's struggles against the Stuart monarchy.¹

It was also true across a great stretch of eastern Europe, from the Baltic almost to the Black Sea, in the lands of the Commonwealth of the Two Nations, the Polish and the Lithuanian: *Rzeczpospolita Obojga Narodów, Polskiego i Litewskiego*. Formally brought into existence in 1569 by the Union of Lublin, the two states of Poland and Lithuania had been in uneasy harness since 1386, when Lithuania's still-pagan ruler had been invited on to the Polish throne: the price was conversion to Catholicism and the subordination of his Grand Duchy to Poland. The 1569 Union cost the Grand Duchy dearly: King Sigismund II Augustus transferred huge swathes of its lands, mainly in what is now Ukraine, to Poland as a means of browbeating leading Lithuanian subjects into complying with his wishes. He had no legitimate heir and saw in closer union the sole means of keeping his ancestral inheritance intact. Culturally and linguistically, the Lithuanian nobility was polonised during the sixteenth century. Lithuanian

was largely reduced to a peasant language. But the nobility retained their sense of distinctiveness. There was intense resentment in the Grand Duchy at the way in which it had been manoeuvred into a political (as opposed to a purely dynastic) union, which the Lithuanians accepted largely because of their desperate need for Polish aid against Muscovy. The Union of Lublin was an uneasy compromise. The Poles never exercised as much influence as they had hoped. The two partners accepted a common monarch, common monarchic election and a common parliament, or Sejm. But Lithuania preserved its own hierarchy of central offices and its own army. Periodically, throughout the seventeenth, and even the early eighteenth, century, its politicians took decisions on foreign policy without any reference to the Crown, *Korona*, as Poland proper was known; and a sense of separateness persisted to the final demise of the Commonwealth.²

The fourteenth, fifteenth and early sixteenth centuries marked for Poland itself a difficult and uncertain process, never complete, of the reconstitution of a state, which in the twelfth and thirteenth centuries had undergone intense territorial fragmentation. The wealthy Silesian lands remained out of reach. The monarchs had to acknowledge the distinct rights and liberties of the territories they sought to reassemble. The Jagiellonian dynasty always felt at something of a disadvantage in reigning over the recently re-unified Polish lands, in which its rulers constantly had to bargain with the aristocracy and Catholic Church over their succession. The first of the dynasty, Władysław II Jagiełło (reigned in Poland from 1386 to 1434) was illiterate; and until a canny and ambitious group of Polish lords invited him to the throne, he was but heathen ruler of Lithuania, Europe's last pagan realm. Caught between the problems of preserving their Lithuanian patrimony of hereditary but economically backward lands against constant threats from Muscovy and Crimean Tatars, and trying to maintain themselves in their wealthier Polish territories where their kingship was elective, the Jagiellonians were unable to impose any real degree of centralisation on their cumbersome patchwork of dominions.

The strength of regional and local privilege goes some way towards explaining why the Crown's constituent territories were extremely reluctant to look on the bicameral Sejm, which emerged in the 1490s, as a body to take binding, central legislative decisions. It could vote general taxation, but that taxation, and indeed its enactments in general, were subject to the further confirmation of the constituencies, which sent their representatives to it. These representatives, significantly known as *nuntii*, *posłowie*, that is, 'envoys', were expected primarily to uphold the interests of their immediate electors. Under Sigismund I (1506–48), the practice began of envoys being supplied with a set of desiderata from their own localities, which, in time, those localities came to look upon as binding.³ The Sejm took great care to try to mirror the nature of the Commonwealth it represented. Membership of the commissions it spawned was almost invariably

drawn equally from the three great Provinces of Wielkopolska, Małopolska and Lithuania; each took it in turns to supply the Sejm's marshal, or speaker. In 1673, the Lithuanians extended this principle of the *alternata* to ensure that every third Sejm was to meet not in Warsaw, but in Lithuanian Grodno.⁴

The nobility, the *szlachta*, dominated Poland. Individual cities such as Kraków or Lwów or Poznań enjoyed great prosperity but remained isolated urban islands in a sea of enserfed peasantry, petty nobility and landed seigneurs. Only in Royal Prussia was there to be found anything like the powerful clusters of towns, which characterised the Rhine valley, northern Italy or the Netherlands. And the Royal Prussian towns, led by the 'great cities' of Danzig, Thorn and Elbing, saw themselves as both being of the Polish state, yet standing apart from it; their main object was the preservation and development of their own commerce; the interests of a wider Poland were a secondary matter. In the round, Polish towns were politically weak; political power lay with the nobility. The Jagiellonians could count on re-election as crowned heads – but they were well aware that re-election was conditional on observing noble rights and privileges. When, in 1529, a group of senators – the aristocratic advisers to the king – agreed to the election of king Sigismund I's son as his successor, they provoked such an outcry among the nobility at large that in February 1530, Poland's parliament banned all future royal elections *vivente rege*, during the reigning king's lifetime.⁵

