The Government Act – Constitution of 3rd May 1791

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The Government Act – Constitution of 3rd May 1791

230 YEARS OF THE CONSTITUTION OF 3RD MAY

Warsaw 2021

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Introduction

The Government Act of 3rd May 1791

The legislative legacy of the Polish Assembly or Parliament (Sejm) which sat between 1788 and 1792, usually called The Four-Year Sejm or The Great Sejm, saw the passing of 489 separate constitutional acts. However, only one of them managed to gain immortality and, in the 19th century, when the country was partitioned, it became a reference point and source of inspiration. After Poland regained independence, the day on which the act was passed became the Polish National Day. We are of course talking about the Government Act passed on 3rd May 1791, commonly known as the Constitution of 3rd May. The Central Archives of Historical Records (Archiwum Główne Akt Dawnych, AGAD) is particularly well placed to popularise knowledge about the Constitution of 3rd May and the times during which it was passed, as it holds a great many precious documents about the Constitution, including handwritten original copies of the text. The goal of this publication is to present selected documents that will illustrate the path that led, after more than two years of deliberations, to the passing of the first democratically-ratified, modern constitution in Europe, as well as its fate. The documents are taken from files and archive collections which include materials from the times of the Four-Year Sejm. These are the Archives of the Four-Year Sejm (Archiwum Sejmu Czteroletniego, ASCzt.) - material from the office that was working during the sessions of the Sejm that served the senators and deputies – as well as the Potocki Public Archive (Archiwum Publiczne Potockich, APP), which contains many pieces pertaining to Ignacy Potocki, one of the most important authors of the Constitution.

43. Maja 1791 Ustawa Rzadowa. W Junie Boga is Frayey Juristey jedywego. Drawistaw August & Boing Tashi y Woli Navodu Thiol Volshi, Wielli Sigze shi, Rushi, Prushi, Marowiechi, Tundali, Hijowshi, Wotyushi, Bodolshi, Soila Mii, Juflantshi e moluciliezo fremie chowshi, wraz z Sanami Shoufederowa nemi w didabie podwogney Navod Polslie representuiacemi. Uzuaine in Los nas warystlich, od ugronto wania y wy oshowaleina hourtytery e Vandowey jedynie Rawis, Itugin Doswiadereniem poruaw hy radawnione Argdu Hassego wady, a chine long star zpory wjaliny vy Europa znayduiery ztry Dogorywaigcy Chevili, litora Mas Janyu Sabie 2000 cita, wolui od haubigeych ober processory nalesnow, cuine droicy was types, was sure liword osobifta, Existenya Solitgerue, niepodlegtose zewagtrana, ywoluor' weweghang Nacodu, litorego Los corga Mafre iest powierrowy, chege oran un Blogoflawing two wa worie rusi wopod-cresuyer y prayoztych Soleolei zasturine, mino preschod, letore a las manuiprosici denacoroai mogaz dadobra pourre. chueyo, dla agnutocoarica Wolevie Ita ocalenia Byery ruy napry, ruaywillerry Statoric Ducha, + yiey granic univer be hourtytungs achusalacuy, yte cathowin za Swie fa za view zniszowa dele laniewy do poli by Naid werasie Prawew przepisange , wyrazuce looly Swoin incurrent posseby Duisemenia w Mier jalingo Artyleutu. Doltory to Roustyling; Dalere ustany Jeyour teraraiey Beyo wewszystlin Hosowai fi unia;

Handwritten originals

Three handwritten originals of the Constitution of 3rd May are currently held by the Central Archives of Historical Records in three different archive collections. All three have very different histories, but one thing in common: they all found their way to the Central Archives of Historical Records and are still held there today. The most important one, beyond any doubt, is located in the 7th Department of the so-called Lithuanian Metrica, in book no. 4 which is the second part of all the constitutional acts ratified by the Sejm. In the final years of the former Polish Commonwealth, it was in the possession of the highest governing echelons and, after the collapse of the Kościuszko Uprising, it was taken to Russia from whence it returned only after the Treaty of Riga (1921). The second copy found its way into the hands of one of the participants of the Sejm - Stanisław Kostka Potocki and was put into his Wilanów collection. It remained there until the collection was nationalised after World War II as a result of agricultural reform. It is held in the 2nd volume of manuscript no. 100 of the Potocki Public Archive, which is also a collection of the constitution acts from the Great Sejm. The third copy, which is actually the first one of the three, is the least known. It was preserved inside volume XX of the Archive of the Four-Year Sejm and, in contrast to the other two, bears only the signatures of the Sejm's marshals as well as a few editorial corrections. Indeed, it was from this copy that the secretary of the Four-Year Sejm, Antoni Siarczyński read out the text of the Constitution Act during the sitting.

The Government Act, a fair copy of the Constitution, manuscript, 23.5 × 39 cm, in a book including, *inter alia*, fair copies and drafts of the constitution of the Sejm of 1790–1791, held in the Archives of the Four-Year Sejm (hereinafter: ASCzt.), vol. XX, pp. 91–101 A copy from the Archives of the Sejm, signatures of the marshals Istawa Rzadowa

CU Inie Boga w Troycy Swięty Jedynego. Itanistaw August z Bozey Laski y Woli Narodu Krot Lotski Wietki Kiąze Litewski Ruski Lruski, Mazowiecki, Kraudzki, Vijowski / Wolynski Rodolski, Bodlaski, Inflantski Invlenski, Stewierski y czerniechowski wraz z Stanami Ikonfederowanemi w liczbie podwoyney Narod Polski, reprezentuiacemi

Canaige in los Was roszystkich & ugruntow ania y roydoskonalema Constytucyi Narodowey iedynie zawist, Stugin doswradczeniem pozna. wy radawnione Know Warney wady, a cheas korrystac z pory w iakiey sie Europa znayduie, y ztey dogorywaiacey chunili, ktora Mas Sampen sobie revocita, wolni is handiacych Obcey przemocy nakarow cerias drozey nad zycie nad prozestiwość wobista, exystencya polityczne niepooleglose rewastrzna y wolnow wewnstrzna Warodu, ktorego los w rece nauxes iest yourierzony, chear oran na blogostawichstwo, na wexigennesse wapotereonych y przysztych pokolan zasturyc, mimo yme sakod, ktore w Nas namistrosu sprawować moga dla dobra yourse chnego, Ila ugruntowania roolnoini, Ila ocalenia Dyczyzny Marzey y icy granic & maywighoza statescia ducha minicyoza, honstytunge, ruchwa lamy, y to cathowicie za Juista, za niewzruszona 'deklaruieny, dopokibu Ward w crasie Frawen przepisanym wyrazna, Wola swein nie. urnal potrzeby demienia w niey iakiego Artykuta. Doktorey to Konstytuyi, Valore Ustawy Suymu terannicyszego we wszystkim stosowac sie main

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) Neligia Narodowa, panuiaca, ice y bedrie, Miara Swistas Rzym ska Katolicka, ze roszystkiemi icy zerawamis Porzewice od Wiary panuiacy wiakiego kolwick Orznania, ics zabronione, nod karami apo stanyi. Ze zas taż sama Wiara stroista zerykanie. Nam kochac bli znich Narzych, przeto wszystkim lidzionw iakiego kolwice. bed wyznania

The Government Act, original, Polish, manuscript, 40 × 25 cm, in a book containing the acts of the Sejm of 1791, kept in the collection of the Potocki Public Archive (hereinafter: APP), sign. ref. 100, vol. 2, pp. 74–84 A copy from the Potocki Archive, signatures of the marshals and deputies

W Inie Boga w Troycy Swietey jedynego.

Janislaw August z Bozey Laski y Woli. Várodu Jirol Blski, Wielki Kiaże Litemski Ruski Pruski Mazowiecki Linudzki, Jijonski Wolynski Bodolski Bollaski Inflanzski Imolenski Siewierski y Gernie: chowski, wraz z Stanami Skonfederowanemi w Liczbie pod woiney Narod Blski reprezentuigcemi

Annaige is Los Mas werysthich So upruntowania y wy: diskonatenia Thonstytucyi Marodowey i edynie Lawist, Stugim deswind exemien pornawszy sa dawnione Ragdu Maszago Wady, a cheqe Horzystai z pory wiakiey sig Europa Inayduic, y z teg Cogory waracey chwili, Rora nas samyon lobie, wooila, wolni Shanbigey ch Bbery mizemory Marazow, cenize drozey nad type na drese hiving Sobista, Exystency & Solityerne, niepodlegton be ungtrana, y wolnose wewne trang Marodu, Ktoreyo los willer no Use isst powiersony, chease oran na blogostawienstwo, na wolzigeany Wopol-czesnych y may satuch Boxolen zasturyć, mimo macsa kod Reve w Vas namiętnisu sprawowai mogo da dobra powszechnie dla ugruntowania wolnosi dla Ocalenia Oyezyzny naszey y fly granic, & naywickoza stato via Ducha, nimiey sza honstytury c. uchwalamy, y to cathowice, ta Swigta za niewz muszona dente miny dopokiby Marin w crasie Brawen przepisanym, wynażna Wola Swoia, nieuznat potrzeby Diminienia w Niey iakiego arty Kutu. Do ktory to Constituing, Dalore Ustawy Soymu terariney Whego we wszysthim stosowai sig marg .-

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The Government Act, original, Polish, manuscript, 40×25 cm, in a book containing the acts of the Sejm passed between 16th November 1790 and 29th May 1792, held in the collection of the so-called Lithuanian Metrica, section VII, sign. ref. 4, sheets 75–82 A copy which, after the ending of the Sejm, was passed to the Crown Metrica, signatures of the marshals and deputies

The Sejm (Parliament)

The Four-Year Sejm (also known as The Great Sejm) was a parliamentary session of the Polish Commonwealth which sat from 6th October 1788 until 29th May 1792 in Warsaw. On the second day of deliberations a Sejm Confederation was formed. The Crown Referendary, Stanisław Małachowski, was appointed Marshal of Confederation of the Crown (the day before he had been chosen as Marshal of the Sejm), while Prince Kazimierz Nestor Sapieha, a General in the Lithuanian Artillery, was appointed Marshal of the Lithuanian Confederation. In accordance with the confederation act, the rule of *liberum veto* was not binding during the Sejm and decisions were taken either by acclamation or by majority voting.

The Sejm held 565 sessions, during which it passed around 500 laws. Around 530 senators and deputies took part in the deliberations, the majority of whom went on to take part in the Kościuszko Uprising, to fight in Dąbrowski's Legions and to organise the Principality of Warsaw. From the outset of the deliberations, the Sejm was politically heated, saturated by a patriotic, anti-Russian and proreform atmosphere. In the early sittings, the Sejm focused on tearing up the existing political order established during the Partition Sejm of 1773–1775 which had been controlled by the Russian Ambassador, Otto Magnus Stackelberg. One of the first decisions of the Great Sejm was an act from 20th October 1788 on increasing the size of the army from 18,500 to 20,000. On 3rd November 1788 the Military Department of the Perpetual Council was abolished, followed by the Perpetual Council itself on 19th January 1789. Both were seen as instruments of Russian rule. Next, the Sejm began to build the foundations of the new political system. In early 1789, it increased taxation on royal lands, introduced income tax on landowners and the Church. In November 1789 it established a civilian-

The act of establishing a general confederation (the day after the commencement of deliberations, at the second session), 7th October 1788, Warsaw; AGAD, ASCzt, vol. XV., sheet 664 (print)

AKT KONFEDERACYI GENERALNEY W SEYMUIĄCYCH STANACH OBOYGA NARODOW.

My Rady Duchowne y Swieckie y Postowie w Obecności Naylaśnieyszego KROLA Jmcł Pana Naśżego Miłościwego z naywyższą Approbacyą y przewodniczym podpisem Nayłaskawsze Reki Jego, Zgromadzeni, nie innym tchnący Duchem, iak tylko gorącego żądania naydokładnieyszego ubeśpieczenia y ulepszenia Oyczyzny Naszey, bierzemy przed fię iedyny społob, tym celom wydołać mogący, to iest: Związek Konsederacyi Generalney, pod którym wszystkie Obrady Nasze mieć chcemy nierozerwane, przy zachowaniu nayświątobliwszym wszystkie Praw, które Nam ubeśpieczalą Wiarę Świętą Naszą Katolicką Rzymską, całość Kraiow Rzeczypospolitey, Rząd wolny Republikantski, Osobe, Dostolictwo y wszystkie Prawa y Prerogatywy Tronu Naylaśnieyszego KROLA STANISŁAWA AUGUSTA iaskawie Nam Panującego, isko y Magistratur wszelkich w zwykłych powinnościach y Obrębach śwoich, y całość Obywatelskich własności.

