

# Professor Waclaw Szyszkowski — a Lawyer, Anticommunist, One From the Generation of Independent Poland

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**Abstract.** *The article presents the activity of Waclaw Szyszkowski, a lawyer, an emigration independence activist and an outstanding scientist, who fought in the Polish-Bolshevik war of 1920 and, after Poland regained independence, was active in a secret Union of the Polish Youth "Zet" and a public Union of the Polish Democratic Youth. Until 1939 W. Szyszkowski was a defence lawyer in Warsaw, supporting the activities of the Central Union of the Rural Youth "Siew" and the Work Cooperative "Grupa Techniczna". Published articles in political and legal journals, such as "Przełom", "Naród i Państwo", "Palestra", "Głos Prawa". During World War II — a conspirator of the Union for Defense of the Republic of Poland, soldier of the Union of Armed Struggle and Home Army, assigned to the Bureau of Information and Propaganda of the Home Army Headquarters. Fought in the Warsaw Uprising, after which he was deported by Germans to the Murau oflag in Bavaria. For helping Jews during the occupation, the Yad Vashem Institute awarded him and his wife Irena the title of Righteous Among the Nations. After 1945, he remained in the West, engaging in the life of the Polish war exile in France, Great Britain and the United States. He received a doctorate in law at the Sorbonne. He belonged to the People's Party "Wolność", the Association of Polish Combatants. He was a member of the National Council of the Republic of Poland in Exile. As an anti-communist, he was invigilated by the communist intelligence of the People's Republic of Poland. In the 1960s, after returning to Poland, as a lawyer and scientist, he was first affiliated with the Maria Curie-Skłodowska University of Lublin, and then with Nicolaus Copernicus University of Toruń. W. Szyszkowski is the author of nearly two hundred scientific and journalistic publications printed in Poland and abroad.*

**DOI: 10.5604/01.3001.0012.8401**

**<http://dx.doi.org/10.5604/01.3001.0012.8401>**

**Keywords:** the Piłsudski left in the Second Republic of Poland, the Polish underground state, aid to Jews, Polish independence emigration

## Introduction

Waclaw Szyszkowski, son of Władysław and Wanda born Zabłocki, was born on 17 August 1904 in Wielkie Łuki in the Pskowska province, where his father was an attorney. By September 1918 he graduated from four classes of the Russian gymnasium, successively in Rzeczyca, Smolensk and Nevel in the Vitebsk governorate. Three months before Poland regained independence, he and his family moved to Poland, where he continued his education at a Polish gymnasium in Kalisz. In the autumn of 1920, while still a student, after obtaining the so-called school leave, he volunteered for the army to take part in the Polish-Soviet war. He passed the war campaign of 1920 within the structures of the 201th Regiment of the Light Cavalrymen, fighting against the Bolsheviks in Podlasie, near Warsaw, near Mława and Płock, and in Wołyń. From the front he returned to the school bench<sup>1</sup>.

<sup>1</sup> *Own collection: Szyszkowski W, Curriculum vitae, typescript, 6 V 1978, pp. 1–2; Łaszewski B, Szyszkowski W, Członkowie ruchu zetowego na emigracji, [in:] Nowacki T (Ed.), ZET w walce o niepodległość i budowę państwa. Szkice i wspomnienia. Warsaw, 1996, p. 362.*

