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Experiment in Political Organization in Renaissance Poland

Polski eksperyment ustrojowy w XVI wieku

Польский эксперимент государственного устройства в XVI в.

Sigismund Augustus, the last of the house of Jagiellons, died on 7th July 1572. The election of a new king became at once imperative because the throne of Poland had been elective since the time of Ladislas Jagiello, the founder of the dynasty. As long as there were male successors within the dynasty, nobody seriously considered electing a king outside it. But in 1572 the Polish nobility had to offer the sceptre to a new ruler, though in fact they hoped for nothing better than finding a new dynasty which, under the form of successive uncontested elections, would in practice supply hereditary monarchs as did the Jagiellons before them. This was indeed the case with the Vasas who, since the election of Sigismund III in 1587, sat on the Polish throne for eighty-one years.

The young Prince of Sweden, descended through his mother from the Jagiellons, was the third elected monarch. Before him were the French Prince, Henri de Valois, elected in 1573, and Stephen Bathory, Palatine of Transylvania, given the throne in 1575. Neither of them could give Poland a durable dynasty, since the former left Poland for France after only a few months and the latter died without issue.

In comparison with the other European countries Poland had an entirely original political system which was largely worked out and put into practice by Jan Zamoyski, the principal maker of that great political experiment known as "the Royal Republic". When Sigismund Augustus died without leaving an heir, the safety and the future fate of Poland be-

came at once uncertain, because the highest authority in the country rested with the General Assembly of the Polish Diet (Sejm) which consisted of three estates: the King, the Senate and the Chamber of Deputies. The death of the king reduced the number of the estates to two and disturbed the normal functioning of the diet. Earlier this kind of procedural problem had been easily passed by because the king's successor was known in advance, as he was traditionally found within the Jagiellonian dynasty. Its expiration now made uncertain the durability of the recently concluded union with Lithuania as it also weakened bonds with the other provinces in the country and almost brought to a halt the work of the highest organs of government. A speedy election of a new monarch was therefore an acknowledged necessity but it was not clear how and by whom he was to be elected. Under the circumstances it became necessary to examine past experience in detail. An important role in the search for precedents was played by Jan Zamoyski, a former student of the University of Padua, who was later the king's secretary. Acting on the request of Sigismund Augustus, he had put to order the archives of the State and in performing this task had become thoroughly acquainted with the laws of Poland. He found that the nobility of the Cracow district had adopted solutions first proposed at the Confederation of Korczyn in 1438 and that, similarly, the nobles of Great Poland had taken the Confederation of Radom as their model. Following these examples Zamoyski went back to the acts of the Ruthenian Confederation of 10th July 1436 covering the voivodship of Ruthenia, Podolia and Chełm.¹ On 29th September 1572, owing to his own initiative, an act was passed at the provincial diet at Krasnystaw. In substance it was modelled on the act of the Ruthenian Confederation of 10th July 1436, but while the earlier law concerned only the provincial diet, the present one, decreed at Krasnystaw, was to regulate a national problem, i.e. the election of the king. It was stressed in the new act, passed "in complete unanimity of the minds as well as the hearts", that the actual electing of the new king should be done by "all dignitaries, holders of offices and all the men belonging to the rank of knights, that is all those whose duty it is to conduct wars. They should all likewise go to the election and not one of them should tarry behind unless he be laid down with sickness or with plague."² This indicates that taking part in the election was obligatory, according to the principle of *viritim* — personal participation and voting. Zamoyski argued that

¹ In difficult moments, when Poland was facing grave problems, their solution was attempted in an extra-legal way, by the formation of a Confederation. It was a special, temporary system of government, adapted for times of general emergency.