A że żaden ztych naydrożízych Zafzczytow Narodowych nie będzie mogł być nazwany prawdziwie Nafzym, poki nie będą wfzyftkie zabeśpieczone Narodową filą doffarczaiącą do ulunienia niebeśpieczeństw, które w tylu postaciach grozić mogą. Oyczyznie Nafzey; Wiecs na ten Obiekt, przed wfzyftkiemi innemi, Chcemy nie ufkąpiać Ofiary Maiątkow Nafzych na powiękizenie Komputu Woyfk Rzeczypofpolitey, ile możność y fpofobność Nafza dobrze zważona Nam pozwoli. Zachowujemy fobie w dalfzym ciągu Seymowym te ulepfzenia wewnętrzne, których uznamy według fpofobności potrzebę, równo jaka y obmyślenie wfzelkich użyteczności Rzeczypofpolitey, w Prywatne Interefsa nie wdając fię. Za Marfzałka Konfederacyj Koronney inż obranego Marfzałka Seymowego Urodzonego Stanillawa Małachowskiego Referendarza Koronnego Posta Wolewodztwa Sandomir-skiego postanawiamy, a z Prowincyi Wielkiego Xlęstwa Litewskiego, żądanego od Prowiego połcaławiamy, a z Provincyt wielktego Aleitwa Litewikiego, ządanego od Pro-wincyi Litewikiey Urodzonego Xięcia Kazimierza Sapiehę Generała Artylleryi Lite-wikiey Pofla Woiewodztwa Brzefkiego Litewikiego, których w naftępniącą Rotę obo-wiązaliśmy. "Ja N. N. przyfięgam Panu BOGU Wizechmogącemu w Troycy Swiętey Je-" dynemu, iż Nayisśnieyfzemu KROLOWI STANISŁAWOWI AUGUSTOWI łafkawie " Nam Panulącemu, y Generalney Konfederacyi Oboyga Narodów wiernym będę, w fpra-" wowaniu Urzędu Funkcyi Marfzałka teyże Konfederacyi to wizyfiko zachowam, co "Przepify Oneyże w fobie zamykają; w żadne Konwencye Sekretne, bądź z Kraiowemi, " bądź z Zagranicznemi Ofobami, bez wiadomości KROLA y NARODU wchodzić nie bę-" dę, żadnym względem, datkiem, obietnicą, przyjaźnią, groźbą nie uwiodę fię; żadnych " Sancitów ani Aktow prywatnych pod iakimkolwiek bądź nazwilkiem, ani Afsygnacył " Pienięźnych nie wydam; ale tylko te Materye w Akta Seymowe umiefzczać będę, " które od wfzyftkich Stanow Skonfederowanych per pluralitatem dęcydowane zoftaną: "które od wizyttkich Stanow Skonfederowanych per pluraitatem dęcydowale zostaną: "w rachowaniu kreick y ogłofzeniu pluralitatis wiernie fię zachowam; w któreyby Ma-"teryi Senator, Minifter, lub Pofeł żądał Sekretnych Wotow, tedy do tych fpolobem w "Prawie przepifanym na żądanie iednego, po pierwfzych iednych Wotach głośnych, za-"wfze przystąpię, y te równie wiernie y fprawiedliwie zliczać, y pluralitatem z nich "ogłatzać przyrzekam. W iedney-tylko Materyi Podatkowania, Wotow Sekretnych nie " przyimę, ale one głośne odbierając, ex pluralitate Stanom Seymującym doniofę, y aby " wfzelkie udziałania wiadome Stanom y Kraiowi były, tak czynić pod niewaźnością " onych przyrzekam. Tak mi BOZE dopomoż. " Do takowego więc świętobilwego y dla Rzeczypospolitey pożądanego Dziela, wszyftkich, Nayprzewiel bnieyszego, Przewielebnych, Jaśnie Wielmożnych y Wielmożnych Senatorow, y Ministrow, tudzież Urodzonych Poflow Ziemfkich Oboyga Narodów zachęcamy, y milością ku Oyczyznie, oraz wiernym przywiązaniem do Nas KROLA ohowiązuiemy. W Warlzawie dnia Siodmego Października Tyfiąc Siedmfet Ośmdziefiąt Ofmego Roka.



military committee for public order. On 29th March 1790 it entered a defensive alliance with Prussia. From 16th December 1790 the Sejm worked with double the number of deputies. On 3rd May 1791 it enacted the Government Act, known as the Constitution of 3rd May, in reference to its enactment date. This was the first constitution in Europe and the second in the world. It applied for around one year during which time it gained the support of the majority of the Polish nation. In the last year of the Great Sejm, work continued on legislation that developed the framework of the norms of the Constitution. Suspended on 29th May 1792, due to the outbreak of war with Russia, the Sejm was never to reconvene.

After the third partition of Poland (in 1795) and during the time of foreign occupation (partition), the Four-Year Sejm and the Constitution of 3rd May developed symbolic importance. Their commemoration played an important role in sustaining and inspiring the Polish national spirit and identity.

After regaining independence, during the period of the Second Polish Republic (1918–1939), 3rd May became the Polish National Day. On 6th April 1990, the Polish Sejm reinstated 3rd May as a day of national celebration. The idea of fulfilling the will of the nation from the times of the Four-Year Sejm also returned – the construction of a temple. In 2002, on Wilanów Fields in Warsaw, the construction of a sanctuary began: the Temple of Divine Providence.



W DRUKARNI NADWORNET JKMci i P. Kommifsyi Eduk: Narodowey,

Printed journal of the Four-Year Sejm (title page), 6th October 1788, Warsaw; AGAD, Archiwum Królestwa Polskiego, 138



A box in which loose texts from the Potocki Public Archive may have been stored. It is presumed that materials from the Four-Year Sejm, including the Government Act were stored in such boxes at the beginning of the 19th century, before they were bound in their current form.

Preparations

On 7th September 1789, on the 25th anniversary of the election of King Stanisław August, the Sejm established a special delegation to prepare a draft of the future political system of the Polish Commonwealth. The Lithuanian Court Marshal, Ignacy Potocki, one of the main opposition leaders in the Sejm, led the delegation. In contrast to Stanisław August, who was a supporter of a strong monarchy, Ignacy Potocki held republican views. Therefore, his draft *Principles for improving the government* outlining a future political system for the Commonwealth, reflected his views. These *Principles*, passed by the Sejm in December 1789 and also drawn up mainly by Potocki, became the basis for the *Project for Government* which began to be discussed in the Sejm from August 1790.

The long discussions over each article of the project, which often resulted in decisions not to the author's liking, as well as the growing popularity of Stanisław August, convinced Ignacy Potocki that he needed to cooperate with the monarch. On 4th December 1790, at Potocki's request, a meeting with the king took place. During the conversation it was agreed that, in order to finalise work on the future political system of the country quickly, the draft constitution act should be prepared by a narrow group of people and then presented, as a whole, to the Sejm for approval. Between January and April 1791, multiple versions of drafts were circulating between Stanisław August, Ignacy Potocki and the rest of the inner circle, with mutual corrections, supplements and improvements, as the views of the republicans battled with the views of the monarchists.

The Government Act, as an agreed, compromise draft of a constitution, was read publicly for the first time on 2nd May 1791 in the Radziwiłł Palace (today the Presidential Palace on Krakowskie Przedmieście Street). Later on, in Stanisław Małachowski's Marshal's Palace (today the Academy of Fine Arts), they began to collect signatures to the *Assurance* act, a declaration by senators and deputies confirming that they would support the draft Government Act to be submitted for deliberation at the Sejm.

000238 Wyznaczenie Osob Do utozenia Brojekcow? Do Formy Rządu. Idy pomystnosi Narodu, a w niey ugrundowana stawa Mas Kro. la j bespierrenstwo Obywatela & trivatorei Rządu zawiety. Bomnozone zas Woysko, powielessone Dochody publicane bez atworzenia nieodmiennych Ustaw Usządzenia y rożdziatu Wtadz Magifratur y Joh midzy Joba Zwiazkow, Jzkołliwym Stawaty by sie cięzarem, a sama wewnętrzna spokeynose, która Zapewniac za cel troskliwosci Maszey mamy, wzruwzona bydz by mogta; Brzeto Mby Krol zawoze z uxochanym Warodem staurene, chiqe Dwudziesto=piquoleene triby Ola Krain czynio. ne przytoreniem sie do Sego Izerevia mier navgrodzonemi, wraz 2 Raptey Shonfederowanemi Standini Do takowego Drieta naydoktadnieyszego rozważenia Osoby nask prciące wyznaczamy= Brzewielebnego Krasinskiego Biskupa Kamiensechiego UW. Oginskiego Hermana Wielkiego Litewskiego Opinskiego Bokanderzego Litewskiego Chreptowicza Bokanderzego Litewskiego Botochiego Manzatka Nadwornego Litewskiego Rotochiego Manzatka Nadwornego Kommego. Thofsowskiego Parkarbiego Nadwornego Rommego. I Prowincyi Maiopolskiego. I Drowincyi Maiopolskieg. Ulu. Suchodolskiego Parta Chetmonego Mortynikiego Sekr: W. Lite. Lata Brataushiego. UU. Działyńskiego Bosta Boznanikiego Sonotowskiego Bosta Snoworoctawskiego tu Wawneeliego Bosta Brastawskiego. Weysenhoffa Bosta Inglantskiego-Korzy Brawa Kardynalne, Magiferaeur Luierzchnich

2.2.7

obowiązki, rwładze y miejdzy niemi scosowność, zgoła cata 000239 Rzada Politycznego Państw Rzplicy Forme opisza; Bro. iekta, iejeli "Kto zechce podawai "do ty Materyi riqgaia Anistan Viele Ko zechce podawać do ty Materyi wagaia Ce sie mzyima, y rozważa, caskowite zas Dzieto Do-Dewyzyi Mam Wrolowi y Stanom Briptey przynioża Stanistaw Nate: Matachowskie Kasmus syze Sapucha Gunat Kiflith Leymowy y Konfederacyje art sta styre Sapucha Gunat Miglith Leymowy y Konfederacyje art stan Finalice Prowinegi Koronnych Marszatch, nawi Wrzestwo Dependency Mowinegi Koronnych Marszatch, nawi Wrzestwo Dependency How with zelect star Source of Kom Stranger Standard Matachow With Stranger School Stranger Stranger Hanstein z Stranger School Weisser Hanstein z Stranger With Depender Kaster Matopolitices Matachow With Stranger Weisser Matachow Source w Kenestyture Matachow Source w Kenestyture Deputowacy Do Kenestyture x16.

The appointment of people to prepare drafts for the form of government, 7th September 1789, Warsaw [10th September 1789 – written into law]; AGAD, APP, 100, vol. 1, pp. 238–239

At the sitting on 7th September 1789, a delegation for the form of government was appointed, whose task was to prepare a draft of the future political system of the Commonwealth. The delegation consisted of five senators and six parliamentary deputies. Adam Krasiński, Bishop of Kamieniec, was the chairman, but a leading role was played by Ignacy Potocki, Marshal of the Lithuanian Court.