The republicanism that was to be the hallmark of the Polish nobility had begun to take root. A network of political assemblies, the *sejmiki*, at which the nobility congregated in the localities, had been consolidated by the early fifteenth century. The bicameral parliament, the Sejm, was composed of an upper chamber, the Senate, centred on the royal council, and a lower chamber of *nuntii terrarum*, the 'envoys of the counties.' Republican ideas – put crudely, the notion that nobles should run their own affairs, free from outside interference – emerged from a cauldron of tensions between ruler, great magnates and lesser nobles. At one level, magnate potentates could always count on a following among the smaller fry. At another, kings saw in lesser nobles a counterweight to over-mighty subjects: King John Albert (1492–1501) had aided and abetted the emergence of the Chamber of Envoys precisely as a check on too-uppity aristocrats. For Poland's nobles were numerous and disparate. They included thousands who in other countries were regarded as peasants, but whose noble standing had been confirmed by kings anxious to ease the processes of restoring a kind of unity to once-fragmented lands. By the mid-sixteenth century, some six per cent of the population may have had noble status – comparable to the nobilities of Hungary and Spain. Most were impoverished, many were illiterate but taken together, nobles were sufficiently numerous to constitute a mass electorate. All felt themselves to be the beneficiaries of privileges accumulated since 1374, when their recently elected king, Louis of Hungary (reigned 1370–82), agreed that, in

return for the nobility's acceptance of one of his daughters as his successor, he would seek no increases in tax without their consent. Under his successors, the privileges of Czerwińsk (1422) and Jedlno (1430) promised the nobility freedom from arrest, save after due process. The privileges of Chojnice and Nieszawa of 1454 bound the king not to impose taxes, issue laws or even call out the feudal host without the nobility's agreement; they permitted the nobility largely to run their own judicial affairs at local level. Such concessions, stemming from monarchs' need for support for the future succession of their heirs or for military resources, collectively contributed to convincing the nobility of their political power and rights. They culminated in 1505 in King Alexander's agreement to the *Nihil Novi* statute – monarchs would from now on issue no legislation without the agreement of the envoys to the Sejm.

The sixteenth century saw the crystallization of the social structures of the nobility. The magnates of the Crown and Lithuania came to accept that they would not form a separate estate – there would be no Polish *Herrenstand* or House of Lords. Instead, all nobles were equals. This customary principle was to be enshrined retrospectively in law during the seventeenth century.⁶ Equality, said Jan Dębiński in 1727, was as essential to the well-being of the Republic, as the balance of humours to the well-being of the body – if any one humour should disturb the balance of the others, the body would rapidly succumb to an invasion 'of dangerous ills'. Office and dignity might confer greater significance on their recipients, 'but that one title of *szlachcic* alone, since all are equal in this one title, as it were, comprehends all the honours of the Commonwealth. Senator, bishop, prelate, they are all noblemen; it is in noblemen that the counsels and defence of the Commonwealth consist.' Because the laws forbade kings to abolish old honours or titles, or to create new ones, the principle of equality was safe. New hereditary distinctions would only provoke jealousy and discord and could even be manipulated by kings or ambitious magnates to impose despotism. Even those who did boast ancient princely titles derived no particular privileges from them, beyond those of ordinary nobility. Only service conferred distinction.⁷ Jan Stanisław Jabłonowski, in 1730, maintained that true equality prevailed only in Poland, where all nobles could feel themselves part of the same family, call each other brothers and equally value each other's opinions. 'Our equality is such that every nobleman born is equal to a prince, a margrave and a count. Office alone gives pre-eminence, hence our saying, "the gentleman on his little acre is the equal of the palatine". Our forbears understood they would make the Republic more orderly by securing equality within it . . .'⁸

A statute or *konstytucja* of 1699 spelled out the position, correcting an enactment of 1690 in which the term 'lesser ('*mniejszą*) nobility' had been used: 'by the agreement of all estates, we abolish this word *in perpetuum*, acknowledging that *in aequalitate*, there is neither lesser nor greater.'⁹ Nobles were banned

from accepting any forms of honorific titulature, beyond those conferred by the holding of office or dignity – the only exception was for a handful of Lithuanian families of ancient princely origin. The royal council, the *Senat*, was not a hereditary body; while it formed a kind of upper house of the parliament, the real legislative power lay with the *'izba poselska'*, the 'Chamber of Envoys', elected by the nobility in their local constituencies of palatinates (*palatinatus, województwa*), counties (*terrae, ziemie*) and districts (*districtus, powiaty*). The sheer weight of numbers of this gentry allowed them to impose themselves on an aristocracy which well into the sixteenth century looked down on them as 'ploughmen' and 'buckwheat-sowers'.¹⁰

There was to be no overt ideological alignment between great magnates and the king. The active participation of a numerous nobility saw to that. As early as 1507, the cleric Stanisław Zaborowski, speaking for those who wished to recover royal domain from magnate hands, produced a *Tractatus de natura iurium et bonorum regis*, *A Treatise on the Nature of the Rights and Properties of the King*, in which he argued that the monarch was primarily a steward and administrator of royal estates and resources. '*Tota communitas regni*', 'the entire community of the realm' was the king's 'superior'. It was hardly an exercise in modern republican writing – Zaborowski's arguments were grounded in the need to avoid sin, protect the Church and appoint worthy clergy – but it clearly demonstrated the monarch to be the servitor of the state.¹¹ There was never to be any serious political treatise produced in Poland, which was to argue in favour of anything like absolutist kingship.