² W. Sobieski: *Trybun ludu szlacheckiego*, [in:] *Pisma historyczne*, [Tribune of the Nobility, Historical Writings], Warszawa 1978, p. 95.

every nobleman should have a right to participate in the election of the king, since every member of the estate had a duty to defend his country. According to Zamoyski direct election of the king by the nobility is the fundamental right of the estate and a guarantee of all the other rights. The act initiated and vigorously advocated by him expresses it in the following way: "[...] we announce it to all whom it may concern that, unwilling to relinquish that one of our liberties which is the foundation of all the others, that is [...] the election of our lord and master [...]"³ He was later to return to the same conception in the famous oration against the Habsburgs during the second election (1575) when, addressing the nobility, he spoke with unshaken conviction about the *viritim* election as about the first and foremost liberty of the estate. "First we choose our kings personally," he said, "and none of us obeys the government if he has not voluntarily subordinated himself to it [...] we are so free ourselves that neither the king nor any representative of his has any power over us but that which we ourselves have given them through public laws. Therefore the king cannot deprive any one of us of his honour, his property, or his life, or else imprison anyone, unless he has been lawfully tried and condemned."⁴

Zamoyski presented the principles of the Polish political system, the role of the nobility in it and the function of the monarch in the famous *Oration to Henri de Valois*⁵, written by him in September 1573 in Paris, where he was staying as a member of the Polish delegation to the French court. The delegates were to conclude the negotiations concerning the *pacta conventa* as a condition of handing over the Polish crown to the newly elected king.

Using words full of national pride and love for his country, Zamoyski described its wealth, the virtues of its citizens, the valour of its soldiers, the patriotism of its nobility, and the political liberties which he regarded as the foundation of the country's prosperity. He also explained the principles of the Polish *Raison d'Etat* supporting in internal policy the

³ *Ibid.*, p. 95.

⁴ *Rajnolda Hejdensztejna, Sekretarza Królewskiego, Dzieje Polski od śmierci Zygmunta Augusta do roku 1594, Książ XII*. [*The History of Poland, from the Death of Sigismund Augustus to 1594, by Rajnold Hejdensztejn, the King's Secretary, XII Books*], Translated from Latin by Michał Gliszczyński, St. Petersburg 1857, vol. I, p. 215.

⁵ The next in: *Archiwum Jana Zamoyskiego, [The Archives of Jan Zamoyski]*, vol. I, pp. 450—469. Ultimately, the oration was not delivered to King Henri de Valois. However, since it expressed aptly the opinions of the members of the delegation, it was included among its documents with a note saying: "Though the Sub-Prefect of Belz [Jan Zamoyski] did not present this oration publicly, it is so beautifully written that it deserves inserting here."

idea of religious tolerance, and postulating in foreign policy a peaceful collaboration with the country's neighbours in place of hostility that only did damage to it. Speaking of the reason why Henri de Valois had been elected the king of Poland, he explained that what had been considered, apart from other circumstances, was the fact that the prince was the son of a nation with which Poland had never had any conflict or any war; more than that, for centuries even individual Polish citizens never had any misunderstanding with that country.⁶ The Polish kings, Zamoyski continued in his *Oration...*, are elected. They must have many virtues and must be distinguished by a real greatness of mind to carry out the task undertaken by them. And since the king is elected for the good of the citizens he should first "[...] be concerned about the profits and privileges of the citizens, in public affairs as well as in private, and never let himself be carried away by anger, pride, or asperity in his contacts with any one."⁷ Qualities such as magnanimity kindness, generosity and wisdom win the king wide approval and great respect among his subjects, who value in their ruler above all "a mind capable of seeing far", courage and justice, especially when the merits of the citizens are concerned, but also their kindness, magnanimity and wisdom. The security of Poland and Lithuania depended on the valour of the knights of these countries and the only way in which a man could become a member of the nobility was by performing a brave deed in war, hence the whole estate was distinguished for its knightly valour and its constant readiness to "defend in their country the hearths, the women and children, the honour of the ancestors".