000323

Dasady Do poprawy Formy Rządus.

tmo. Listornuch vouinnosii ktore ma Rzeczovivolita za= bespieczania, Stanowi Izlacheckiemu wolności, zachowywania migday Osobami tegoz cleance naysupetnicyszey rownosii, y obwarowania Frawa Wtasnosa Każdego Mieszkania, orazs rozuagnienia na wszyserich ogutem Rządowey Bpieri, wyplywaig nasespuige Obtadre y Frawa Receptorpoliteys własuwe: In Prawo y Władza czynienia Ustaw y niepodle. gania zadnym innym, teno tym, Ktore sama Azecz vospolita Stanowi. 20. Lawierania & Lagranicznami Mocanstroy-Transtatous Porou y Spraymierzenia, subriez wydawania -Woyny. 3the Rozerza Jaria Czynow Strazy y Magistratur publicanych, ktore z Urzą dowania swego Azeczy pospolitey_ sprawować su, powinny. 40 Obierania Krola Religi Raym mey Katolickiey. 5" Obierania " Magustratur y Urzedow publicznych, Reore Dorad sa Clercyine, y tych, Reore ev przystrom Rigdu ovisie sa llexagine usnane beda. Co rossuvero Recerpospolica w Składzie wolnym y Republikantskim aynic mocha lest.

D'Frawa y Władze sobie własiwe Recespospolica sprawnie na lymach y lemistach, na storych okłachte postug dal szego Opisu Rządu, maiąca Bossefage y ich synowie, activitate gausebient na seymikach producymowych ta sklachea obieral Postow y przepisywaz Im w Irawodawczym względzie Instrukuje tudzież desidena wsielkie respective Worewodziw, Liem y Powiatow mor ma, z obowiązkiem Ila Bostow Dania sprawy z Poselsewa swego na sejmikach Relawinych. A Krol Senae y Ministerium nale żer do Symu była sposobem opisac su machazym.

Leby zas Utabza Azeony posolicey tym sposobem Symom poruciona, do baczenia y izymienia gotowa bydz mogła, Sujmy: Dend w przecią gu dwochletnim zawsze gotowes bydą, toieje: po upłynionym czase, który do ordynaryiney izymosu sujmowy wyznaczony bydzie, Postowie na Seymiki Relaujene powroca. dla Dania Sprawy z Byelstwa woego The Principles for improving the Form of Government, original parliamentary act, 21–23rd December 1789 [24th December 1789 – written into law]; AGAD, APP, 100, vol. 1, pp. 323–325

The draft *Principles*, prepared by the delegation for the form of government, contained an outline of the future political system of the Commonwealth of Poland. The main author of the project was the Marshal of the Lithuanian Court, Ignacy Potocki. The draft, discussed at the next three parliamentary sessions, was adopted in parts with numerous amendments agreed upon during parliamentary discussion.

PROJEKT

FORMY RZADU.

DO

395

Nº 135. - 15

PRZEDMOWA. I. Prawa Konflytucgine a w nich Kardy. naine. II. Seymiki. III. Seymy. IV. Sady Seymonie. V. Straž. VI. Kommisya Policyi. VII. - - - - Woyskowa VIII. - - - - Skarbowa. IX. - - - - - Edukacyina. X. Kommifsye Woiewodzkie. 21. Stopnie i warunki Urzędów w Rzeezypospolitey.

382

Draft of the Form of Government, print [2nd August 1790]; AGAD, ASCzt, vol. XVI, sheets 381–393v, 395–407v, 435–489v, 492–539

The draft prepared by the delegation for the form of government (main author: Ignacy Potocki). The draft consisted of 681 articles divided into 11 chapters containing a description of the future government and the political system of the Commonwealth of Poland. At the request of the impatient deputies, part of the project (about sejmiks) was presented on 7th May 1790. Discussions on the project began with the cardinal laws (the fundamental laws for the nobility). By January 1791, 11 articles had been passed.

fromemora

Lova pourgelnos publicancy I three hand Dy sy poraies nie corrysto, promis ancas sy swytha w Spech Variego naquiepourgelnienza. the occurstice, on to in they ray niegosych langer of oliveropi, ortatecuie naponina Distance aby Typice, mythie of prise no takwali Rus, powstechas.

515

Obstaily un so thand visuion be hwates a tenne on the two of the formary i Semeanis choras Hwatie, the Trattation lande towatych y Krojonij uzyte day i Whardy u predsiew ciecie zawady preve worte Hawing sy sheene unystowi. Idotuy my unjo Ity segmenigenesi tegruntowas hy bisoti tering good her y jednomystowie unique sha programy Catenda haito I Julere samis allianta nestego y Dawrow to naito I Julere samis allianta nestego y Dawrow to naito I Julere samis allianta nestego y Dawrow to naito I Julere samis allianta nestego y Dawrow to naito I Julere samis allianta nestego y Dawrow to naito I Julere samis allianta nestego y Dawrow to na Dieio Lolita, hist por she sy prino.

Roufederaine di o trijkstor a Trow na die

Lanewience i o trij hstori glow na die degitigen segnie udgengen reet in deleen de powrtania Ogizyeng na stef. Wighstorie ta glosozy nie do polago Wit hithe praw drebugh, 24 ale do taleg browy Dreesa zbawienca Ogizyeng do walnych apo gezo nych Ingde pololing domican de type powinha. Yw type tale gib trysche Danie nig drep forlar, po menang

A memo, the signature of Ignacy Potocki [4th December 1790]; AGAD, APP, 197, pp. 515–518

The protracted deliberations over the bill on the form of government and the addition of new deputies to parliament, most of them supporters of Stanisław August, prompted Ignacy Potocki to seek an agreement with the king. On 4th December 1790, he asked Stanisław August to prepare a draft of the constitution. Potocki himself presented the king with his proposals concerning the future political system of the Commonwealth.

Eroju de Contitución 20. Jano. 1797. 596 I. Les deux hations Polonige at Lithuaniana formewout enfer He La Republique Jaivant L' Rete d'unions qui est infirme parles prejuite Complitation. 2. La hollow Polonairo or Li. Thenanieun journe des tous les Droit et privigating qui lui appartien cent par les Parta - Commenta, et ou les d'iclans de nouveau Confitution nels et inviolables 3. Le bri keminem Capitivation Serve étendens à tous citoque he' ou haturalise en Pologne. 4. Lo Twis I'acheter des terry qui are anorde à trus loungerig es étranger en Sithuamie, Ven de mé me auvide and étrangers et aux bon geory on Palognes . 5. Les villes et municipalités jour unt des divits et précogatives qu'au proposed Do hear accorden Dans la pro jes 2. the Chropotowier Vichancelin 2 Lithuaning qu'on adorption it due to qual on forman to reglement 51

Projet de Constitution 20 januar 1791, 20th January 1791, Warsaw; AGAD, APP, 197, pp. 596–598, 622–623

A fair copy of the draft constitution prepared by Stanisław August. The copy, written by Scipione Piattoli, containing 86 articles was sent to Ignacy Potocki to examine. Dated January 20th 1791, the *Projet de Constitution* (Draft Constitution) first describes the general principles, including the law of *neminem captivabimus* (no arrest without court verdict), and then goes on to discuss the constitution of the legislature, i.e., the Sejm, consisting of the Senate and the House of Deputies. In the section devoted to executive power, the position of the king, the council and the highest ministers was discussed at length and the establishment of a bank was envisaged. Several articles were devoted to the organization of the army. The draft ended with articles on the functioning of the judiciary.

· boblelse.

Villes et municipalités

Pairans - Jerts.

Arojet de leforme 1625 de Constitution . 1791. Ides months presagetives, et libertes Imt la noblepe Solonaise, et Lithuacienne jouit en vigueur des Loix éxistantes, et des Sacta conventa sont confirmes, co declares constitutionnels et inviolables par le present projet de léforme qui doit en afraver L'entière conservation. 11. Les villes et municipalités jouisont des droits qu'on propose de leur accor. Ver Dans le plande Me Chreystowier vice- Chancelier de Rithuanie qu'an Dogstern, et sur le quel on formera le réglement pour les villes. on étendra a' fout 2tranger; et Bourgeois en hologue le Proir d'acquerir des terres qui leur eft dejà accorde en Libhuanie. 111. Outre les bia existentes en far veur des Saisans - 12x fs on confirme toutes les conceptions et franchises qui leur mit été ou seront accordées par les Proposie: faires légitimes en sorte que les hention et Auccesseurs Des diss proprieteires le gitimes doornat les observer selonte te: neur estes conditions des dites and Sions

Projet de Reforme de Constitution, draft [January/February 1791]; AGAD, APP, 197, pp. 625–627, 639, 640

A fair copy of the draft constitution, most probably drawn up by Scipione Piattoli with the participation of Ignacy Potocki and the Marshal of the Sejm, Stanisław Małachowski, on the basis of the Draft Constitution of 20th January 1791. The draft contains 25 articles. A new proposal for its wording (Projet de Reforme de Constitution) emerged from the draft constitution, complementing and clarifying it in many places. It includes articles describing the basic rights of states: nobility, townspeople and peasants; it unambiguously defines the Roman Catholic denomination as the dominant religion. It discusses the sejmiks (regional parliaments) and the Sejm (parliament) and the executive branch, including the order of succession. Of particular interest is the clear break with the principle, in force for several hundred years, that the Polish throne must by occupied by men, because it was realized that the Saxon elector, the supposed heir to the throne, only had a daughter. It presents in detail the composition and powers of the future central government (called there straż (guard) - the text of the draft is entirely in French, but this term has been left in Polish, untranslated in several places). It announces the development of a new code of civil and criminal law, which should be considered particularly important, and ends with a declaration abolishing all laws that have been in force so far which stand in conflict with the draft constitution.

Constitutional law. Reform of the Constitution, March 1791, Warsaw; AGAD, APP, 98, pp. 672–697

Wimie Boga w Troyyy Sing they redynego, w imie Orgites Iny y Wolnosis, my third wraz z Franamie w liezbie poduoioney navod Polski report sentingenie, wreawszy is los Fugruntervans y work on alouin nas wszystkich od reformy Konstytucy's naszey & awist, nanozeni Tugino dosuradore niem anac iftothe icy wady Korrystaige & pory w iaking ig, humpa maydie, y & tey Dogorywaigely chwili, Utora has Janyon Jobie wro cita; wolin a chambigageh ober menury nathazow; cenige droiey nad zycie, nad surgerts wose nasze osobista, ugrun towanie edystency, niepudle glose severgtizing, wolnose we way torna, navod a lotorego los w race masse by provierson cheac prawdziwie na błogo= Taurien for y na wd zigerno h wspot-desnych y poingch na saych pokolen zastwaye; po

Translated and edited by Stanisław August, the *Projet de Reforme de Constitution* contained 12 articles. Written in the hand of Aleksander Linowski, it includes crossings-out and amendments made, among others, by the hand of Ignacy Potocki. The draft text of the constitution drawn up by the king is a clear step towards the text passed on 3rd May 1791. Some of the articles already have identical titles (e.g., national armed forces, education of royal children), and the layout of the text is also very similar. It should be assumed that this text served as the basis for further editorial work on the Government Act.

Franca Kon statucy ine

Aschuraya AX 4.

W Laurerey checi ratuncha Chezyzm, no ohropomica na Rzeczponodita oholiznosciach, projekt pod titutem Ustawa kzadu w reku Ju. Marszalka Cymewego v konfederacyi koromay ztozomy do iak naydzielnicyszego prepieracia przyimuje zaręczając to nasze przedriewszegie kastem mitori cyczyżny v towem romore, co la większeg wiary, podpisanie naszenie stwierden w Warszawie dnie 2. Maja 2401.

Probinski. Blomp: Staris taco Malachowski Prasinali Bhay Janay Loto chi chivity. Anteri Rybinalii Kus Ones Tomato waw mieli C. (Poar Braffe Augy Water Gonenster Postony Posed to zname up Nawery Diatynski Post worthen Pomanshinge Josef Miathowfly Doved suntier Kalifugs Ludwik Jutahourks Port On anski -Ignacy Dembinishi Port Krahowski mg Havery Pulset Pover Waytwa Knoly mpor Jan Neponnen Aubruki kiel 3 Unicernatio a herome Im Symonous to feed Semi Sprogno my Jan Kuszuzewichi Bole & Jochacrefoste Afanistan horthes Toboche bact duber flanislaw Sroga Lost Guing nienisti .

The Assurance – a declaration adopted at a meeting of deputies and senators on supporting the draft Government Act, 2nd May 1791, Warsaw; AGAD, APP, 100, vol. 2, pp. 1–4

The Assurance – a commitment to support in the Sejm the draft Government Act arranged and signed on the evening of 2^{nd} May by 83 senators and deputies at a meeting at Marshal Stanisław Małachowski's palace in Warsaw.