The abundant *szlachta* electorate was a very unevenly distributed one. There were relatively few nobles in the Ukrainian or Belarussian marches; whereas in the palatinate of Mazowsze, in the region of Warsaw, up to one quarter of the population might have been plausibly regarded as enjoying noble status.¹² They exercised their voice through a range of local institutions, above all through the local *sejmik*, which might, by the eighteenth century attract thousands of nobles – though attendances of dozens or hundreds were more usual. Attendance at royal elections could reach several tens of thousands. Participants varied from some of the wealthiest and intellectually most sophisticated individuals in Europe to impoverished illiterates incapable of pronouncing the names of the candidates whom they were supporting. Accessions to local political leagues in 1767 show noble illiteracy rates, insofar as the ability to sign their own name was an indicator, ranged from two and seven per cent in some palatinates (Sandomierz, Poznań, Kalisz) to almost eighty per cent in others (Lublin, Łęczyca). King Stanisław August Poniatowski's (reigned 1764–95) estimate, that around half of the Polish nobility were illiterate, may not have been that far wide of the mark.¹³

Poles admired republican Venice – but the differences between themselves and the *Serenissima* were so great as to leave it as an object of admiration, not a model

it was practical to transplant to the lands between the Black Sea and the Baltic. Other states provided only dire warnings of growing kingly despotism or of a gross inability to manage their own affairs in a civilised fashion. After the arrival of classical humanism in the sixteenth century, the model to which they could most closely relate was that of ancient, pre-Imperial Rome. No nobleman could consider himself educated unless he had a fluent mastery of Latin, the language of administration and law under the Jagiellonian dynasty. Latin also helped hold the *Respublica* together – a kind of *lingua franca* to which all actively engaged in politics, irrespective of their ancestral origins, be they Polish, Lithuanian, Belarusian, Ukrainian, or even German, could subscribe. Parliamentary statutes were drafted in Polish after 1543, but Latin remained widely used in administrative and judicial processes. Republican Rome's history was to be studied in its own language, not least in the Jesuit schools, which began to take root in the late sixteenth century with their humanist curriculum. A despotic, imperial regime eventually seized control in Rome: the *szlachta* would learn from its history to ensure no such thing happened on their watch.¹⁴

Eighteenth-century reformers, with their tidy minds and their search for system, looked back on the events that had brought about Polish and Lithuanian union with some disquiet. Writing in 1764, César Pyrrhus de Varille, a naturalised Polish citizen much attached to his adopted country, saw in the first two elections, of Henri of Valois in 1573 and of Stephen Bathory in 1575, a missed opportunity: instead of creating a carefully thought-out constitutional structure, the nobility's leaders had merely responded to events, 'the laws, framed according to the needs of the moment, were isolated enactments, bereft of unity or symmetry', leaving behind a 'feeble legislative chaos' which had dogged the country ever since.¹⁵

The leading men of the first two interregna had constantly called on lesser nobles against their rivals to enhance their own political influence. To win support, they promised ever-greater rights and privileges – 'freedoms' or 'liberties', *wolności*. Liberty became the object of a kind of Dutch auction. Jan Zamoyski had offered the crowds of petty nobles the ultimate prize: active participation in royal election *viritim*, in person. It was a striking, concrete affirmation of where sovereignty in the state truly lay: not with an aristocratic elite, not with the monarch, but with the rank-and-file gentry. In later years, Zamoyski repented of his demagogic rashness but his plans to row back and reduce the electorate came too late. The political genie of what in the eighteenth century was being called 'noble democracy' had been uncorked.¹⁶

Polish republican ideas developed in response to threats, real and imagined, from within the state – those threats were represented by the monarchy itself. Unlike the conditions in which the more familiar (to a western readership) medieval republicanism of the Italian cities developed, there was no seriously perceived external menace to a polity which could almost, it seemed, afford

to ignore the rest of Europe if it wished. The last major threat to the Crown in the fifteenth century had been tamed in 1466 when, at the peace of Thorn, the Teutonic Knights had given up their wealthiest lands astride the lower Vistula, which became part of the Polish realm as 'Royal Prussia'. All that was left to the Knights was the impoverished hinterland of the port of Königsberg, reduced, as the duchy of Prussia, to the status of a Polish fief. Efforts by successive Grand Masters to cast off Polish sovereignty failed; the adoption of Lutheranism by Grand Master Albrecht von Hohenzollern led, after 1525, to even closer subordination to Poland. Only in 1657 were the Hohenzollern finally able to shake off the republic's uncomfortable suzerainty. To the south, the Ottoman Empire was a danger primarily to the Habsburgs. Sigismund I and Sigismund II took every care to maintain good relations with the Porte. Periodically, vicious raids by the Turks' barely controllable vassals, the Tatars of the Crimea, penetrated deep into Jagiellonian territories, but the bulk of these depredations was absorbed by the sprawling territories of the Grand Duchy of Lithuania. The main challenge to the Jagiellonian patrimony had come, since 1492, from the Grand Principality of Moscow – but again, the chief target of Russian pretensions had been Lithuania, rather than Poland itself. If Polish troops on occasion assisted the Lithuanians, and if the progress made by Russian arms seemed fitfully unrelenting, the fighting, to most Polish nobles, seemed nebulously remote. Any day of reckoning with Muscovy could be postponed and the Poles were confident that, when it did come, they would be able to carry the day, as, indeed, successful Polish-Lithuanian campaigns under Stephen Bathory (1575–86) and Sigismund III Vasa (1587–1632) appeared later to confirm. Not only did the political future of Poland appear secure, especially once the union of 1569 had brought it and Lithuania much closer together, but at a time of chronic religious warfare, Poland, in the eyes of many of its own leaders, seemed far more securely placed than most of the rest of Europe. The agreement to differ in matters of religion made between Catholic and Protestant nobles in 1573, under the aegis of the so-called Confederacy of Warsaw, was concluded with a specific view 'to prevent any harmful unrest arising among our people, as we so clearly see is happening in other realms'.¹⁷ The dangers from the outside world were overshadowed by the seemingly more imminent perils of a putative despotism at home. Yet so confident were Polish nobles of their position that, barely a year after the massacre of St Bartholomew, they were prepared to elect as their ruler Henri, duke of Anjou, son of Catherine de Medici and brother of Charles IX, and widely suspected of being one of the instigators of the massacre.