The civic virtues of the nobility and the readiness of its members to lay down their lives in defence of their country justify their privileges. This is the reason why noblemen sit in the senate, hold Church and government offices, or are appointed court judges. "Noblemen in Poland — Zamoyski continued his explanation — together with the senators and a group of representatives of townspeople, elect the king by general vote; their representatives make laws; they acquire high dignities; their lands have for a long time been free from the payment of any dues and are not taxed by the treasury. On the contrary, successive kings have done their best to enlarge noblemen's estates."⁸

Given so many privileges, those belonging to the ranks of the nobility must be exemplary in their readiness to sacrifice themselves for their

⁶ *Mowa Jana Zamoyskiego do Henryka Walezego*, [Jan Zamoyski's *Oration to Henri de Valois*], Translated by Janina Niemirska-Pliszczyńska and Kazimierz Pluciński, „Roczniki Humanistyczne”, vol. XIV, No III, Lublin 1966, p. 120.

⁷ *Ibid.*, p. 128.

⁸ *Ibid.*, p. 130.

country. They must also have firm moral principles, be noble in all their enterprise and of flawless morality. Such should be their conduct, because all the dignities and privileges of which each is so proud "[...] become worthless when a man loses his good name. For those noblemen who have disgraced themselves by cowardice or a shameless deed performed in the time of peace are regarded even by their relatives, their wives and children — and that in accordance with ancestral customs — as unworthy of their privileges and unfit to participate in social and economic life; nay, as such that have forfeited even the right to tread the ground of their mother country." ⁹

The moral worth of the nobility is a guarantee of the prosperity and continued development of Poland. Thus the state — that republic of the nobility — draws its strength from the perfection of its citizens, who care for the state even more when it needs more protection. This is why, even though after the death of the last king "the voice of the law was heard no more and authority lost some of its power" not only was there no disorder in the country, but, on the contrary, "old conflicts that had arisen from personal differences between men, were now put aside for the sake of the Republic". The administration of justice suffered no interruption; on the contrary, punishment for breaking the law became more severe. Peace and order increased in the country and nobody would be permitted to make a profit on the election.

Among the many excellent institutions and perfect laws and customs in Poland. Zamoycki singled out for special praise and commendation the principle of granting dignities and positions of honour to the best and most deserving citizens, instead of making them hereditary and thus kept within one family. In his view, this principle contributed largely to the consolidation of the country and the spreading of its fame. Honours are open "[...] not to a handful of the select, but to all those among the nobility who shine with talent, courage and merits in the service of the Republic. In such a manner many people, through their merit alone, rise slowly, step by step, from low station to the highest social rank and great fortune. In view of the possibility of getting so numerous and so high rewards, our country shall never lack citizens both prudent and loving their country and ready to risk their lives in defending the lands, the dignity, the greatness of the Republic [...]" ¹⁰

The Republic, strong in the devotion of its citizens, gives them in return the supreme and most desirable gift: liberty. The defence of this liberty should likewise be the principal task of the newly elected monarch and it is this that Poland — his new homeland — begs him to consider

⁹ *Ibid.*, p. 131.

¹⁰ *Ibid.*, p. 133.

foremost. Speaking through the mouth of Zamoyski Poland thus addresses the new king: "Inspired with this hope I entrust to your care my whole state, possessions, wealth, laws and — finally — the liberties of my citizens; and one may say that their liberty is more precious to them even than their lives. What is more, I have full assurance that you will care no less for that liberty than you care for yourself."¹¹

Zamoyski's oration brings to mind the closing passages of *Book I* of Machiavelli's *Discorsi sopra la prima deca di Tito Livio*, where he speaks of the superiority of the republican system over even the best forms of autocratic rule. Zamoyski is convinced that the nobility, patriotic in spirit as well as in deed, is the main and fundamental condition of the existence of a strong political system. Classifying societies, like Machiavelli, as corrupt or morally sound, Zamoyski shifted the problems of political system to the ethical plane, optimistically regarding the civic virtues of the Polish nobility as the essence of the "Royal Republic".¹²

Zamoyski was doubtless the moving spirit of the first three elections. He decided their results and, until the end of his life in the first years of the seventeenth century, he was active in shaping the political affairs of Poland.