"From the morning of 3rd May the Sejm (parliamentary) chamber was filling with a curious audience. On hearing that the constitution act was supposed to be deliberated upon in the Sejm that day, everyone ran to find out what the fate of the homeland was to be. Worrying about the good people and terrified by the threats from the evil ones, the citizens went from fear to hope, impatiently awaiting the moment which would remove that uncertainty, so hard to bear. The majority of the audience, however, finding all available seats already taken, filled the castle's halls, stairs and porches. It should not be forgotten that, beforehand, the 'champions' of the Moscow option took their seats, designated for them by the chiefs, inside the Sejm chamber. They were permitted to do this, as if no one realised what they were up to, but soon all those small groups found themselves surrounded by people whose commitment and courage were already proven, and so those 'champions' quickly realised that not only violence but not even a shadow of it would be allowed. This was the only precaution taken on that day, in order to prevent any indecent scene in the Sejm that would diminish the sanctity of that day."

On the Establishment and Fall of the Polish Constitution of 3rd May 1791, F. Ks. Dmochowski, H. Kołłątaj, I. Potocki, S. Potocki, first edition 1793

The passing of the 3rd May Constitution, K. Wojniakowski, 1806; Wikipedia

Obl. de S. Maij 1191. Deklaracya Stanow Lyromadzonych.

szystkie Grawa dawne y terannieysne przeciwne niniejskej Kon stytuyi, lub ktoremu kolwick iej artykutowi znosieny, a Oping frenegolue To Arty kutow y kandey makeryi winieysney Konstytungi zamknigtych petraebue, jako doktadnieg vyfæregolniaige obourianni yuktar Ragdu, xa crest składaiące tex Konstytucya deklarciency. Certai zy un konew crey ralecency, aby Aran swe obowigkte natychnicast per oxiem Seyne vorpe. creta y ciagle utraymywate. Bogu y Dyenyxuie urocryscie praytigany naportu previstuo, na Obrone, whystrienci ludriemi sitami tay catey. Konstytuyi, y takowa przy wige za hasto rzetelney mitoru Dyezy zny. Vaine, wykonanie oney naparuieny nabychniart tu we Coarstance mach afrysthie tommisuge i Jury Lykeye Solowe, niemnieg maer Woysko tu przytomne, a w ciągu naydaley Miesiąca od daty ninicy. viege Grawa, La Orby nousem formus y Cloyskowey prover cate Clevy: The Marodowe we Sanstwach Rorony Solving y Cert Sill: Konsyster. ince. _ Wyxnaexemie Maborenstwa wiednym dui yre wrzystkich w catym Krain Kerciotach, wiero Inia Ormegollierizca Maja hoku biezago na pooriekowanie Bogu zardarrona chwile promyslug wydobycia Bot whi xpeed Braemocy Bleey y mietade Domouseges, au prrywrocenie Bradu, klory neyskuteeriey wolnow Mafra mawdriwe, y cater Soliki rebespieckee more, zapostawienie tym sporobem Dyckyzny harrey na stopmin mogacym proworing weckach Careray zyskać iej konsideracya & I'm Siskuper ralecumy warne cracie Frien and the hanistain Bishupa Marennika & a wrocky ity wroku ktory My ypotomkowie Man obchooke bedriemy, za drien poswie wny May wyrsney Spatranesu, portorym Oyeryrna smiato ybespicornie po tylu nie mereriach odetehnac more Chamy oran, aby Duchowsenstwo tak Swieckie iako y hakonne w naukach Anzesianskich, Where Brawowiernemu winne ludows, nie mre hawate rache ai why thich doperobrych Bogu drighery nien, aby sas potomne wieki tym silnieg crue mogty, in druite lak yrerigdane ponimo naywickone trudności y przetrkody rapomoca Maywyz frego Corami Narodow Braday do skutku ymrywodrac nie utrailinny Ley freng sliwey de ocalenia Maroeu pory, uch walany, aby na he

The Government Act, 3rd May 1791

The deliberations of the Four-Year Sejm began against a favourable international background. Among other things, the Russo-Turkish war broke out (1787) and Russian troops were withdrawn from the Commonwealth. There was also a decline in support for the pro-Russian orientation, and there was a noticeable counterbalance to Russian influence in the policy of rapprochement with Prussia.

During the deliberations of the Sejm, important reforms to the political system were passed, essential for strengthening the state and intending to overthrow Russian control and protect independence. These included, amongst others, military reform (increasing the size of the army), tax reforms and administrative reforms (a statue on towns, the Constitution of 3rd May) and judicial reform. The last great legislative work of the Four-Year Sejm was the Mutual Assurance of Both Nations; an act that, while modifying the principles of the Polish-Lithuanian Union, retained the federal character of the Commonwealth.

The Constitution of 3rd May was passed using a simplified procedure (on its first reading) during a heated, Sejm session lasting over seven hours with the participation of just 182 Sejm members. The Government Act was passed by acclamation. However, as historians later established, of the total number of members who took part in the session, 110 were supporters of the constitution and 72 were opposed. Immediately after the act was passed, King Stanisław August Poniatowski swore in the Constitution. Next those who had taken part in the Sejm, along with the king and the marshals of the Sejm, went to the collegiate church of St. John the Baptist (now the cathedral in the Old Town) in order to take oaths.

Declaration of the Assembled States, 5th May 1791, Warsaw; AGAD, APP, 100, vol. 2, pp. 85-87

1566 2713.1100.00 Dwor Wedenster, List WKM & Pana Mojego Milosciwego H= 2. miatem honor odebrac prez ostatuia, Pocate La wiadomoscia o Reformie Rządowey w Bolszcze 917. 3300. 2714. 1929. 911. 382. 1798. 28. 582. 2118. wystany I I iest Kuryer do Cesarra dnia 10. Maja 2412. 2304. 2712. 1345. 1706. 3.61. 1905. 194. 315. 2266. 16bg. Rie haunitz czesto bardzo o tym ewenbie, gada, 2332. 1977. 1173. 372. 760. 131. 34. 153. 2656. 3217. 2627. ale ze mna juz 700 tym, co wprizesztym raporie 580. 2374. 777. 100. 1345. 29 59. 1345. 2179. 254.2271. doniostem, o tym niemowi. & tego co mowi z 1164. 62. 416. 2771. 2416. 1129. 2713. 634. 1619. 10. 2266 innemi poznac morina b. ze to go bardro zatrudnia 1645. 2403. 1704. 16g. 6. 1607. 62. 131. 1324. 1979. 1047. 1345. y czyni niespokognym : Weroray z Ganem 2179 1253. 1140, 2029. 840. 2412. 2125. 10. 1140. 2413. 621. Schonfeld Bostem Jaskim, Hory wyierdra do b. 1034. 1826. 2716. 1145. 2416. 2117. 395.2059. 2414. 2160.517.2379.

1887 107 1253 2036, 650 2390 1195 1049

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131 2.51.1154. 832

A report by Franciszek Ksawery Woyna, Polish envoy to the Austrian court, to King Stanisław August, reporting on the mood in Vienna after receiving the news of the adoption of the Government Act (deciphered in the royal office), 14th May 1791, Vienna; AGAD, Zbiór Popielów, 90, pp. 32–34

Rota Przyfięgi dla Woyfka Oboyga Narodów.

WY NN. przyfięgamy Panu Bogu w Tróycy S. iedynemu, iż Nayieśniey Izemu STANISŁAWOWI Au-GUSTOWI KROLOWI Polikiemu wraz z STANAMI Skonfederowanemi, i opifom Konftytucyi nowey Roku 1791. Dnia 3. Miefiąca Maia w STANACH Seymuiących uchwaloney, we wizyftkim poflufzni będziemy, teyże Konftytucyi i całości Oyczyzny Nafzey od wfzelkiey napaści zewnętrzney, i Rokofzu wewnętrznego, wfżyftkiemi filami bronić obowięzuiemy fię, Ordynanfom Kommifyi Woyfkowey poflufznemi będziemy. Tak nam Panie Eoże dopomoż &c.

> Zgadza się z Oryginałem JEZIORKOSKI Sek: Woylk,

Rota of oaths for the national armed forces on fidelity to the Constitution of 3rd May [1791]; AGAD, Zbiór Popielów, 87, p. 125

Publications

First edition with information about the entry in Warsaw's official records

For the constitution to become a standing law, it wasn't enough just to pass it during the session of the Sejm which entered the annals of Polish parliamentary history. It wasn't enough to say a solemn mass in Warsaw's St. John's collegiate church. It wasn't enough to create fair copies with the signatures of the Sejm marshals and deputies to the constitution and it wasn't even enough to proclaim the Declaration of the Assembled States passed on 5th May 1791 which abolished all the laws that contradicted the Government Act and which ordered all the authorities, civilian and military, to take an oath of faithfulness to the constitution. As with all the other constitutions passed by the Four-Year Sejm, it was necessary to write the text (oblata) into Warsaw's judicial records and then to take an extract from those records with the seal of the town's judicial office and the signature of the Warsaw town scribe. Only then did the Constitution, distributed in the form of extracts from the Warsaw town records to the town offices across the whole territory of the Commonwealth, become the law with full force. When, on 14th February 1794, the Perpetual Council ordered the destruction of all documents related to the Constitution of 3rd May, this referred primarily to those extracts. This is why they cannot be found in the regional and town archives. They can occasionally be found in the archives of the offices which were taken by the second partition because the decrees of the Perpetual Council were not observed there. The extract here came from the Archive of the Four-Year Sejm.

The Government Act [official publication in the form of an extract from the town records of Warsaw], 5th May 1781 [3rd May 1791], Warsaw; AGAD, ASCzt., vol. XXV, sheets 357–360v

Actum in Curia Regia Varsaviensi Die Quintà Mensis Maji, Annô Domini Millesimô Septingentesimô Nonagesimô Primô.

D Officium & Acta przsentia Castrensia Capitanealia Varsavier sia personaliter veniens Magnificus Antonius Siarczyński Sacre Regiz Majestatis, & Constiturum Ordinaticzum Generalium ac Confederationis Generalis Regni Secretarius, Eidem Officio & Actis Ejus, Constitutionem Infra exaratam obtulit, ad Ingrossandumque in Acta przsentia porrexit, tenozis talis ==

Ustawa Rządowa.

W JMIE BOGA, W TROYCY SWIETEY JEDYNEGO.

STANISŁAW AUGUST z Bużey Łuski, i Woli Narodu KROL Polski, Wielki Xiąże Litewski, Ruski, Pruski, Mazowiecki, Zmudzki, Kitówski, Wolyński, Podolski, Podlaski, Inflantski, Smaleński, Siewierski, i Czerniechowski, Wraz z STANAMI Skonfederowanemi w liczbie podwoyney Narod Polski reprezentującemi.

Uznaiąc, iż Jos Nas wszystkich od ugruntowania i wydoskonalenia Konstytucyi Narodoweg iedynie zawisł, długim doświadczeniem poznawszy zadawnione Rządu Naszego wady, a cheąc korzystać z pory, w iakiey się Europa znayduie, i z tey dogorywaiącey chwili, która Nas samym sobie wróciła, wolni od habbiących Obcey Przemocy nakazów, ceniąc drożey nad życie, nad szczęśliwość esobistą, czystencyą polityczną, niepodległość zewnętzzną i wolność wewnętrzną Narodu, którego Jos w ręse Nasze iest powierzony, chege oraz na błogosławieństwo, na wdzięczność współczesnych i przyszłych Pokoleń zasłużyć, mimo przeszkod, które w Nas namiętności sprawowić mogą, dla Dobra powszechnego, dla ugruntowania Wolności, dla ocalenia Oyczyzny Naszey, i Jey Granic, z naywiększą stałością Ducha, ninieyszą Konstytucyą uchwalamy; z tę całkowicie za świętą, za niewzruszoną deklaruiemy, depókiby Naród w czasie Prawem przepisanym wyrażną wolą swoią nie ukraf potrzeby odmienienia w niey, iakiego Artykułu. Do którey to Konstytucyi dalsze Ustawy Seymu terza śnieyszego, we wszystkim stosować się maią.