For, by the time Henri was elected, a wide-ranging machinery to keep monarchs firmly in their place had been created. During the Interregnum of 1572–3, the nobility had constructed a constitutional framework designed, above all, to secure the freedoms that together comprised what was being called *Złota*

Wolność, Golden Liberty. These were the so-called ‘Henrician Articles’, drawn up for Henri in 1573. No king would henceforth attempt to designate a successor during his own lifetime. He would keep the peace between the different religious denominations. In matters of diplomatic relations and the levying and recruitment of troops, he would consult with his councillors and the Sejm and would undertake no hostilities without parliamentary approval. He would defend the frontiers. In all consultations with his council, the Senate, he would seek the fullest possible agreement, ensuring that no decisions were made which were contrary to the Commonwealth’s freedoms, laws and liberties. At every Sejm, sixteen senators would be nominated to permanent attendance on the king’s person and to serve him with their advice, ensuring that nothing should be done ‘against our dignity and against the common law’. Parliament would normally meet every two years or ‘in the pressing need of the Commonwealth’. It was not to sit beyond a six-week term, and was to be preceded by local *sejmiki*, which would elect envoys. The existing offices of state and court would be preserved and not added to. Without parliamentary consent, no form of taxation was to be levied.¹⁸ Most of these constitutional restrictions reiterated and brought together existing laws. It is not, however, entirely surprising that Henri of Anjou, having agreed to these articles for the purposes of election, balked at explicitly confirming them at his coronation. Unreserved confirmation came only with his successor, King Stephen Bathory, in 1576. The articles included a ‘*de non praestanda oboedientia*’ clause, releasing subjects from their obedience if the monarch failed to abide by his coronation promises – which also included a separate list of commitments made by each individual monarch, known as the *pacta conventa*.¹⁹

With the seemingly relentless rise of unlimited, even tyrannical monarchy elsewhere, and with the ever-present example of ancient Rome expounded on a daily basis in schools and universities, the nobility were constantly kept on their toes about what might happen in their own country. Ivan IV’s reign of terror in Muscovy was hardly likely to endear men with a strongly developed sense of their personal rights and immunities to the blessings of autocracy. The other and rather more pressingly immediate threat from the outside world was portrayed as coming from the Habsburgs. In one way or another they had been involved in Polish politics for well over a century. They had considerable support among the aristocracy and higher clergy: they could therefore be very plausibly used in the cut-and-thrust of Poland’s demagogic politics as a warning against one of their dynasty ever being elected to the Polish crown (as the Habsburgs were clearly interested in doing well into the seventeenth century). They lent themselves to portrayal as the suppressors of political liberties in Hungary and Bohemia (lands which had been ruled by Jagiellonian kings until the battle of Mohacs in 1526). As for France, it was, of course, home to a Valois dynasty prepared to countenance the massacre of thousands of its subjects. It is scarcely surprising then that Polish

nobles viewed monarchs with intense suspicion, harbouring designs against which careful precautions had to be taken.

Hence the Henrician Articles and the *pacta conventa*. They were there to ensure that the monarch co-operated with the nation of the nobility, and even more to ensure that he would be unable to roll back the freedoms which that nation had secured over the past two centuries. The Sejm would be called often enough to keep a check on the king, but would not sit long enough to allow him to use his influence to subvert it. The Polish king was a *princeps*, a 'leading dignitary' not a *dominus*, a 'lord'; he ruled 'not through the laws but under the laws'; he could do nothing against the laws, nor enact anything within the state without the nobility's assent.²⁰ *Rzeczpospolita* – the word can equally be translated as 'republic' or 'Commonwealth'. This was a republic with a crowned, elected head. That the monarch was a threat to his subjects' liberties was almost axiomatic. The effect of the Henrician Articles, designed to protect those liberties, was, however, to place monarch and subjects in perpetual antagonism, confirming the king as 'a foreign power'.²¹ Poland's very constitutional arrangements made of the monarch a threat to noble freedoms, setting the Republic's stage for a perpetual struggle *inter maiestatem ac libertatem*. Every king was a potential enemy who had to be constrained.²²

Rzeczpospolita, the republic the szlachta owned and worked, had different layers of meanings: the state, the estates of king, senate and nobility assembled in the Sejm, or the nobility as a whole:

This triad defines most concisely the concept of the state envisaged by the nobility, i.e., one in which the citizens regarded themselves not merely as a subject, but as the creators, owners and heirs of the state.²³