## Main Part

After moving to Warsaw and having successfully passed the secondary school leaving exam in the Tadeusz Czacki State Gymnasium, following in the footsteps of his father, in 1922 Szyszkowski began studying law at the University of Warsaw. As a student he joined the leftist Academic Union of Progressive Youth, whose president was then Janusz Rakowski, later the director of the cabinet of the Minister of Treasury and Deputy Prime Minister Eugeniusz Kwiatkowski. Szyszkowski was also involved in the activity of the secret Union of Polish Youth "Zet", an organization created in 1886 by Zygmunt Balicki. Zet — as the historian of the movement Przemysław Waingertner noted — "in less than three decades became an efficiently organized and functioning structure, with its institutions in several academic centres, where Poles used to study — not only on the Polish territory of all three partitions, but also in the depths of Russia and in Western Europe. At the same time, the Union of Progressive Youth circles also functioned in the Polish province — in smaller towns where ZETs came from and organized themselves".<sup>2</sup> In 1925 Szyszkowski became a member of the Union of Student Lawyers of the University of Warsaw, where he met his future wife, also a law student, Irena Tarkowska. During his activity in the association of lawyers, Szyszkowski cooperated and became friends with such prominent lawyers as the aforementioned Rakowski, Stanisław Borowski, Zygmunt Kopankiewicz, Zygmunt Czyżewski, Edmund Szablowski or Kazimierz Mamrot. Two years later, identifying himself with the left wing of the Piłsudski camp, which supported the coup of Marshal Piłsudski in May 1926, which found its outlet in the establishment of the Union for the Repair of the Republic of Poland, Szyszkowski introduced AZMP to the Union of Polish Democratic Youth, which was formed with his participation, and of which he became its vice-president. During his studies Szyszkowski was still a member of the Union of Friends of the League of Nations. He wrote to such magazines as: "He wrote for such magazines as "Brzask", "Kuźnica" or academic youth magazine "Nurt". He travelled abroad several times to take part in congresses of the International Union. Outside Poland he moved freely because he was fluent in French, English and German.<sup>3</sup>

After graduating from the International Labour Office in Geneva in 1928, Szyszkowski continued his education at the Academy of International Law in Hague. In the years 1927–1929 he completed a judge's apprenticeship, which ended in autumn 1929 with a judge's exam. In the meantime, he attended law congresses in Grenoble, Cambridge and Vienna. After returning to Poland in December 1931, he passed the attorney's exam and was entered on the list of attorneys of the capital city of Warsaw. Until the outbreak of World War II Szyszkowski was a civilist

<sup>2</sup> *Ibid.*; On the subject of Zet. See: Waingertner P, *Konspiracja trzech pokoleń. Związek Młodzieży Polskiej „Zet” i ruch zetowy (1886–1996)*. Łódź, 2017; *idem*, *Ruch zetowy w Drugiej Rzeczypospolitej. Studium myśli polityczne*. Łódź, 2006; Rakowski J, *Zetowcy i piłsudzczycy*. Paris, 1982.

<sup>3</sup> ZW, Szyszkowski W, *Życiorys...*, p. 1. On the subject of the Union for the Repair of the Republic of Poland. See: Waingertner P, *Naprawa (1926–1939). Z dziejów obozu pomajowego*. Warsaw, 1999. On the subject of the Union of Polish Democratic Youth. See: Pietrusza J (Ed.), *Związek Polskiej Młodzieży Demokratycznej podczas II Rzeczypospolitej i II wojny światowej*. Kraków, 1998.

practitioner. He published articles in political and legal journals, such as: „Przełom”, „Naród i Państwo”, „Palestra” or „Głos Prawa”. He was also active in the secret Patriotic Union, which was connected with the Zet movement and included adult society. He was also a member of the Association of Seniors of the National Youth Organisation, whose task was to commemorate the involvement of ZETs in the struggle for independence and state building<sup>4</sup>.

From 1933 Waclaw Szyszkowski, due to his acquaintance with Stanisław Gierat, President of the Central Union of Rural Youth “Siew”, was a legal adviser and co-organizer of the “Technical Group” Work Cooperative. The company was created by a group of ideological young engineers headed by Gierat, associated in the Union of Young Technology. The cooperative was one of the most prosperous enterprises in pre-war Poland. Finally, the “Group” employed approximately 2,000 people. It had several specialized departments: long-distance cables, construction, electrotechnical, and the oil department established in 1938. Stanisław Gierat, President of the Management Board of the “Technical Group”, recalled after World War II: “The Group was founded during the biggest crisis in the world. Most of the capitalist companies, joint stock companies or private single-family factories collapsed into ruin. And we started to build a new, socialized company with faith. We believed that the economic crisis is at the same time a crisis of old forms of production, calculated only on the entrepreneur’s profit”. Szyszkowski was a person who refined the statute of the “Technical Group”, which was the basis for its judicial registration.<sup>5</sup> The initial capital of the company was made up of one hundred zloty shares paid up by twelve young engineers, half of which was paid up in bills of exchange. The most important works of the “Technical Group” before the outbreak of World War II include the construction of electrical installations: in Warsaw — Main Railway Station, Security Printing Works, Military Geographical Institute, Municipal Slaughterhouse, National Museum, in Vilnius — Józef Piłsudski Hospital and the building of PKO [General Savings Bank], in Stalowa Wola — Southern Plants, on the route Warsaw–Poznań — air lanterns, as well as military barracks among others in Puławy, Brześć, Kobryń, Sieradz and Pińsk. The “Group” also laid long-distance cables. The employees of the Cooperative laid 1000 km on 1300 km of such a cable in pre-war Poland. In 1938 the “Group” started preliminary drilling works in the Podkarpacie region, where it even set up a drilling shaft in Kobylanka<sup>6</sup>.