I.

Religia Panuiąca.

Religią Narodową Panuiącą iest, i będzie Wiara Swięta Rzymska Katolicka, ze wszystkiemi Jey Prawani, przeyscie od Wiary Panuiącey, do iakiegokolwiek Wyznania, iest zabronione, pod karami Apostazyi. Ze zaś taż sama Wiara Swięta przykazuie Nam kochać Bliźnich Naszych; Przeto wszystkim Ludziom, iakiegokolwiek bądź Wyznania, pokóy w Wierze, i Opiekę rządową winnismy, i dla tego wszelkich Obrządków, i Religii wolność, w Kraisch Polskich, podług Ustaw Kraiowych, wazuiemy.

II.

Szlachta Ziemianie.

Szanuląc pamięć Przodków Naszych isko Fuedatorów Rządu Wolnego, Stanowi Szlacheckiemu wszystkie Swobody, Wolności, Prerogatywy Pierwszeń-

innego neminować powinien. Chege aby Straż Praw Narodowych obewiązna była, do ścisłeg odpowiedzi Naronowi, za wszelste onych przestępstwa, stanowiemy: Iż gdy Ministrowie bedą oskatzeni przez Deputacyą, do examinowania ich czymności wyznaczoną o przestępstwo Przwa, edpowiadać mają z osoby maiatkow swoich. W wszelkich tak wych oskatzeniach Stany Zgromadzone, przestą większością Wetów Izb złączonych ocesłechwinionych Ministrow mają S zaów Seymowych po sprawiedłiwe i wyrównywalece przestępstwu ich ukazanie, lab przy dowiedzioney niewioności, od sprawy i kary uwolajenie. Dia porząc

USTAWA RZADOWA.

RZA-

DOWA

SET.

MIKI.

SEYM ORD:

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w WARSZAWIE,

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The Government Act establishing the foundations of the political system, the laws of the states and the principles of organization of the authorities of the Commonwealth of Poland. Printed in Warsaw by P. Dufour, H.M.'s Court Counsellor and Director of the Cadet Corps Printing house, 1791; AGAD, Library, SD I 50

USTAWA RZADOWA W IMIE BOGA W TROYCY

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STANISŁAW AUGUST z Bożey Łaski i woli Narodu KROL POLSKI. WIELKI XIAŻE LITEWSKI, RUSKI, PRU-SKI, MAZOWIECKI, ZMUDZKI, KI-IOWSKI, WOŁYNSKI, PODOLSKI, PO-DLASKI, INFLANTSKI, SMOLENSKI, SIEWIERSKI Y CZERNIECHOWSKI,

SWIETEY JEDYNEGO.

wraz Z STANAMI SKONFEDEROWANEMI w liczbie podwoyney, NAROD POLSKI REPREZENTUIACEMI.

UZnaige, iž los Nas wízyftkich od ugruntowania i wydofkonalenia Konftytucyi Narodowey iedynie zawift, długim doświadczeniem poznawfzy zadawnione Rządu Nafzego wady, a chcąc korzystać z pory, w iakiey fię Euro-A 2

First Polish editions

In the introduction to the critical edition of the text of the Constitution of May 3rd, Jerzy Kowecki stated that, within the first year of its adoption, 14 editions of the text of the Government Act, approx. 20-30,000 copies, appeared in print. This gives an idea of the huge level of interest in the new law. Moreover, the text was published by the press at that time.

Skłał cały rządoweg konftyturyi, na feflyi feymoweg dnia 5. maju uchwałowy, ten jefl, co do flowa= USTAWA RZADOWA. W Janie BOGA w Trong Switty idanego. STANISLAW AUGUST z Bożey latki i woli narodo wfol Polik, welki Xrjąć Litewich, koć Sce wraz z Sra-nami fikonfederowanemi w liczbie podwoyney, narod Poliki

"reprezentującemi. "Uznając., iż los nas wfsyftkich od ugruntowania. "wydotkonslenia konftyturyi narodowey jedynie zawił "olngim doświadczeniem poznawizy za tewnione Rządu na wydoficoniaeu'i konfyrusy'i marodowig jefynio zawli, fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać z proy, w jakie lie fago wały a chag korzytać jakie lie fago wały korzytać jakie lie fago wały korzytać jakie lie fago wałytać jakie jakie jakie jakie jakie jakie lie fago wałytać jakie korzytacja lie fago wałytać jakie jakie

Blackski, podłag użstwi krajowych, warajemy: It Slacks zaważe. mości o'obiftey, wisfonsci grunzowych i rushomey, tak, njak od w ekow każdemu flużyły, świątobliwie, menarefizenie zachowane mieć cheeniy, i zachowujemy; zarę-

1.0 * w lwów , które przyłączone do tławniey fpalonych 63. u ozając nayuroczyściey, iż przeciwko włafaości czyjesy millionów, czynią ogoł 5a millionów. nių uftanowiony, židaych pretentyi pod pretexten ym rigalium, i jakinkolwiek innym pozorem do wla obywatelfkich, bądž w części, bądž w całości, rośc bie ne bedzie: Dla czego belpieczeńtwo ofobilte i u ka włalność komukolwiek z prawa przynależną, jak "ka włafność komukolwiek z prawa przynalezna, jako wdziwy polezności wycel jako zrzenieg wolność w wzielkniey fzanojemy, zabefpieczany, utwierdzany, "na potomae czafy fzanowane, ubefpieczone, i bie "kone zoławały, mieć chemy. Salache za natypiew obrońców wolności i miejstrzy kontytuzyj uzaa, "kżażego fzakcies znocie, obywzielkwi i hontow "dwietnić do fzanowamia, jey trwalość do frzeżena "care, bieko istrost zenedno czerzerzy. I Gordan da czamy, jako jedyną tw erdzę oyczyzny, i fwobod nafz III. Miofla i miejsczanie.

"Prawo na tereżnewie wolne w pałytwach rzpi w zupelności utrzymane mieć chremy, i za częśc m zey konftytneyi dek arojery, jako prawo wolney fi ie políkiey dia belpieczeństwa iek swobod, i o vspolney oyczyzny nową, prawdziwą, i fauteczną

ver file. 1V. Chlopi Wiołcianie. "Ladi rolniczy, z pod którego ręki płynia nayo hogadów krutowych śrzodło, który naylicznieytką dzie funowi łodność, a cstym maydzielnieytką krai-tak przez farzwieństwość, indzkość, i obowiązki c nóbe, isko i przez włalny nafz interes dobrza zra-ny, pod opiekę przew i rządu kwitowego przyjmu "fanowuce: za odrad, iskiehykolwick, frodbody, z: ftanowige: iż odtał, izkiebykolwiek fwobody, lub unowy Dziedzice z Włościanami dóbr fwoich cznie ułożyli, czyliby te (wobody, nadania, i umo ly z gromadami; czyli też z każdym ofobno wfi ma cem zrobione, byłą flanowić wfpolny, i wzniemu warzek, podług rzetelnego znaczenia warunków, "zawarzego w takowych nadaniach i umowach, pod rzadu krajowego podpadający. Układy takowe i w jec z uch obwięzki przez iednego właściela gru-browolnie przyjąte, nie tylko jego famego, ale srowolnie przyvite, nie tyko tego imiego, nie -sów tego, lub prawa nabywców tak wiazać będa, nigdy famowolnie odmieniać nie będą mocni. Na włościanie takiegktolwiek bądź maiętności, od dol sych uniow, przylętych madań, i z miemi zlączow winnistwi, ufawać inaczey fię nie będą mogli, tylk m fpofobie, iz takiemi warunkami, iak w opifaci tim ipolobie, iz takiem wárutakami, ink wópias żo umów poltanowione mieli, które czy na wieć czyli do czafu przyjęte, ściśle ich obowiązywać bej warowawfcy tym ipolobem dziedziców przy wizel żej ach od włościan im geleżących, a chone ink czalicy zabięcić pomnożenie lutności kraloweg, o ny wolność zapolan dla włzyfkich lutaj, tak now sywalacych, inko i tych, którzyby pierweg z kral lufergu fe, terza do Oyczyzny powrócić chcieli, lece: iż każdy czlowiek do Pańlaw Rzplicy nowo dece: is haidy ezlowick do Pailfor Kapley now 2 + arcyclowick from przybył, lub powracinge, mał y aprzemytłu fwego, inki i grinie chec wolnym isł zapełnie w aprzemytłu fwego, inki i grinie chec i wolny isłe tarju nie unowi: wolny isłe olistke w Niekcie, lub nu siłu wolny isłe mieżskać w polizeza, lub do kraiu, do kom wzefice, powrocie, uszyniwicz zadolyć obowiązkom, wie dobrowolnie na liebie przyjąt. (Rejsta gotym)

The text of the Constitution published in "Gazeta Narodowa i Obca", No. 38, 11th May 1791; AGAD, Library, 1288 vol. I, pp. 154, 158, 162, 166, 170, 174, 178, 181-182

Forme Constitutionelle decrétée par acclamation dans la séance du 3 maj, sanctionnée a l'unanimité, dans la seancé suiante du 5 mai 1791, contemporary print (French); AGAD, Library, SD I 72

Shortly after the adoption of the Constitution of 3rd May, its text was published in both Polish and French. Both versions were printed by the printing house of the Cadet Corps, whose director from 1784 was Piotr Dufour (1730-1797), a printer and bookseller of French origin who had settled in Poland in the 1770s. Dufour also ran his own typography, initially in the Old Town Square, then on Świętojerska Street, and then on Krzywe Koło Street. In the years 1788-1791 he concentrated on publishing materials related to the debates of the Great Sejm.



NEW CONSTITUTION NEW CONSTITUTION OF THE OF THE GOVERNMENT OF POLAND, GOVERNMENT OF POLAND, &c. &c. ESTABLISHED In the name of God, one in the Holy Trinity! BY THE REVOLUTION. Staniflaus Augustus, by the grace of God. and the will of the Nation, King of THE THIRD OF MAY, 1791. Poland, Grand Duke of Lithuania, Ruffia, Pruffia, Mafovia, Samogitia, THE SECOND EDITION. &c. &c. &c. together with the Confederate States affembled in double number to reprefent the Polifh nation. PERSUADED that our common fate LONDON: depends entirely upon the eftablishing and PRINTED FOR J. DEBRETT, rendering perfect a national constitu-OPPOSITE BURLINGTON HOUSE, PICCADILLY. B 2 M.DCC.XCI.

New Constitution of the Government of Poland Established by the Revolution, the 3rd of May, London. Printed for J. Debrett opposite Burlington House, Piccadilly M. D. CC. XCI, National Library, sign. ref. XVIII.2.3374, reprint PWN, Warsaw 1991

The first mentions of the adoption of the Constitution of 3rd May appeared in English newspapers: in "Time" and "The Morning Chronicle" on 20th May and next in "The London Gazette" on 21st May; i.e., 17 and 18 days after it was passed. Usually, news from Poland took three to four weeks to appear in London. By 23rd May some ten newspapers had already published the news about the Constitution. A summary of the Constitution itself (in ten points) was published in the 23rd May edition of "The Oracle". In June, three newspapers even published translations of the full text of the Constitution: "The Star", "The Morning Chronicle" and "The Lloyd's Evening Post". This was the achievement of Franciszek Bukaty who had organised the translation of the Constitution at the end of May. The announcement about the translation appeared on 31st May in "The Morning Chronicle". It is estimated that the total circulation of dailies and evening papers published in London at that time was about 25,000, and the habit of reading aloud gives an estimated audience of 250,000.

tion :



The first anniversary of passing the Government Act

Preparations for celebrating the anniversary of the Constitution of 3rd May started several months in advance. The most important decisions about the celebrations were taken during a Sejm session on 15th March 1792. It was decided to connect the constitution celebration with the name day of Stanislaw August and with official thanks from the voivodship, land, and district deputies for the constitution. The national marshals were to prepare a detailed plan for the celebrations. In April 1792, Pope Pius VI gave permission to move the holiday of St. Stanislaw from 8th May to 3rd May.