That state was the sum of its liberties; its *raison d'être* was their preservation. Without them, the Commonwealth meant nothing. Even under Sigismund I in the early sixteenth century, the most eloquent of *szlachta* orators, Stanisław Orzechowski, argued that such was the extent of noble liberty that nothing in Poland's constitutional arrangements, with their mix of monarchy, oligarchy and democracy, should be changed. *Omnis novitas nociva est*, 'every innovation is harmful' came to be a standard maxim of Polish politics. The Sejm of 1669 made of it almost a legal principle: '... every *novitas in Republica* cannot be without danger and great upheaval ...'²⁴ If new laws were to be passed, their purpose was to refine and clarify the old. A clear example were the measures introduced in 1607, which laid down how the mechanics of implementing the withdrawal of obedience to royal authority enshrined in law in 1572.²⁵

Somewhat surprisingly, perhaps, one of the most popular texts in circulation in seventeenth-century Poland was Justus Lipsius' *Politicorum . . . Libri sex*, first

published in 1589. Surprising, because Lipsius was one of the great heralds of absolute monarchy. Yet there was enough in his massive compilation of quotations and adaptations of ancient authors to appeal to a Polish readership. While Lipsius favoured strong monarchy, he did not altogether rule out the possibility of viable republics. He urged his princes to remember that they belonged to their 'Commonwealth' ('Respublica'), not the Commonwealth to them. He urged uniformity of religion, but was prepared to tolerate religious differences if they remained private – as almost certainly a majority of Polish nobles preferred, with growing earnestness at a time of triumphant Catholic reformation. Most of all, perhaps, his enormous work was a magpie-like compilation of ancient wisdom from which readers could pick at will. It was not to be the last time that Poles drew on the ideological resources of western Europe in order to accommodate them to their own needs.²⁶

From the mid-seventeenth to the early eighteenth centuries, the Polish-Lithuanian Commonwealth was subject to extreme, prolonged traumas, which only intensified the attachment of the nobility to its liberties. In 1648, a massive cossack revolt threatened to rip the state apart. 1655 saw the beginning of the so-called 'Deluge' (*Potop*), with at first seemingly irresistible onslaughts launched by Muscovy and Sweden, followed by Transylvania, Brandenburg and others. A population which probably stood at around eleven million in 1655 had, by 1667, fallen by between one quarter and a third: in some areas, the collapse may have reached as much as one half. Urban life disintegrated. The only major town to remain anything like intact was Danzig, behind its relatively up-to-date fortifications, sheltered by the sea and by the benevolent commercial interest of the Dutch and English governments and mercantile elites. The capital of the Grand Duchy of Lithuania, Wilno, was destroyed by fire in the Russian onslaught of 1655. During the Great Northern War of 1700–21, Russian troops largely destroyed and burned Witebsk, Mohylew and Grodno, Lithuania's other major urban centres. In Poland itself, Kraków was a devastated city, its treasures and especially its churches and religious houses systematically plundered by Swedish and Transylvanian troops during the Deluge, to be ravaged again during the Great Northern War only fifty years later. Its population barely reached 10,000 during the eighteenth century. After the 1650s, Warsaw was little more than a ruined shell, devastated by Swedish occupation and military contributions and looting by all sides. Its population and that of its suburbs plummeted from some 18,000 to around 6,000. The losses were made good by the end of the century, just in time for the Great Northern War to inflict comparable damage. In 1734, it may have numbered only 23,000 inhabitants, and even thirty years later, only some 30,000. Until the First Partition, Danzig, with over 40,000 inhabitants, was more important demographically than the capital, Warsaw. It was a measure of just how catastrophically urban life had been damaged and how difficult recovery

was that Danzig's population immediately before the Deluge had stood at some 77,000.²⁷ As for Poland's numerous Jewish communities, many emerged from these wars so wracked by debts (they were seen as fair game for extortion, sometimes for extermination, by all sides) that they remained financially crippled to the very end of the *Rzeczpospolita*.²⁸

It is clear that the Deluge and the Great Northern War inflicted on the Commonwealth a demographic catastrophe at least on a level with that of the Holy Roman Empire during the Thirty Years War. Insofar as recovery was under way by the end of the century, it was more than undone by the Great Northern War. Much about the impact of that conflict and the subsequent recovery remains uncertain. If historians are more-or-less agreed that on the eve of the First Partition of 1772, the Commonwealth boasted a population of some 14 million, there is no such consensus as to the figure fifty years earlier.²⁹ What the numerical losses of the *szlachta* during the Great Northern War were, it will doubtless be impossible ever to determine. One development that was clearly under way for much of the seventeenth and eighteenth centuries was the pauperisation of large swathes of the nobility and their growing dependency on magnates for service and livelihood. A second crucial development was that during the war, Russia established itself as a 'protective' tutelary power over Poland – and had no wish to see, nor would it allow, any initiatives to strengthen or reform it. As for the nobility themselves, the lesson they drew was not that their state required reform, but that their ancestral freedoms, protected by Divine Providence, had weathered the storm and that it was their duty to continue to cherish, preserve and defend them.

Recovery came quickest in the north, in Royal Prussia. The three 'Great Towns' of Danzig, Thorn and Elbing, dominated by German-speaking populations, plugged into German and Dutch commercial and cultural connections, were able to embark on a degree of recovery relatively quickly and even to participate in a modest, if genuine, efflorescence of cultural life by the 1730s, with the development of something of a 'public sphere' of intellectual exchange, active antiquarianism and development of learned societies. But the great mass of Polish nobility stood apart from this. The German-speaking Enlightenment of the Prussian towns, for all the genuine interest that it exhibited in the Commonwealth's condition and history, functioned in its own, largely separate world. At best, the Latin works of the Danzig jurist, Gottfried Lengnich, most notably his *Ius publicum Regni Poloni* of 1742, might attract some attention, but the implicit criticisms of many aspects of political practice which this commentary on Polish law and custom contained were hardly enough to ignite wider debate and certainly offered no directives as to what shape change might assume.³⁰ In one crucial aspect, in any case, Lengnich and his fellow intellectuals were as conservative as the *szlachta*: while they might notionally hope for change in

Poland's constitutional processes, they were adamantly opposed to any alteration in the status of the Royal Prussian *Respublica*. To do so would be to erode their own 'liberties'.³¹ Such feelings were hardly peculiar to the Royal Prussian urban elites: they were those of the *szlachta* itself.