Three years after the registration of the Work Cooperative “Technical Group”, its shareholders established the Technical Bank with considerable legal assistance of Waclaw Szyszkowski. It was not a typical bank, because its main task was a credit support of the enterprises associated in the “Group”, if they could not afford to carry out the works accepted for execution on their own. Mostly those companies were credited that carried out orders for the Cooperative, and at the same time, due to lack of capital or real estate, were not able to obtain credit from commercial banks. Importantly, the Technical Bank granted credit to customers not due to their creditworthiness, but due to the possibility of carrying out specific works

<sup>4</sup> ZW, Szyszkowski W., *Życiorys...*, *op. cit.*, p. 1; Pomian A, *Żywot człowieka uczonego. Tydzień Polski* (Londyn), 1 III 1997, p. 7.

<sup>5</sup> Kardela P, Stanisław Gierat 1903–1977. *Działalność społeczno-polityczna*. Szczecin, 2000, p. 66.

<sup>6</sup> Kowalski B, *Grupa Techniczna. Spółdzielnia Pracy 1933–1962*. Warsaw, 1964.

in a professional manner. The borrower only had to submit to the Bank's control and file an assignment for the flow of all his receivables for the performance of the outsourced work.<sup>7</sup>

At the beginning of World War II, since October 1939, Waclaw Szyszkowski ceased his legal practice by cooperating with Tadeusz Żencykowski, among others, in the underground Union for the Defense of the Republic of Poland, and then in the Union of Armed Struggle and the Home Army, where he was assigned to the Bureau of Information and Propaganda of the Home Army Headquarters. Szyszkowski worked in the department W2, dealing with the collection of materials on administration and legislation of the German occupier, analyzing them for the needs of the Home Army Headquarters. Initially, he was directly subordinated to Jerzy Makowiecki, the head of the Information Department of the Office, and later, after his tragic death, from the spring of 1944, to Aleksander Gieysztor, later a famous professor of history, an outstanding Polish medieval expert<sup>8</sup>.

Szyszkowski and his wife Irena were not indifferent to the German extermination of Polish Jews. In August 1942, during the so-called great liquidation action in the Warsaw Ghetto, Waclaw was contacted by his close friend of Jewish origin, attorney Józef Zysman. He asked for help for his several-year-old son Piotr. After being led out of the ghetto through the sewers, the Szyszkowski family took care of their friend's son. As Marcin Urynowicz from the Institute of National Remembrance wrote: "For some time [Piotr Zysman] stayed with them, but could not stay permanently, because they had three small children of their own. The Szyszkowski family's attempt to find a safe place for the boy was successful. He was taken to an orphanage run by nuns, most probably in Międzylesie on the Otwock line. Several times they had to look for a new place for him, but the Szyszkowski family always managed to do it. Piotr survived the war and in 1945 was taken away by his mother. (...) Apart from Piotr," adds Urynowicz, "the Szyszkowski family were also involved in rescuing two Jewish girls. They were daughters of another Warsaw lawyer, Roman Frydman Mirski. (...) The Szyszkowski's help was selfless. As Waclaw admitted, "»friendly, collegiate, humanitarian and political reasons" dominated«. They endangered their own lives and the lives of their children". — wrote years later, with gratitude, Teodora Zysman, sister of Józef Zysman's wife, who died in 1943. In 1988 the Yad Vashem Institute awarded Waclaw and Irena Szyszkowski the title of Righteous Among the Nations<sup>9</sup>.