On 3rd May 1792, the main celebrations began at 9 o'clock in the Church of St. Cross on Krakowskie Przedmiescie Street in Warsaw. It started with a jubilee session of the Sejm during which delegates from each provincial sejm (Lesser Poland, Greater Poland and the Great Lithuanian Principality) delivered speeches of thanksgiving. Then a solemn mass was celebrated by the Bishop of Poznań, Antoni Okęcki, and the sermon was delivered by priest Antonin Malinowski. Later the participants went in procession to Ujazdowski Square, where Stanisław August laid the cornerstone under the Temple of Divine Providence. The construction of the church, as a votive gift of the nation for the passing of the Constitution Act had been proclaimed in the *Declaration of the Assembled States*. Today, there is still a preserved fragment of the construction of that church, on the grounds of the Botanical Garden.

The celebrations, which were planned thoroughly and on a grand scale, were supposed to show the nation's support for the introduce reforms and the nation's unity in the face of a difficult political situation and the threat of Russian intervention.

The Church of St. Cross on Krakowskie Przedmiescie Street in Warsaw, 1819; AGAD, Zbiór kartograficzny, 92–4

War and downfall

On 27th April 1792, in Petersburg, a group of opponents to the reforms of the Great Sejm, including Stanisław Szczęsny Potocki, Seweryn Rzewuski and the great hetman of the crown Franciszek Ksawery Branicki, signed and swore an act of confederation (created by the Russian civil servant Vasil Popov) through which the confederation participants were asking Russia for military assistance in reinstating the former political system to the Commonwealth.

The predated act of confederation was proclaimed on 18th May in Targowica (a town belonging to Szczęsny Potocki on the territory of the Commonwealth). On the same day the Russian envoy to Warsaw, Jakov Bulchakov, submitted a declaration that the Russian Army had crossed the Commonwealth's borders.

Greatly outnumbering the Polish forces and with much greater battle experience, the Russian troops quickly penetrated deep into Commonwealth territory. The Lithuanian Army was routed. The Army of the Crown, commanded by Prince Józef Poniatowski, gained several victories as it beat an orderly retreat, e.g., in the battle of Zieleniec on 18th June, which Stanisław August honoured by establishing the Virtuti Militari order.

Aware of the mismatch in their military forces, neither Stanisław August, nor the Sejm leaders believed the war could be won. They treated warfare rather as a display of resistance which was supposed to assure a better negotiating position with Russia. Empress Catharine II (Catharine the Great) was offered the hereditary throne of Poland for her grandson, Great Prince Konstantin, in return for retaining some parts of the Four-Year Sejm reforms. Catharine II did not agree to any of the Polish terms, demanding unconditional capitulation and that Stanisław August join the Targowica Confederation, which he did on 24th July 1792.

The Targowica Confederation, after taking power, suspended the legislation of the Great Sejm, and the Grodno Sejm passed an act annulling it all on 23rd November 1793. Based on that act, the Perpetual Council, which was reinstated by proclamation on 14th November 1794, demanded the removal of all materials connected to the

"revolutionary Sejm of 1788" from all the offices in the entire country and their delivery to the Perpetual Council's archive (here, they were meant to be destroyed). Gathering the documents took until the outbreak of the Kosciuszko Uprising. Fragments of archives that weren't destroyed are preserved in the Central Archives of Historical Records in the so-called Lithuanian Metrica collection VII and IX. Among those documents is a two-volume collection of original Sejm acts handed over from the Crown Metrica.

Гекларація.

Вольность и независимость Яснъйшей Республики Польской возбуждали всегла внимание и попечение всяхb ел zawsze we wszyfikich Jey sąfiadach pilną o nia состлей. ЕЯ ВЕЛИЧЕСТВО ИМ-ПЕРАТРИЦА Всероссійская присосдиняя къ сему уважению торжественныя и точныя свои обязательства съ оною tą związki, tym szczegulniey ieszcze znala Республикою, старалася сще и более о fie bydż obowiązaną, mieć pilne baczenie na неприкосновенномь соблюдения сихь двухь nieskażone zachowanie tych dwoch drogich драгоцѣнныхb свойствb политическато wlaśności, ktore ikładają Jey polityczną iftotę. ел бытія.

Сіи безпрерывныя и великодушныя старанія ЕЯ ВЕЛИЧЕСТВА, плодь NAYIASNIEYSZEY IMPERATOROWY poлюбыи ЕЯ кЪ правосудію и порядку во- chodząca rownie z miłości porządku y fpraобще, равно какъ и доброжелашельства wiedliwości, iako tez z JEY dobrey chęci y и благоволенія ЕЯ къ народу, по одинакому своему произхождению, по сходству kowość pierwiaftkowego początku, y ięzyk, языка и по разнымь другимь естествен- у tyle innych naturalnych związkow z naнымь сношеніямь сь народомь скипстру rodem ktoremu panuie, czynią go miłym w ЕЯ подвласшнымь, внимание ЕЯ на себя JEY oczach, nie dogodna zapewne była amобрашившему, сшѣсняли ковечно често- bicii y duchowi panowania tych, ktorzy nie любіе и духв господствованія шёхв, кон kontenci z tey częsci władzy ktorą prawa не довольствуясь удёлом' власти, rocy- kraiowe im nadali, fzukali Jey rozserzenia z дарственными узаконеніями имb дозво- zgwalceniem tychze praw kraiowych. W лецной, искали оную распространить tym widoku nic nie zaniedbali z iedney cb ymepfomb camuxb cuxb sakonosb. Cero strony, czym by mogli NAVIASNIEYSZEY ради ничего они не упустили, дабы съ IMPERATROWY chęć oftudzić czynnego одной спороны упомить авлиельное по- baczenia na calość praw y prerogatyw zacnevenie FOCYAAPDIHH HMDEPA- nego narodu Polskiego, z drugiey, czym by ТРИЦЫ о неприкосновенномо сохране- осzетпіć сzyftość у dobroczynność JEY Zaили правь и преимуществь знаменищой miarow, wyfrawiaiac ie we wszyfikich zdar-Польской націи, a cb другой оклеветать zeniach w tym znaczeniu, ktore wcale przeиспорочность и благость ЕЯ намфреній, ciwnym bylo JEY intenciom. У w tym celu

Declaracua.

463

Wolność y niepodległość Nayiaśnieyszew Rzeczy Pospolitey Polskiey wzbudzała troskiwość. NAYLASNIEYSZA IMPERATO-ROWA caley Rufi, ktorą łączyli ieszcze do tego aktualne y formalne z Rzeczą Pospoli-

Ta to flateczna y wspaniała o to troskliwość zyczenia, dla tego narodu, ktorego y iedna-

The declaration by the Russian envoy, Jakov Bulchakov, on the entry of Russian troops to the Commonwealth of Poland, bilingual Russian-Polish text, 18th May 1792; AGAD, Archiwum Królestwa Polskiego, box 90, sheets 463-468

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Maulan drin nie intro han Nziak

Signature of Stanisław August: a note revealing the division of votes (7 : 5) for and against the king's accession to the Targowica Confederation during the meeting on 23rd July 1792 at the Royal Castle in Warsaw, 23rd [26] July 1792, Warsaw; AGAD, Archiwum Królestwa Polskiego, 356 II, pp. 775

After receiving a reply on 21st July (Saturday) from the Russian envoy, Jakov Bulchakov, (a letter from Empress Catherine II, addressed to Stanisław August, demanding the king's unconditional surrender), and after a family meeting on the following day (Sunday), on 23rd July (Monday), the king called a meeting for a dozen or so people representing the highest authorities of the Commonwealth of Poland. The following were present at the Royal Castle meeting: 1. Primate Michał Poniatowski; 2. Grand Marshal of the Crown, Michał Mniszech; 3. Lithuanian Grand Marshal Ignacy Potocki; 4. Lithuanian Court Marshal Stanisław Sołtan; 5. Grand Crown Chancellor Jacek Małachowski; 6. Deputy Chancellor of the Crown Hugo Kołłątaj; 7. Lithuanian vice-chancellor Joachim Chreptowicz; 8. Court Treasurer of the Crown Tomasz Ostrowski; 9. Lithuanian Court Treasurer Antoni Dziekoński; 10. Grand Lithuanian Treasurer Ludwik Tyszkiewicz; 11. Marshal of the Sejm and the Crown Confederation Stanisław Małachowski; 12. Marshal of the Lithuanian Confederation Kazimierz Nestor Sapieha; 13. Kazimierz Poniatowski. It was at this meeting that, as a result of voting, the decision was finally made on royal accession to the Targowica Confederation. The Chancellor, Hugo Kołłątaj, is said to have declared: "Today, Good Lord, we need to join the Targowica Confederation, not tomorrow; every moment is precious because the blood of Poles is drenched in it."

Monsieur Mon fière . J'ai reçu la lettre qu'il a plu a l'otre e Majeste' de mi cerire le 22 Juin n: st. Je me conforme vo lontiers à Son desir d'écarter toute discus. sion directe entre nous Sur ce qui a produit enfin la crise actuelle des affaires; mais j'aurois desire à mon tour que les moyens que Votre Majeste' propose come concilia. toires le fussent en effet et que surtout ils cussent pu s'accorder avec les intentions pures et Simples que j'ai manifestées dans la declaration, publice dernierement de ma part en Pologne. Il s'agit de rendre à la republique Son ancienne liberte' et Sa forme de gouvernement, garantie par mes traités avec elle et renversée violemment

par la revolution du 3. May au mepris

67

A letter from Catherine II to Stanisław August in which she upholds her position set out in the declaration of 18th May, recommending the restoration of the former political system of the Commonwealth, 13th July 1792, Tsarskoye Selo; AGAD, Zbiór Popielów, 390, pp. 67–69



0 Reiestr rozdziałów części I. Rozdział I. Prawo narodu i potrzeba ustanowienia nowey Kart. I Rozdział II. Wyobrażenie o konfederacyach w Polszcze. Okoliczności zawiązania konfederacyj roku 1788. Cel oney i różnica od innych. 17 Rozdział III. O uczestnictwie króla pruskiego do rewolucyi w rządzie polskim, i do czynów seymu 34 Rozdział IV. O przeszkodach i zwłokach, które w robotach seymowych czynili stronnicy moskiewscy. 65 Rozdział V. O deputacyi do formy rządu ustanowioney, iey wpływie w czyny seymowe, a mianowicie Kart. II2 Rozdzial

On The Establishment and Fall of the Polish Constitution of 3rd May 1791

This work was extensive, consisting of two volumes and over 500 printed pages. As Andrzej Zahorski wrote in the publication Spór o Stanisław Augusta (The dispute over Stanisław August), published nearly half a century ago: "it was probably the first work in modern Poland in the field of political propaganda [...] written down in black and white". The first editions of this work, inspired by Kołłątaj and edited by Dmochowski, are full of riddles. The place of publication of this anonymous text is Metz of Lorraine, and the date of publication is 1793. Karol Estreicher believed that the work was published in Krakow by Jan Antoni Maj. More recent studies assume, following Józef Szczepniec, that On the Establishment... was in fact published in Leipzig by the publisher Johann Gottlob Immanuel Breitkopf. The next edition gives Lviv 1793 as its place of publication but, again, this is not true, because the work was published in Warsaw in 1794. With the participation of Samuel Bogumił Linde as translator, Vom Entstehen und Untergange der polnischen Konstitution vom 3ten May 1791 was also published in German, this time actually in Lviv, in 1793.

By the end of 1793, On the Establishment... was already being sold in Poland, and was widely distributed during the Uprising. Andrzej Zahorski wrote: "This book played a special role in 'The dispute over Stanisław August'. It was written by the people who were preparing the insurrection with the express purpose of winning over the hearts and minds of the nation to battle. On the Establishment ... was intended by its authors as a work of propaganda; it was meant to show Poles that an armed struggle for Poland was the only way to maintain Poland as an independent state. All negotiations, compromises, acts of humility and humiliation led to nothing, did not achieve the goal, did not suppress the appetites of possessive neighbors. So, one had to fight and win; one had to learn the strategy for victory from the French who were able to defend Poland from the forays of all of monarchical Europe".