Ancestral legacies

Most Polish and Lithuanian nobles lived in a pre-Copernican world. Those who would have departed from the truths laid down by the Catholic Church preferred to stay quiet or, in a Poland where most presses before the 1760s belonged to ecclesiastic institutions, found little opportunity to challenge or question accepted truths. Most either read nothing (because so many were illiterate) or confined themselves to devotional works, almanacs and calendars, with their prognostics, panegyrics and practical advice on the management of everyday rustic realities. They were ground not in a 'reflective' culture, but above all in a mythopoic world of popular folklore.¹ In 1743, a Saxon immigrant, publisher and intellectual, Laurens Mitzler de Koloff, indefatigable pioneer of enlightened (if mainly short-lived) periodicals, explained to the German literary reformer, Johann Christoph Gottsched, how public lectures on astronomy in the University of Kraków had to be purged of Copernicanism by professors who could believe in it only in the privacy of their own study.² When, two years later, the Reverend Benedykt Chmielowski published the first ever Polish encyclopaedia, *The New Athens or Academy of all the Sciences . . . , Constructed for the Wise for Recollection, for Idiots for Instruction, for Politicians for Example, for Melancholics for Amusement*, he affirmed Copernican teaching to be 'not in conformity with Holy Scripture . . . condemned by Pope Paul V in 1616' – but at least he conceded that the Copernican system was still disputed as only one of three viable cosmologies, alongside those of Ptolemy and Tycho.³ The best that could be said of this kind of literature, and of many of the almanacs and calendars the nobility bought, was that if these works did not seek to persuade them of the latest advances in scientific thought, neither did they try to conceal them. The great ideas of the day were not unavailable to the Polish nobility – they were irrelevant.

Did this matter? After all, throughout Europe, it was only a small sprinkling of nobles who kept themselves abreast of new scientific and cultural ideas; nor, by and large, were the nobility particularly noted for their intellectual abilities. But the Polish case was different: the nobility as a body considered themselves the Commonwealth's governors and legislators. Those who did harbour misgivings about their condition faced a huge problem in taking the mass of their brethren with them. Even the most powerful and most forward-thinking magnates were

wary of openly proposing any kind of radical reforms or simply failed to see how they could credibly do so, fearing that their fragile followings and clienteles might be all too ready to disintegrate at the prospect of change.⁴

Even relatively well-to-do noblemen were likely to live in a closed, parochial world. In the reminiscences he composed for his children after 1801, Józef Wybicki observed that he had received, by the standards of the time, a good education at the Jesuit college in Danzig (though he loathed his experiences there, marked by brutality, pettiness and the suppression of any signs of intellectual independence). He remembered fondly a childhood spent on a small, remote country estate in Polish Pomerania, marked by the innocent patriarchal and bucolic virtues of his parents – but of ‘geography, history, mathematics and all our literature’, he learned nothing. Aged only seventeen in 1764, he had already embarked on a seemingly promising legal career in the local chancellery (he was to become a judge the following year) – despite his ignorance of Poland’s ‘history, its political laws or relations with neighbouring nations and their policies’.⁵ In 1790, Franciszek Jezierski, digging lower down still, looked with semi-affectionate mockery to the palatinate of Lublin. Dozens of nobles, without a serf between them, might ‘own’ a single village. In this milieu, the young ‘Jarosz Kutasiński’ had ‘no knowledge of *szlachectwo*, for I was acquainted with persons of no other estate’. The family lived in a rickety shack made almost uninhabitable by vermin in the spring. His father was ‘a man by birth, a noble through chance and opinion, a farmer in fortune, if needs must a miller, a cobbler, a cooper etc., of necessity a peasant who had to perform labour duties for the local court clerk . . . but he was king of his estate with its revenue of 9 bushels, 3 pecks and 6 quarts of rye’. The benefits of liberty were reduced to glorying in the deeds of remote forbears and, for young Jarosz, after he was finally sent to school, consolation that no matter how badly he performed at his lessons, he was of superior social standing to some of his cleverer classmates. ‘I thanked Providence I was not descended from Cham . . .’⁶

The liberties in which the Kutasińskis revelled were ancient, immemorial, ancestral. Illustrious forbears had shed blood to secure and protect them. Their achievement carried an enormous emotional charge. For some, Poland had always been free. On the death of its legendary founder, Lech, some time before 700 AD, ‘the Poles called a Sejm to Gniezno to decide the governance of the Commonwealth’.⁷ To others, the idea of political freedom had originated in ‘Christian liberty’, which came with Christianity in 966 AD. Truly significant advances however came in the fourteenth century: first, under King Casimir III the Great, who ordered the laws to be written down and codified, thus providing a legal corpus which bound not only the subjects, but the kings themselves; and, secondly, under Louis of Hungary, who, in 1374 agreed that the nobility could not be taxed without their consent.⁸