<sup>7</sup> Kardela P, Stanisław Gierat..., *op. cit.*, p. 88.

<sup>8</sup> Mazur G, *Biuro Informacji i Propagandy SZP-ZWZ-AK 1939–1945*. Warsaw, 1987, pp. 78, 86, 362; Ney-Krwawicz M, *Komenda Główna Armii Krajowej 1939–1945*. Warsaw, 1990, pp. 187, 189; Waingertner P, *Konspiracja trzech pokoleń...*, *op. cit.*, p. 544; Pomian A; Łaszewski B, Szyszkowski W, *op. cit.*, p. 362.

<sup>9</sup> *Electronic source*: <https://sprawiedliwi.org.pl/pl/historie-pomocy/historia-pomocy-rodzina-szyszkowskich-0>, accessed: 15.09.2018. W. Szyszkowski described in 1954 in the Parisian "Kultura". (No. 1/75–2/76) very interestingly, amongst others the attitude of Jerzy Czarkowski, a lawyer associated with the National-Radical Camp before the war, to the lawyers of Jews in the General Government, who, as "a cold and sober politician, could, in the light of his convictions, see in the rugging of Jews from the Polish society by the Germans — a useful but dirty job, however in the critical moment," wrote Szyszkowski, "he was able to distinguish between the essence of Polish and human background and anti-Semitism, contrary to the seemingly pre-war beliefs".

Szyszkowski was arrested by the Gestapo in a street round-up in 1942. He was taken to the Treblinka concentration camp. Fortunately, the Germans did not know anything about his underground activity or help given to the Jews. Released after the intervention of his friends, lawyers from abroad, he did not stop his underground work in the Home Army. He fought in the Warsaw Uprising. He belonged to an outpost codenamed "Anna", which was collecting and then analysing information about combat activities and the attitude of the civilians of the capital and the insurgent press for the Home Army command. After the end of the fighting in the capital, he was deported as a prisoner of war by the Germans to the Murnau oflag in Bavaria.<sup>10</sup>

After the liberation of the camp by the American army, not accepting the visible Sovietization of Poland, he remained in the West. He settled in Paris in France. In December 1946 he went to Brussels, where he took part in the first congress of the Polish War Refugee Association. He was then elected to the board of the organization. Szyszkowski was also a delegate of the Polish War Refugee Association to France and Belgium. The President of the Association was Zygmunt Rusinek<sup>11</sup>. In May 1947 Szyszkowski took up law studies at the Sorbonne. "In Paris I feel at home," wrote the professor in June 1993 about those times. — I lived there for months. At the Sorbonne, very long time ago, I made a doctorate in law". Doctoral degree (nostrified at the Nicolaus Copernicus University in Toruń in 1963) Szyszkowski obtained for his doctoral thesis *La risque du guerre dans l'assurance*<sup>12</sup>.

In 1948 Waclaw Szyszkowski and his family decided to settle in Great Britain. He and his wife lived in London until 1952. It was the centre of Polish anti-communist political exile. In England, he maintained lively contacts with the aforementioned Stanisław Gierat, the pre-war Silesian Governor Michał Grażyński, Bronisław Hełczyński, active in the World Union of Poles Abroad, but also with Eng. Jan Kazimierski, born in 1904, who also like him was a participant of the Polish-Bolshevik war, member of "Zet" and the management of the "Technical Group", officer of the Polish Armed Forces in the West during the World War II, an outstanding folk activist and later the head of the Underground Polish Studies<sup>13</sup>.

At that time Szyszkowski had full knowledge of the situation in Poland. He knew what happened to his numerous lawyer colleagues of the independence underground movement or former members of the Zet movement from the communists' side. He also maintained contacts with many Polish colleagues, such as a former member of the Polish Military Organisation born in 1901, a participant in the war of 1920, a law graduate of the Catholic University of Lublin, Antoni Furgała, a pre-war lawyer. During the occupation, under the authority of the government of the Republic of Poland residing in London, until July 1944 he was the chairman of the underground Special Court in Lublin and cooperated with the Home Army. After entering the Lublin region by the Soviet Army, as an attorney, Furgała became associated with the Polish People's Party led by Stanisław Mikołajczyk, where he was

<sup>10</sup> Łaszewski B, Szyszkowski W, p. 362; Pomian A.