Traité Entre Sa Majesté le Roi de Prusse -8 16 Hanistan Michi Paret Lumi d'une part et Sa Majeste le Roi et la Serénissime République de Le d'autre part Clienne Lambrigchi Chevalier De Ondre De A Manislas, Nume Se nur Dep Fait et signe à Grodno le 25. Sept 1793. Ha & unemap. 19189. commathe 12. K. Hosnicenenin? The partition treaty between Prussia and the Commonwealth of Poland, 25th September 1793, Grodno; AGAD, Archiwum Koronne Warszawskie, Dział Pruskie, 24/9

Subsequent editions of On the Establishment... were published in Warsaw in 1830 and in Paris 1867–1871, The People's Library no. 21-26. This last edition is particularly interesting due to the format and the purpose it served, i.e., for delivery to Poland. This edition was published by the Luxembourg Bookshop (Polish Bookshop in Paris), founded in 1864 by Jean-Baptiste Vasseur. The co-initiator of the creation of the bookshop was Władysław Mickiewicz, son of Adam Mickiewicz, who ran it independently between 1867–1889. The bookshop dealt with the publication of Polish works and the problems of Poland in Polish and French. During its relatively short existence (1864-1889), many masterpieces of Polish fiction, scientific works (approx. 200 titles) and political publications were published. One of its first undertakings was to establish the Polish People's Library (1866-1871), for which it published 69 volumes. By 1869, the People's Library boasted some 4,500 titles. It was destroyed in 1871 and closed in 1889.

It was also no coincidence that, almost simultaneously with the Paris edition of *On the Establishment*..., a book written by Stanisław August was posthumously published, also in Paris, but under the name of his chamberlain Mikołaj Wolski. *Obrona Stanisława Augusta* (In defence of Stanisław August) was in fact the royal response to *On the Establishment*..., the propaganda publication of the supporters of insurrection.

The 19th century

Attempts to celebrate publicly the anniversary of the passing of the Constitution of 3rd May 1791 were also undertaken during the partitions. All the partitioning powers banned celebration of the anniversary, but it was slightly easier to organise national celebrations in Galicia, or even in the Prussian sector. From the 1880s, progressive Jews from Kraków and Lviv organised evenings devoted to the Constitution. A service was organised in the "Tempel" synagogue in Kraków on the 100th anniversary of its adoption, attended by huge crowds of Poles and Jews. Discussions about the importance of the Constitution of 3rd May took place in émigré political circles and among eminent historians connected to the Jagiellonian University (i.e., the Cracow historical school). These resulted from the need to reflect on the future of the nation and the causes of the fall of the Commonwealth. Their fundamental method of battling for Polish independence was through the use of their pens, mainly via the Historical Society, founded in Lviv in 1886. During the years of struggle for Polish independence, the Constitution lived on in people's memories and the mass demonstrations that took place on the 100th and 125th anniversaries of its adoption helped people commemorate their lost nation, despite the serious repression demonstrators risked within the Russian-controlled territory.

At this point it is worth noting that it was in fact here, in the Kingdom of Poland, as early as 1831, that a text was written which can be considered the first ever draft of a Constitution for a United Europe. Written by Wojciech Bogumił Jastrzębowski during breaks in the fighting for the defence of Warsaw (the battle of Olszynka Grochowska of 25th February 1831) and with final edits on 30th April 1831, this draft was published, not coincidentally, on 3rd May 1831, on the anniversary of the May Constitution. Jastrzebowski's draft of 77 articles included, among other things, the following:

"National laws will guarantee the equality of people who make up one nation, while the guarantee of equality of European nations will be European laws, which are to constitute the basis of an eternal covenant in Europe (Art. 2) and All nations belonging to the eternal covenant in Europe are equally subject to European laws (Art. 12)."

After the fall of the November Uprising, in 1832, significant restrictions were imposed on the autonomy of the Kingdom of Poland: the suspension of the constitution,

Niektóre mujli do prawa ustalające go wieczny pokój w Europie.

Pax data in has leges. Liv.

Myst 1 Wobliere Boga i prawa wsryny ludrie, a ratem i wsrysthie navody so sobie rownemi. 2. Reskojmig rownerie ludie składających jeden navod, bydą prawa navodowe; reskojmig ras municinavodow europejskich; bydą prawa europejskie; mająze stanowie podstawe wiewnego przymierza w Europejskie stanowie mocników czyś sejm.; prawa w Europejskie stanowi Europa przer swoj hongres, storony z petnomocników wybrany & przer rozystkie nastoły. 4. Modalawa praw navodowych jato i europejskich bydz prawa notwy czyli prawa bo skie; przymiotca zaj ist bydze ludskow i sprawa bo skie; przymiotca zaj ist bydze ludskow i sprawa bo skie; przymiotca zaj ist bydze ludskow i sprawa bo skie; przymiotca zaj ist bydze ludskow i prawa bo skie; przymiotca zaj

Itroien i wytonawig praw navodowych bydie hatryarcha, wybrany prier navod; stroien

> *The Constitution for a United Europe* written by Wojciech Bogumił Jastrzębowski, 30 IV 1831 r., handwritten, Warsaw; AGAD, Królewskie Towarzystwo Przyjaciół Nauk, sign. ref. 78

First draft of this document was written by Wojciech Bogumił Jastrzębowski during breaks in the fighting for the defence of Warsaw (the battle of Olszynka Grochowska of 25th February 1831) and with final edits on 30th April 1831, this draft was published, not coincidentally, on 3rd May 1831, on the anniversary of the May Constitution. the incorporation of the Polish army into the Russian, the liquidation of the Polish parliament and local authorities. Until the January Uprising of 1863/1864, the Russian authorities successfully suppressed any attempts at resistance from Polish society.

Thousands of Poles were forced to leave their homeland after the November Uprising, going mainly to France. The post-uprising, so-called "great" emigration played an enormous role in the cultural and political life of both countries.

The May Holiday was not forgotten. Adam Mickiewicz referred to it in his Polish national epic Pan Tadeusz, or The Last Foray in Lithuania, published in 1834 in Paris. The famous concert of the Jew Jankiel, also known as the "concert to end all concerts", is a fragment from Book XII of the epic, entitled Let's make love! performed on the occasion of Tadeusz's engagement to Zosia. In it, Mickiewicz recalls the historical events preceding the fall of the Polish-Lithuanian Commonwealth. The five-part concert is a musical illustration of the period from the adoption of the 3rd May Constitution to the formation of the Polish Legions in Italy. The first part refers to the Constitution of 1791 that reformed the political system of the Polish-Lithuanian Commonwealth: The final years of the 1890s saw the resurgence of a desire for independence in the Kingdom. In early 1887, the Union of Polish Youth "Zet" was formed, supported by its patron from 1888, the Polish League (Liga Polska), created in emigration in summer 1887, comprising members of the older generation of independence activists. In 1888, the Central Committee of the League was established in Warsaw which began to coordinate the work of the league across the partitioned territories. Both organisations were dedicated to restoring Polish independence, through educational activities amongst Warsaw workers and peasants and organising street demonstrations; their great champion was a young "Zet" activist, Roman Dmowski who, together with his supporters, took over the organisation in 1893, turning the Polish League into the National League (Liga Narodowa).

One of the first opportunities to organise a street demonstration was the 100th anniversary of the passing of the Constitution of 3rd May, which fell in 1891. The organisers understood that commemorating national anniversaries was an excellent method of historical education for the youth from Russian-controlled Poland, who had been denied the chance of learning their own history in their 'Russified' schools. While celebrations of the 100th anniversary of the Constitution of 3rd May took place pretty much everywhere across [Austro-Hungarian] Galicia, (with academic celebrations and artistic events) and within the Prussian territories ways were found to celebrate the



"All at once from many strings

Burst forth a sound as though a whole janissaries' band Had become vocal with bells and cymbals and drums. The Polonnaise of the Third of May thundered forth! The rippling notes breathed of joy, they poured joy into one's ears; The girls wanted to dance and the boys could not stand still – But the notes carried the thoughts of the old men back into the past, To those happy years when the Senate and the House of Deputies, After that great day of the Third of May, celebrated in the assembly hall The reconciliation of King and Nation; When they danced and sang 'Vivat our beloved King, Vivat the Diet, vivat the people, vivat all classes!'''

Jankiel's Concert

Drawing: Cyprian Kamil Norwid, 1848 Source: A. Mickiewicz, Pan Tadeusz or The last foray in Lithuania, a story of life among Polish gentlefolk in the years 1811 and 1812, in twelve books (English translation: 1917, J.M. Dent, pp. 323–324)

ODCZYT W STULETNIĄ ROCZNICĘ **KONSTYTUCYI 3 MAJA**



NAPISAL

JULIUSZ MIKLASZEWSKI.

....

KRAKÓW. Nakładem Ignacego Żółtowskiego. 1891.

A fragment of a printed brochure with an article by Juliusz Miklaszewski, a gymnasium professor, on the 100th anniversary of the Constitution of 3rd May, published in Krakow in 1891; AGAD, Akta parafii wyznania rzymskokatolickiego z archidiecezji lwowskiej, zesp. nr 303, sign. ref. 27, pp. 1–17

Bog pozwolił naszemu pokoleniu obchodzić stuletnią rocznicę Konstytucyi Trzeciego Maja. W historyi każdego narodu są epoki upadku i klęsk, chwile odrodzenia i chwały. Konstytucya Trzeciego Maja pozostanie na zawsze wielkim dziejowym wypadkiem, świądczącym, iż naród polski w ostatnich chwilach istnienia Rzeczypospolitej, miał w sobie

Poznajmyż w krótkich rysach te reformy, które dokonali ludzie milujący Ojczyznę, aby Polskę podnieść z upadku i zapewnić jej lepszą przyszłość. Obchodzenie wielkich pa-

miątek, religijnych czy narodowych, wtedy przynosi rzeczywisty pożytek: jeżeli pojmujemy ich znaczenie i umiemy wysnué naukę, która oświeca umysł a krzepi serce.

Przy końcu ośmnastego stulecia, Polska miała już dziewięcio-wiekową historyę, pełną chwały i wysokiego znaczenia. Nie możemy jej tu opowiadać, bo o tem trzebaby napisać osobną książkę; ale bodaj kilka rysów niech nam posłuży

do poznania przeszłości naszej Ojczyzny. Niegdyś, na obszernych ziemiach nad Odrą, Warta i Wisłą, mieszkały liczne, drobne, odosobnione ludy lechickie, i byłyby z czasem niechybnie zginęły, i zaledwicby

w historyi ślad pozostał że były. Niedaleko tych ludów władali nad wielkiem państwem potężni cesarze niemieccy, którzy podbiwszy już wiele krajów, ujarzmiliby byli i łudy mieszkające nad Wisłą. Wyroki Boże były inne! Znależli się mężowie potężnego umysłu i silnej woli, którzy potrafili te

anniversary albeit in a somewhat limited form, (i.e., indoors), in the Russiancontrolled territory the appeal to participate in a demonstration hit home mainly among students and one of the important elements of the marches was to march to the Botanical Garden where, in 1792, a foundation stone had been placed under the Temple of the Divine Providence. The newspapers of Kraków and Warsaw wrote about this first march in varying tones (including the "Kurier Warszawski" [Warsaw Courier] from May 1891).

Arrests and investigations followed, which also picked up "Zet" activists, including Roman Dmowski. The way the anniversary had been organised (printing of leaflets calling for participation, commemorative medals), convinced the Russians that there was a secret independence organisation behind the demonstrations. Despite the great difference between the Russian-controlled territory and the rest of the country in their starting points and opportunities to organise political and social activities, the tradition of holding an annual commemoration of 3rd May became a fixed event among Warsaw's students and, in time, became more than an event just for the young. However, Poles who dared to mark this anniversary publicly were severely punished. In 1892, Stanisław Wiktor Mieczyński, a Polish teacher, translator and patriotic activist, laid a bouquet of flowers on the anniversary of the Constitution of 3rd May. For this transgression he was arrested in Warsaw by the Russian secret police and sentenced to three years' exile in Odessa.