What was the essence of the Polish experiment in political system which, within our country, was called paradoxically the „Royal Republic”?

During the first interregnum, which happened after the expiration of the Jagiellonian dynasty, there came into existence the political rule that every nobleman had a right to participate in the royal election and even to be a candidate to the throne. The other principle, accepted since the election of Henri de Valois, sanctioned the practice of adding to the traditional institutions of the Polish parliament detailed clauses which imposed on the future monarch some special obligations. These were the famous *pacta conventa*, a kind of contract between the nobility and the newly elected king.

As was indicated above, the chief architect of the new political system, which — in principle — survived in Poland until the Partitions, i.e. till the second half of the eighteenth century, was Jan Zamoyski. He was a man of distinction among the lesser nobility, because already as a young and talented politician he knew thoroughly the Polish national tradition and was trying to combine it with his own ideal political system which was modelled on the ancient Roman republic. He found a strong argument in favour of his idea of political system. It was the fear of the nobility that the newly elected king might want to restrict their rights, the more

¹¹ *Ibid.*, p. 136.

¹² G. L. Seidler: *Przedmarskowska myśl polityczna*, [*Political Thought up to Karl Marx*], Kraków 1974, pp. 412—413.

so that there was a distinct tendency in Europe at that time to strengthen royal power by curtailing the liberties of the privileged estates. Moreover, Protestant nobles could well distrust the French prince, Henri de Valois, who came from the country where his brother, the king, permitted the slaughter of the Huguenots called St. Bartholomew's Night. This fact could have been regarded as a challenge to the decisions of the Warsaw Confederation of 1573 guaranteeing unconditional and perpetual peace between different churches and at the same time promising dissident noblemen equal rights with Catholics and the same protection of the state.

It should be emphasized that in religious matters both King Stephen Bathory, elected after Henri de Valois, and Chancellor Jan Zamoyski, were advocates of tolerance, which saved Poland from internal religious strife. Speaking about dissidents in Poland, Zamoyski postulated guaranteeing to them freedom of religion and the preservation of tolerance in the country. "[...] when religious conflicts erupted in all countries, Poland alone maintained peace, and by what means? — asked Zamoyski — Because she forbade insults and wrongs, made laws not by force but by appealing to reason and to conviction about their justice, and, above all, because she rewarded everybody, whether with property or with honour, strictly according to merit. This is true justice and such justice should be the foundation of the republic and of civic harmony."¹³

For Poland in that epoch the basic problem was how to maintain an equilibrium between the idea of freedom for the nobility, on which the concept of that particular political system depended, and the royal authority which, since the end of the fifteenth century, was being gradually restricted.

Glorifying the liberty that the nobility was enjoying in Poland, Zamoyski was yet aware of the need to strengthen civic virtues and respect for the law as well as the need to develop a respect for authority. "One cannot judge about the happiness of people by their mechanical products or by the walls and the spaciousness of the buildings erected around — and of these we have no shortage — but by the liberty, virtue and good manners of the citizens [...] May the king be only a good steward and he will not lack anything that is necessary for the preservation of his glory, nor for the repelling of external enemies, nor — if it be necessary — for launching an attack on an enemy in order to revenge some wrong done to our nation."¹⁴

Jan Zamoyski was fully aware that the concept of the Polish political

¹³ *Rajnolda Hejdensztejna, Sekretarza Królewskiego, Dzieje Polski...*, vol. II, p. 119.

¹⁴ *Ibid.*, vol. I, pp. 217 and 220.

system, that Royal Republic, had to rely more than absolute monarchy on rigorous obedience to laws and the maintenance of internal order. And, accordingly, made vigorous efforts to achieve these conditions. Only in the last years of his life did he become the head of the faction that opposed the pro-Habsburg policy of Sigismund III. This was the result of the ties between Sigismund III and the Catholic party which sought an alliance with the Catholic Habsburgs. For the same reason, in 1596, a campaign was launched on the king's initiative to bring to the Catholic religion the Ruthenian people belonging to the Orthodox Church, which, predictably, caused serious religious conflicts.