<sup>11</sup> On this subject and the establishment and activities of the Polish War Refugee Association in Brussels see P. Kardela, *op. cit.*, pp. 183–186.

<sup>12</sup> Pracownicy nauki i dydaktyki Uniwersytetu Mikołaja Kopernika 1945–2004. Materiały do biografii. Kalemba S (Ed.). Toruń 2006, pp. 680–681.

<sup>13</sup> Information of W. Szyszkowski granted to the author (December 1995).

an honorary legal adviser, and in 1947, during the elections to the Parliament, a representative of the electoral list of that party. Immediately after the fraudulent election, the older colleague of Szyszkowski was arrested by Security Office officers and detained for 23 days in a pre-trial detention centre, where he slept sitting or on the bare floor, and after his release he was evicted from his own apartment occupied by a doctor from the Security Office. Then an attempt was made to prohibit Frugała from pursuit of the profession of a lawyer<sup>14</sup>.

Szyszkowski knew many such cases. Therefore, despite the widely organized reemigrant action by the communists, quietly supported by the British, Waław Szyszkowski decided to stay in the West. In London he worked as a legal adviser specialising in international law. He quickly became known as an outstanding independence activist. He did not consider the communist authorities in Poland legal, convincing that his homeland was under Soviet occupation. He was a follower of legalism, i.e. he considered the President and the government of the Republic of Poland residing in London to be the legitimate Polish authorities. He was actively involved in the social activity of the Association of Polish Combatants. He was politically connected with the People's Party "Freedom", led by a lawyer Jerzy Kuncewicz in the years 1945–1970, which was in opposition to Stanisław Mikołajczyk and his Polish People's Party. Szyszkowski has been elected member of the Main Board of the People's Party. He observed with interest the development of a new quality in the life of Polish political emigration, the Polish Freedom Movement "Independence and Democracy", which was created by his pre-war colleagues. As the "Independence and Democracy" movement started acting as a committee, not accepting the Polish authorities in the main representative bodies abroad, Szyszkowski quickly ceased to be interested in his activities. Szyszkowski's support for the institutionalised Polish political life in exile, as embodied by the president and government of the Republic of Poland in exile, was expressed in his presence in 1951–1954 in the National Council of the Republic of Poland in London, which was a substitute for the Polish Parliament operating in exile. One of numerous activities held by him was the post of a head of the Committee Office at the Council of Ministers of the Government of the Republic of Poland in exile<sup>15</sup>.

<sup>14</sup> Kardela P, Adwokat Antoni Furgała. Człowiek wyjątkowo uczciwy... rodem z Krasnegostawu. *Ziemia Krasnostawska*, 1996, No. 1–2, Feb.

<sup>15</sup> On presidents and the government of the Republic of Poland in exile. See: Poczet Prezydentów Rzeczypospolitej Polskiej na uchodźstwie w latach 1939–1990. Białystok, 2015; Górecki D, Polskie naczelne władze na uchodźstwie w latach 1939–1990. Warsaw, 2002. On the social and political life of the Polish independence exile in the West after World War II. See e.g. Friszke A, *Życie polityczne emigracji*. Warsaw, 1999.; R Habielski R, *Życie społeczne i kulturalne emigracji*. Warsaw, 1999. On the organization of veterans' structures in the West after 1945 and the Association of Polish Veterans in Great Britain. See: Kondracki T, *Polskie organizacje kombatanckie w Wielkiej Brytanii w latach 1945–1948*. Warsaw, 2007 i idem, *Historia Stowarzyszenia Polskich Kombatanów w Wielkiej Brytanii 1946–1996*. Londyn, 1996. On the Polish parliamentarianism in exile see: Turkowski R, *Parlamentaryzm polski na uchodźstwie 1945–1972*. Warsaw, 2001. The issue of the Polish Freedom Movement „Independence and Democracy”, is addressed by Łukasiewicz S, *Partia w warunkach emigracji. Dylematy Polskiego Ruchu Wolnościowego „Niepodległość i Demokracja” 1945–1994*. Lublin–Warsaw, 2014.