Over the following years the media reported the scuffles and arrests in Warsaw, where academic and intelligentsia circles were very active; less so in the provinces. The police arrested people caught tossing bouquets of flowers into the ruins of the Temple of Divine Providence in the Botanical Garden, as they organised coordinated roundups of youth on Warsaw's streets. Over time the demonstrations were joined by an increasingly diverse groups of society. During the years of revolution, the pressure inevitably increased and demonstrations were only permitted to within the limits of public order. After 1907, the 3rd May celebrations became only symbolic in nature. The revolutionary theme became weaker and, in turn, the authorities felt no need to intervene. The annual celebration of the Constitution of 3rd May only started to be marked again in 1916.

1916

The conflict of the First World War, during which the partitioners found themselves in 1914 in opposing political and military camps, brought the Polish question into their political calculations. The German and Austro-Hungarian spring 1915 offensive against the Russian army gave them control of Polish lands which had hitherto been part of the Russian Empire. This changed the situation for Polish people on important territory which had been controlled by the Russian authorities. Within the territory occupied by the Germans and



Austrians, education was given in Polish again (i.a. the Polish University and Polytechnic were opened in Warsaw) and the social and political activity of Poles flourished.

The relatively liberal approach of the German and Austrian authorities to Poles from Russian-occupied territory of the Kingdom of Poland, which aimed to sway public opinion to favour their political-military goals, allowed for the organisation of numerous patriotic events on 3rd May 2016 to celebrate the 125th anniversary of the Constitution. These took place not just in cities, but also in village parishes.

The largest event was held in Warsaw, where the "3rd May Anniversary Celebration Committee" was specially convened, bringing together for the event representatives of different community and professional groups from the city: pupils, students, members of educations associations, civic and charitable institutions, political parties, artisan guilds, associations and sports clubs and professional and civic unions.

The sheer number, size and popularity of the events made a deep impression on the German and Austrian authorities, causing them to take Polish matters into account even more in their political calculations. They also gave the Polish people themselves a clear picture of their own political power, despite not having their own state.



GŁOS BARTOSA: Otom rad—że równość tera Tak rozwija się w narodzie. Toć zasługa kosynjera Żeźwa wszyscy równi w rodzie!

The months following the occupation of Warsaw by the Germans in August 1915 saw the rapid development of the Polish-language press, with the consent of the new occupiers. In addition to serious commentary from numerous newspapers on the developing situation in Poland and around the world, satirical magazines were also gaining popularity. One of these was "Diabel" [Devil] launched in 1916. It was a satirical and entertainment magazine in which Russia and its supporters, the National Democrats, were mocked, while praising the advantages of the German army. The main figure associated with the magazine was Wacław Pobóg-Pabudziński. It also devoted a special edition to the events of 3rd May 1916, although the tone of the content was different to that of other newspapers; referring to a "cultural pattern" commonly recognized by Poles. "Diabeł" was an ephemeral magazine. Its name referred to the weekly magazine "Diabeł Warszawski" [Warsaw Devil], launched in 1913, which was also a satirical and humorous magazine edited by Adam Witold Koszutski.

A fragment of the satirical magazine "Diabel" (Devil) [no. 10 of 3rd May 1916], containing a reference through the figure of Wojciech Bartos [Wojciech Bartos-Głowacki] to events from the time of the fall of the First Polish Republic (the Commonwealth) and the national march of 3rd May 1916, at the same time showing the ideological profile of the magazine, Warsaw; AGAD, Zbór Ewangelicko-Augsburski, 583, p. 464 The City Militia of the Capital City of Warsaw was a paid, professional Polish police force armed with slashing weapons, officially established on 1st February 1916. It was created out of the Civic Guards established under Russian rule at the end of July 1915, which operated as an honorary, free security service. Prince Franciszek Radziwiłł was active in the Command of the Guard from the outset. The swift installation of German police authorities in occupied Warsaw caused a sharp reduction of the original importance of the Civic Guards. The German authorities tried to completely eliminate the formation, but Prince Radziwiłł (descended from a line related to the German Hohenzollerns) suggested that Governor Beseler transform it into a professional City Militia. This service was established "to ensure the safety of the capital and its inhabitants," and Prince Franciszek Radziwiłł became its head. The service consisted of about 2,000 officers. They received uniforms modelled on those of lancers and sabres as weapons.

Even though the City Militia only acted as an auxiliary body for the German police and military authorities, it became the principal source of officers for the State Police established in independent Poland in 1919.

Naczelnik Milicyi Miejskiej st. miasta Warszawy.



Franciszek książę Radziwiłł w mundurze Naczelnika Milicyi Miejskiej stołecznego miasta Warszawy, Fot. Maryan Fuks.

A photo of prince Franciszek Radziwiłł in the uniform of the Head of the City Militia of the capital city of Warsaw, published in the weekly magazine Świat, issue 19, devoted almost entirely to the 125th anniversary of the adoption of the Constitution of 3rd May, 6th May 1916, Warsaw; AGAD, Zbór Ewangelicko-Augsburski, 583, p. 489



Do Zarzadu

Muzeum Przemysłu i Rolnictwa

w miejscu.

Wskutek wezwania WPanów przesyłamy odznaki naszej organizacji, używane podczas pochodu dn. 3 Maja, oraz wydane odezwy.-

A letter from the Main Board of the National Workers' Union to the Board of the Museum of Industry and Agriculture in Warsaw, informing that they were sending a copy of the organization's badge used during the march held on 3rd May 1916 (including the badge), no date, Warsaw; AGAD, Zbiór z Muzeum Narodowego, 1198, pp. 795–796

The National Workers' Union (Narodowy związek robotniczy, NZR) was a political organization of Polish workers founded in 1905 in the territory of the Kingdom of Poland under Russian rule. Although it came from the nationaldemocratic movement, as a result of differences in attitudes towards Russia and reluctance about the tactical alliance of the National Democrats with Russia, its activists broke off their cooperation with the national-democratic movement. In 1908, NZR activists clearly spoke out against Russia, which pushed them to cooperate with other anti-Russian parties and political groups (the so-called Polish irredentists) before the outbreak of World War I. In 1911, the National Workers' Union became a member of the Polish Confederation political platform and, in 1912, a member of the Provisional Committee of the Confederated Independence Parties (KSSN), grouping all political parties from the Kingdom of Poland and Galicia willing to act jointly against Russia and counting on the outbreak of a pan-European armed conflict. This agreement was followed by paramilitary organizations: the Riflemen's Association (Związek Strzelecki), the Rifle Society (Towarzystwo 'Strzelec') and the Polish Rifle Teams (Polskie Drużyny Strzeleckie). The road to independence was seen in the armed struggle against Russia undertaken at the time of the conflict between the partitioning powers (at the end of 1913, the first word "Provisional" disappeared from the name). However, each of the political organizations had full independence in the implementation of social programmes within the KSSN. Before the outbreak of World War I, the NZR activists became the co-architects of a temporary agreement between two independence movements: the socialist and nationalist. After the outbreak of war in 1914, the activists of the National Workers' Union actively participated in political independence activities, both those undertaken in Galicia and, above all, in the Kingdom of Poland (Łódź, Warsaw, Zagłębie Dąbrowskie) as part of the Supreme Committee of the United Independence Parties (from August 1915). Finally, after the entire territory of the Kingdom of Poland was taken over by German and Austrian troops, the National Workers' Union became part of the Central National Committee, a grouping of left-wing independence supporters formed in Warsaw in December 1915.

The most significant NZR activists during the World War I were Marian Rapacki, Władysław Malangiewicz and Jan Stanisław Jankowski (who became a Government Delegate for Poland during World War II).



Pennant-badge with the slogan "Freedom-Entirety-Independence" belonging to a member of the National-Radical Party taking part in the march on 3rd May 1916, no date, Warsaw; AGAD, Zbiór z Muzeum Narodowego, 1198, pos. X



Cotillion of 1916 AGAD, Zbór Ewangelicko-Augsburski, 583

The National-Radical Party was a political grouping of intelligentsia from the territory of the Kingdom of Poland created before World War I. Even before the outbreak of the war, it criticized the national democrats (NDs) who focused on cooperation with Russia. However, after the outbreak of war in 1914 and the establishment of the Union of Independence Organizations in the Kingdom of Poland (a political representation of groups cooperating with Polish activists from Galicia), its activists decided not to support the Supreme National Committee in Krakow against Russia unequivocally. The National-Radical Party co-created the so-called the Centre Bloc which, despite the emerging military superiority of the Central Powers (Germany and Austria-Hungary) over Russia, considered it premature unequivocally to take their side. Accepting the idea of joint political representation of the Russian partition, the National--Radical Party, however, did not want to speak out against Russia. It was only the occupation of Warsaw by the German army in August 1915 and the full clarification of the new political situation that prompted National-Radical Party activists to seek agreement with the left independence (organized as part of the Supreme Committee of the United Independence Parties). However, it was only after the march of 3rd May 1916 that the National-Radical Party established greater cooperation with the Central National Committee in Warsaw. The most significant representatives of the National-Radical Party were Stanisław Patek and Eugeniusz Śmiarowski.



Commemorative medal of 1916 AGAD, Zbór Ewangelicko--Augsburski, 583

On the brink of independence

The celebrations and patriotic marches on the occasion of the 125^{th} anniversary of the passing of the Constitution in May 1916 launched the annual celebration of the Constitution as had happened back in 1792. The Sejm formally made the anniversary of the Constitution of 3^{rd} May a public holiday for the reborn state.

In 1920, at the request of the Polish bishops after Poland regained independence, Pope Benedict XV established the holy day of the Most Holy Virgin Mary, Queen of Poland.

In addition, in the preamble to the new constitution of March 1921, there was a reference to the Government Act: "harking back to the fantastic tradition of the 'unforgettable' Constitution of 3rd May".



A photo of a group of members of the Christian Association of Commercial and Industrial Officials in Warsaw taking part in the national march on 3rd May 1916, Warsaw; AGAD, Zbiór z Muzeum Narodowego, 1198, p. 773

USTAWA

z dnia 29 kwietnia 1919 r.

o święcie narodowem trzeciego maja.

Art. 1. Dzień trzeciego maja, jako rocznica Konstytucji 1791 roku, ustanawia się w całej Rzeczypospolitej Polskiej jako uroczyste święto po wieczne czasy.

Art. 2. Wykonanie niniejszej ustawy poleca się Radzie Ministrów.

Art. 3. Ustawa niniejsza wchodzi w życie z dniem 3 maja 1919 r.

Marszałek: Trąmpczyjiski

Prezydent Ministrów:

w z. S. Wojciechowski

Act on the national holiday of May 3rd (29th of April, 1919)

In 1919, the Legislative Sejm recognized the anniversary of the adoption of the May 3rd Constitution as a national holiday of the reborn state. Journal of Polish Laws, 30th of April 1919 (Dz. Praw P. Pol.1919.38.281).

267.

USTAWA

z dnia 17 marca 1921 roku KONSTYTUCJA RZECZYPOSPOLITEJ POLSKIEJ.

W Imię Boga Wszechmogącego!

My, Naród Polski, dziękując Opatrzności za wyzwolenie nas z półtorawiekowej niewoli, wspominając z wdzięcznością męstwo i wytrwałość ofiarnej walki pokoleń, które najlepsze wysiłki swoje sprawie niepodległości bez przerwy poświęcały, nawiązując do świetnej tradycji wiekopomnej Konstytucji 3-go Maja – dobro całej, zjednoczonej i niepodległej Matki-Ojczyzny mając na oku, a pragnąc Jej byt niepodległy, potęgę i bezpieczeństwo oraz ład społeczny utwierdzić na wiekuistych zasadach prawa i wolności, pragnąc zarazem zapewnić rozwój wszystkich Jej sił moralnych i materjalnych dla dobra całej odradzającej się ludzkości, wszystkim obywatelom Rzeczypospolitej równość, a pracy poszanowanie, należne prawa i szczególną opiekę Państwa zabezpieczyć – tę oto Ustawę Konstytucyjną na Sejmie Ustawodawczym Rzeczypospolitej Polskiej uchwalamy i stanowimy.

The preamble to the March Constitution

The March Constitution was published in the Journal of Laws on 1st June 1921 (Dz.U. 1921 no. 44 position 267).







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