Sigismund III of the Vasa dynasty was the King of both Poland and Sweden. This personal union between the two Baltic Powers proved a failure. Sigismund met with a far stronger opposition in Sweden than in Poland. In the Protestant part of his inheritance he was treated with distrust and hostility as a Catholic monarch, whereas in Poland Chancellor Jan Zamoyski accused him of intending to violate constitutional liberties and planning to impose absolute rule on the country. Under the reign of Stephen Bathory, Sigismund's predecessor on the Polish throne, Zamoyski had held two supreme offices — that of chancellor and of hetman¹⁵ and had then been the mainstay of the royal authority, but now he opposed the new king and defended the traditional political institutions.

The political reforms which were the cherished plan of Sigismund III were in keeping with the ideology of the Jesuits who supported the absolutism of Catholic monarchs. This doctrine was expressed in Poland by the Jesuit, Peter Skarga, famous for his *Seym Sermons*.

Though critical of the court policy, Jan Zamoyski opposed firmly all plans to plunge Poland in a civil war as this would lead to the disintegration of the political organism. He was also warning both the king and the nobleman that an irresponsible policy directed against Moscow, and dictated by a desire to spread to the east the influence of Rome, would do damage to the interests of Poland. He was, however, unable to change the course of the Polish policy and its deplorable results. With his death on 3rd June 1605 Poland lost a great statesman, humanist, patron of arts and sciences, the founder of a university in his town, Zamość, in short — the most eminent representative of the generation that remembered the epoch of Renaissance Poland.

The idea of the republic of the nobility, which shaped the political organization of the Polish state called a "commonwealth", was a negation of, and a challenge to, the absolute rule in the countries surrounding

¹⁵ In the Polish-Lithuanian State the hetman was the chief of the armed forces and commander in the field when the kings was not present.

Poland. Undoubtedly, the Polish political system — a democracy of nobles — was from the start a bold experiment, difficult to put into practice, requiring high political culture and a sense of civic duty from the nobility as well as prudence from the king, if the country was to maintain its proper position among the other European states. It seems that the unique system, which was developed in Poland, could function only so long as it was possible to maintain an equilibrium between the rights of the nobility and the claims of royal power. It could likewise last only when the noblemen were motivated by a sense of responsibility and acknowledged their duties towards the state. Jan Zamoyski had always admirably understood this as is shown by his political practice and his theoretical reflection, contained in his excellent work *De senatu Romano*, as well as in his numerous political addresses delivered at the sessions of the Sejm, the provincial diets or in the famous *Oration to Henri de Valois*.

When, after Zamoyski's death, Nicholas Zebrzydowski, Palatine of Cracow, made an unsuccessful attempt to play the role of a great chancellor, defending the rights and liberties of the nobility, he provoked a civil war known as "Zebrzydowski's rebellion". This was because he had neither the prudence nor the political talent of his predecessor. Zebrzydowski argued that taking arms against the king was justified when that king violated the constitution, because he had then no longer any right to the obedience of the citizens. Zebrzydowski, a devout Catholic and founder of a shrine, gathered all the malcontents round him and allied himself with the Protestants who were dissatisfied with the Jesuit-inspired policy of Sigismund III. Though the rebels were defeated in a bloody fratricidal battle of Guzowa, Zebrzydowski's rebellion — the first in our history — had tragic consequences. The monarchy lost its moral prestige, the nobility came to regard the Polish political system as perfect and sacrosanct and so any possible plans to reform it had to be postponed for a long time.

Harassed from within by Zebrzydowski's rebellion, Poland became additionally involved at the time in a conflict with Moscow in consequence of her ill-considered policy of adventure in the east. Some nobles and aristocrats, disguising their hope for plunder with high-sounding rhetoric about their Catholic mission in the east, gave their assistance to an impostor and set out to invade Moscow. This is a well-known and lamentable history of the self-styled Tsar Demetrius.