When the U.S. administration enacted laws allowing more Poles to settle in the United States, which was used by many former soldiers of the Polish Armed Forces and members of the independence underground movement who settled in Western Europe, in April 1952 Waclaw Szyszkowski moved to America and settled in Chicago. There he became involved in the creation of a Polish freedom movement. He continued his activity in the People's Party "Freedom". After getting in touch with Stanisław Gierat, who also came from England to the USA, he joined the creation of a new Polish veteran organization. This one was created from a secession of the Association of Polish Army Veterans in America, founded in 1921 in Cleveland, at that time dominated by former soldiers of the so-called Blue Army of gen. Józef Haller. At the first convention of the Association of Polish Veterans in the United States, which took place in June 1953 in New York, Szyszkowski was elected Vice-President of the Main Board of the organization. Independently from the Association of Polish Veterans, Szyszkowski was also a member of the Home Army Soldiers' Union in Chicago.<sup>16</sup>

Initially, the activity in the independence organizations of the Polish political exile in America occupied Szyszkowski completely. He attended organizational meetings of the Association of Polish Veterans and the Home Army, taking part in street parades or patriotic academies, maintained traditions of the Polish army and underground movement during the war, participated in celebration of national anniversaries banned in Poland by the communists. He was also active in reacting to actions inspired by the communists aimed at neutralizing the Polish American community. The Association of Polish Veterans, to which he devoted most of his time, consisted of several dozen of field branches. The headquarters of the Management Board, headed by Gierat, was located in Manhattan, New York. Szyszkowski belonged to the Chicago branch of the Association of Polish Veterans No. 27 called "Soldier's Loyalty", which, as a result of the internal crisis of Polish emigration on October 8, 1953, distinguished itself through secession from the Chicago branch of the Association of Polish Veterans No. 15. The president of the branch "Soldier's Loyalty" was lieutenant colonel Kazimierz Szternal. In a dispute which led to the splitting of Polish legalism in exile, Szyszkowski, in contrast to the president Gierat, stood on the side of the President of the Republic of Poland in exile, August Zaleski, against whom gen. Władysław Anders appealed. In this way Szyszkowski came into an unpleasant conflict even with his pre-war friends from Zet and the "Technical Group"<sup>17</sup>. However, he had reasons to make such a choice. First of all, he did not like the secession of President Zaleski by the London community of the Association of Polish Veterans, which, according to the statute, was supposed to be a structure that avoided party politics. However, the association unreservedly supported the anti-presidential statement of gen. Anders. In a letter to Janusz

<sup>16</sup> Kardela P, *Stowarzyszenie Polskich Kombatantów w Stanach Zjednoczonych w latach 1953–1990*, Olsztyn-Białystok, 2015, pp. 130–132, 136, 148, 607.

<sup>17</sup> Kardela P, *Koła Stowarzyszenia Polskich Kombatantów w Stanach Zjednoczonych 1953–2012*, Olsztyn–Białystok–Warsaw, 2017, pp. 529–532, 536, 540. For more on the crisis of the Polish independence exile and the conflicts in the "London" legalistic centre, see Ziętara P, *Misja ostatniej szansy. Próba zjednoczenia polskiej emigracji politycznej przez gen. Kazimierza Sosnkowskiego w latach 1952–1956*. Warsaw, 1995; Katelbach T, *O zjednoczenie i legalizm. Ostatni akt życia publicznego Kazimierza Sosnkowskiego*. New York, 1975.