The emphasis placed on different enactments varied, but there was no doubt of a series of ancestral milestones which cumulatively created 'Golden Freedom'. Łukasz Opaliński in 1648 and Stanisław Karwicky sixty years later pointed to the significance of the *Neminem Captivabimus nisi iure victum* privileges of 1430–33 in blocking arbitrary imprisonment – no nobleman, unless caught *in flagrante*, could be imprisoned save after due process.⁹ During the Sejm of 1754, the envoy Józef Pułaski hailed Casimir IV's grant of the Privileges of Nieszawa of 1454 which obliged the monarch to consult the nobility on summoning the *pospolite ruszenie* (the feudal levy of the nobility), on declaring war and which gave the nobility the right to elect the local, civil judiciary: 'Three whole centuries have now gone by since the democracy of the noble envoys first gained strength . . .'¹⁰ Szczepan Sienicki, in 1764, prefaced his *Newly-devised Means of Concluding Public Counsels* with an extract from the statute of 1505, popularly known as *Nihil Novi*: 'Nothing new should be enacted without the common consent of the [royal] councillors and the envoys from the localities'. On it 'all the laws of liberty and freedom rest'.¹¹

There was however little or nothing in the way of any systematic examination of the principles of liberty or politics. Virtually the only early eighteenth-century analysis (if it can be called that) of political principles aimed directly at a *szlachta* audience was to be found in the first Polish encyclopedia. Benedykt Chmielowski's *New Athens* allowed itself a cursory division of government into monarchy, aristocracy and democracy and their debased forms: tyranny, oligarchy, ochlocracy. He had almost nothing to say about them beyond characterising them as rule by the individual, the few or 'many among the common people'. Quite where Poland fitted in he left unspoken: it was clearly some form of mixed polity. The '*Status politicus* of Poland consists of three estates . . . the royal, the senatorial, the knightly . . .' Deeper investigation of the Polish polity and its principles was unnecessary for a nobility which knew itself always to have been its ruling element. Further analysis was otiose.¹²

The *szlachta* saw themselves as the beneficiaries of an unstinting royal generosity. Royal grants of privilege were generally portrayed as voluntary, or at least, willingly conceded, by rulers glowingly appreciative of their nobility's virtues. On the face of it this sat oddly with the remarkable lengths to which they had gone to restrict the powers of their monarchs.¹³ This vision of generally benevolent rulers was not one of how monarchy had been, but of how the *szlachta* wanted it to be: wise kings, ruling in partnership with their subjects. The harmony between the three estates of elected monarch, appointed senators and hereditary 'knights' (*rycerze*)/nobles made the Commonwealth strong and stable. The Jagiellonians could be portrayed as a model dynasty after 1572 not only because they were extinct, but because they had accepted the principle of election; the deeds of successive kings had been such that they had always been able to count

on the subsequent accession of their sons (the one supposedly Machiavellian Jagiellonian, King John Albert had a conveniently virtuous younger brother, Alexander, to succeed him in 1501). By the end of the sixteenth century, royal 'generosity' had conceded a huge range of 'freedoms': no laws or taxes could be enacted without the nobility's consent, no major foreign policy initiatives could take place without their agreement; they were exempt from customs charges on articles of personal use; non-nobles were excluded from all policy-making; the peasantry were tied to the land with no right of appeal from patrimonial courts. Bishoprics and most canonries were reserved for nobles. It is hardly surprising that the *szlachta* did not want their rights and privileges to be in any way curtailed. 'Living in a Republic I command my liberty in my own hand and, in a sense, I possess authority over that republic; whereas in a monarchic state, my security rests in the hand of another.'¹⁴

The most valued aspect of Polish monarchy was its elective character. The attachment of the nobility to royal elections, their view of them as one of the principal sources of their liberty, if not the principal source, should come as no surprise. Hard bargaining over the succession began in the fourteenth century, and continued throughout the reigns of the Jagiellonians. But the nobility were inclined to project it back, like their other freedoms, to the very earliest, legendary, days of the Polish realm. In 1764, Szymon Majchrowicz S. J., dated the principle of election to the legendary dynasty of Krakus. Piast, founder of the first historical dynasty, was supposedly elected by a Sejm at Kruszwica around 842 AD, as indeed was Poland's first historical ruler and Piast's direct descendant, Duke Mieszko I. 'On this basis of free election, the Poles have, throughout all the ages, built this precious construct of Golden Liberty.'¹⁵

The significance of royal elections did not, of course, lie simply in a supposedly timeless pedigree. Jan Dębiński was entirely typical in seeing them a crucial feature of Liberty itself. 'To lose the free election is to destroy our chief *Libertatis columnen* . . . It is Liberty's most profitable market-place, at which whatsoever she may need we succeed in bargaining for.' It was, after all, in interregna that the Commonwealth could exercise its sovereignty in untrammelled plenitude: 'What *privilegium* can be greater than this: to choose one's own ruler, to lay down the laws for him?' asked the author of *A Free Voice, Freedom Securing* (*Głos Wolny Wolność Ubezpieczający*) in the early 1740s.¹⁶