STRESZCZENIE

Na czym polegał polski eksperyment ustrojowy, ukształtowany w drugiej połowie XVI wieku, paradoksalnie nazwany „królewską republiką”?

Otóż w czasie pierwszego interregnum, które miało miejsce po wygaśnięciu dynastii Jagiellonów (r. 1572), ustaliła się zasada ustrojowa głosząca, że każdy szlachcic ma prawo osobiście uczestniczyć w wyborach króla i że sam może być wybrany królem. Jednocześnie przyjęto drugą zasadę, datującą się od wyboru Henryka Valois, że tradycyjne instytucje polskiego parlamentu muszą być uzupełnione szczegółowymi klauzulami, które nakładały na przyszłego monarchę specjalne zobowiązania. Były to sławne *pacta conventa* — rodzaj umowy pomiędzy szlachtą a nowo obieranym królem.

Nowy system ustrojowy, trwający w Polsce w zasadzie do rozbiorów, a więc do drugiej połowy XVIII wieku, był głównie dziełem Jana Zamoyskiego, który od śmierci ostatniego Jagiellończyka do pierwszych lat XVII wieku aktywnie oddziaływał na bieg polityki państwa.

Niewątpliwie nowy ustrój Polski był śmiałym, ale zarazem trudnym do urzeczywistnienia eksperymentem, wymagającym od szlachty wiele kultury politycznej i poczucia obywatelskiego, a od władców — mądrości. Wydaje się, że ustrój ten mógł należycie funkcjonować dopóty, dopóki można było utrzymać równowagę pomiędzy prawami szlachty a autorytetem władzy królewskiej i dopóki szlachtę przenikało poczucie odpowiedzialności i zrozumienia obowiązków wobec państwa. Tymczasem niemal natychmiast po śmierci Jana Zamoyskiego rebelia szlachecka (r. 1607) przeciw królowi zachwiała autorytetem tronu. Monarchia straciła moralny prestiż, szlachta uznała ustrój Polski za doskonały i nienaruszalny, tak że na długo musiano zrezygnować z jakichkolwiek prób jego naprawy.

РЕЗЮМЕ

В чем заключался польский эксперимент государственного устройства второй половины XVI века, получивший парадоксальное название „королевская республика”?

Итак, еще во время первого бескоролья, которое наступило после упадка династии Ягеллонов (в 1572 г.), установился принцип государственного устройства, по которому каждый шляхтич имел право лично участвовать в выборах короля и сам мог быть избран королем. Одновременно был принят второй принцип, датирующийся выборами Генриха Валуа, по которому традиционные институты польского парламента должны быть дополнены специальными клаузулами, накладывающими на будущего монарха специальные обязательства. Это были знаменитые *pacta conventa* — вид договора между шляхтой и новоизбранным королем.

Новая система государственного устройства, сохранившаяся в Польше по существу до раздела, т.е. до второй половины XVIII века, была делом Яна Замойского, который от смерти последнего короля из династии Ягеллонов и до первых лет XVII века активно влиял на ход политики государства.

Несомненно, новое государственное устройство Польши было смелым и притом трудным для осуществления экспериментом, требующим от шляхты большой политической культуры, сознания гражданской ответственности, а от мо-

нархов — мудрости. Мы думаем, что это государственное устройство могло правильно функционировать до тех пор, пока можно было сохранить равновесие между правами шляхты и авторитетом королевской власти, пока шляхта испытывала чувство ответственности и понимание своих обязанностей по отношению к государству. Тем временем, почти сразу же после смерти Яна Замоиского мятеж шляхты против короля, поднявшийся в 1607 г., поколебал авторитет трона. Монархия потеряла моральный престиж, шляхта признала государственное устройство Польши доскональным и нерушимым, так что попытки внесения каких-либо изменений были прекращены на долгие годы.