The *szlachta* made their republic: as its sovereign lords, they owned it and were determined to preserve their ownership. Their laws existed to keep its component parts in their place and to ensure its supposedly smooth functioning. When Augustus II called an extraordinary general assembly of envoys and senators (rather than a regular Sejm) in 1710, a suspicious electorate across Poland warned it should take no decisions of constitutional significance without reference to a Sejm.¹⁷ If senatorial councils called by the king were deemed to have exceeded

their powers, such as discussing *materiae status*, they could expect a sharp reproof – such discussions were a matter for the *szlachta* at the Sejm, not for small caucuses of ministers and royal advisers. The chronic inability of parliaments to reach a successful conclusion made no difference to such reproaches.¹⁸

Szlachta orators made much of their equality. In reality, of course, *aequalitas* was a fiction: not just because of the staggering disparities of wealth that existed, but because the *szlachta* themselves both craved and rejected it. It was an ideal to be aimed for, like so much else that the *Rzeczpospolita* stood for; but in the real world, nobles could not ascribe titles to themselves fast enough, even if they dressed them up as distinctions gained through service. If a humble ‘boundary commissioner’ (*komornik*) was proud of his title, so was his son (*komornikiewicz*). Individual *sejmiki*, at least notionally, tried to exclude landless nobles from the right to vote. Newly-created nobles were barred from office-holding for three generations. The nobility succeeded in blocking King Władysław IV’s plan for an Order of the Immaculate Conception in the 1640s, but, amid the chaos of the Great Northern War, Augustus II was able to set up, in 1705, an Order of the White Eagle – there was never any shortage of takers.¹⁹

The great aristocrats of Poland-Lithuania exploited their landed wealth to dominate the system and manipulated the rhetoric of noble equality and democracy to harness the *szlachta* at large to their ambitions. But their pre-eminence was conditional on accepting the rhetoric of this noble democracy. To challenge it was to court political death. The *szlachta* accepted the system because they, too, profited from it. Many appreciated the depth of their dependence on magnates in everyday life. But if the circumstances were right, they, not the *magnateria*, would decide the fate of the nation. In the royal election of 1672, a veritable gentry fronde took place, acclaiming its own candidate, Michael Korybut Wiśniowiecki, over the heads of infuriated but helpless oligarchs. Then there was that intoxicating, psychological sense of being free – whatever else was happening abroad, it had to be worse. The Polish nation, said Augustyn Kołudzki in 1727 was ‘the freest under the sun.’ Other voices echoed him. ‘We are happier in our liberty than all other nations.’ ‘In substance, our form of government is the most praiseworthy and nothing can be devised more useful for the general good or more secure to liberty.’ God had blessed Poland above all ‘with its Golden, priceless liberty, which has decayed in all other kingdoms.’²⁰

Above all, liberty (or ‘liberties’ – the word *wolność* was regularly used as much in the plural as in the singular) was contrasted with the harshness of servitude – indeed, only through such a comparison, was it possible for many to be conscious of its true worth. ‘We live’, wrote Łukasz Opaliński in 1648,

in security, knowing neither violence nor fear. The soldier does not despoil us, the tax collector does not exploit us, our ruler does not oppress us, nor does he force us to

endure heavy burdens . . . Informers . . . harsh punishments, imprisonment, arbitrary arrest, banishment, and, at the last, the death sentence, without the accused receiving a fair hearing – all these things are foreign to us, even as we hate them. We occupy ourselves with our Commonwealth, since it pleases us to do so. We take on obligations, without being forced to do so, we do not discharge them without cause . . . We can lead our private lives in safety, the conduct of office does not expose us to any fear . . . We have a king, but we are neither his hereditary possession, nor his patrimony, and we are only subordinate to his jurisdiction . . . He holds his power as laid down in law, but he does not stand above the law, conscious that he has been given to the citizens, and not the citizens to him.²¹

‘Negative’ liberty, ‘freedom from’ was assured. It provided the basis for ‘positive’ liberty – the freedom to participate in making law and conducting government – although most nobles saw freedom as a continuum of liberties from which something wider and precious emerged. Liberty gave rise to freedom of speech and expression, all supporting and maintained by equality, virtue, zeal for the faith and the common good.

The political culture that these values and traditions represented is usually described by the term of ‘Sarmatism’, after the Sarmatians, *Sarmaci*, the warrior-group from which the *szlachta* had sprung, as affirmed by humanist historians of the sixteenth century. The sense of Sarmatian exceptionalism and collective self-glorification was hardly new – it, too, was part of the ancestral legacy.²² An eighteenth-century Englishman would have recognised the heady force of such luxuriating platitudes, though he would doubtless have been surprised to hear them coming from the mouths of Catholic Poles. But there was more to it than psychological satisfaction or complacency. Men of wit and education, even if not necessarily of substantial wealth, did have genuine opportunities to better themselves and even make it into the ranks of the senate. Social ascent was accompanied by the acquisition of property and revenue: some fifteen percent of the surface area of Poland-Lithuania consisted of so-called ‘crown lands’, *królewszczyny*, parcelled out as individual estates known as *starostwa* (literally, ‘elderships’). These originally formed an immense royal demesne, but, by the later sixteenth century, were utilised as a form of remuneration and reward by the monarch for supposedly deserving service – the *panis bene merentium*, ‘the bread of the well-deserving’, conferred in life tenure. A law of 1632 specified that such vacant properties had to be granted to a new tenant within six weeks of the death of the previous incumbent. Their tenure could make an immense difference to the wealth and revenue streams of even the richest magnates, let alone ambitious parvenus.

The competition for office and crown lands was the principal driving force of Polish politics. At the top of the heap, the king had to be very careful not to