Rakowski, a bank worker in Zurich and an activist of the Association of Polish Veterans, who had stayed continuously since the war in Switzerland, Szyszkowski wrote: "I don't know if you were at the last SPK [the Association of Polish Veterans] Congress in London, where such disgraceful resolutions on legalism were passed, I don't know how you voted, I don't know how you will respond to this matter, but I don't think that if there are any faults on the part of President Zaleski, they didn't entitle to such a reaction. It started with the "legal" opinion of Hełczyński, Podoski, Stypułowski and Bruner that the office of President is vacant. The Consultative Committee later confirmed this. I was ashamed to read that it was approved by Grażyński. As a lawyer you probably understand — Szyszkowski wrote further — that "dethronization" is not based on serious legal bases, it is simply lawless. A revolution may have a *raison d'être*, but it must be followed by strength, or the actual state of affairs. We don't have that here, and we will still have two centres. Anders did a terrible thing by dragging the army into the conflict." A little further Szyszkowski explained: "In other words, Anders made us additionally a breakdown and a division in the army; we have two »troops«. After all, we who are faithful to the oath will consider the gen. [Michał] Karaszewicz-Tokarzewski as the general inspector of the armed forces. We understand that a general in any country can sometimes make a revolution, but here Anders »jumped« into a revolution made by others without risking his head, as is normally the case with revolutions. In Chicago, the dividing line is the same as last year. The Political Council equals the Council of National Unity. The League of Independence is 90% for legalism and Zaleski. We will pay the National Treasury directly to the Prime Minister Mackiewicz government and him to London, and not to the Central Commission [of the National Treasury controlled by the people of gen. Anders]. Dear Janusz — Szyszkowski concluded his letter — this is my credo for the present day. Of course, I had to part with my friends in London"<sup>18</sup>.

In America, regardless of his organizational activity and like everyone else, Szyszkowski had to take care of his family's standard of living. Daughters went to college, and that cost money. In order to face the difficult living conditions abroad, where the pre-war position in Poland did not mean anything to the American environment, Szyszkowski retrained, graduated from a technical school and started working as an engineer in the Automatic Elektric telephone concern. He did not feel comfortable in this profession<sup>19</sup>.

His social and political activity was the subject of interest of the intelligence of the People's Republic of Poland. First, Division V of Department VII, and then Division V of Department I of the Ministry of the Interior, within the scope of the case codenamed "Marynista" for several years, until the end of 1960, comprehensively supervised Szyszkowski, erroneously assuming that he was the head of the intelligence of the the Polish Freedom Movement "Independence and Democracy" with the focus on the People's Republic of Poland.<sup>20</sup>

For the first time since the end of World War II Waław Szyszkowski visited Poland in 1963 during the summer holidays. It was already during the reign

<sup>18</sup> Own collection, a letter of Szyszkowski W to Rakowski J, 28 VIII 1954.

<sup>19</sup> Own collection, Szyszkowski W, *Résumé...*, *op. cit.*, p. 2.

<sup>20</sup> Archive of the Institute of National Remembrance, BU 01168/446, Files of Waław Szyszkowski.



of Władysław Gomułka. The visits to the country, because of which he might have attracted criticism of the so-called steadfast “Londoners” denying all contacts of political emigrants with the communist People’s Republic of Poland, were partly connected with the aforementioned controversy of the Polish independence emigration, which, stuck in an internal crisis, had not been able for a long time to select its uniform political leadership. Szyszkowski wrote to Rakowski that, knowing the unpleasant conditions of the communist system for the Polish society, he decided to continue his periodic classes with Polish students at the Nicolaus Copernicus University. He was offered the position of a lecturer in Toruń. “I teach a course on the constitutional systems of Western countries, mainly the United States of America. This will be complemented by the system of Great Britain. (...) At the end of September [1964] I am going to Poland with my wife. The children stay in the United States. I won’t write to you about the situation in Poland, because you certainly know everything; I felt good personally, having a job that suits me more than earning a living in the USA”. In the same letter he added a little further: “that in Toruń I am a friend with Jerzy Śliwowski (head of the criminal law department) and Kaziu Sokołowski (head of the economics department). Apart from that, there are still many more of our friends and old colleagues living in Warsaw. But by nature of age, these are already remnants — the whole of Poland is already rejuvenated in comparison with us”<sup>21</sup>.

Szyszkowski returned to Poland permanently in autumn 1964, leaving two adult daughters in the USA. Thanks to the intercession of pre-war friends, scientists and lawyers, he took up the promised job of a lecturer of constitutional law in Toruń. Already in November 1964, at the Maria Curie-Skłodowska University in Lublin, he received his postdoctoral degree, and soon afterwards he became an associate professor of the Nicolaus Copernicus University. As an eminent scientist and organizer, he first became the head of the State Law Department, in 1967–1969 he held the title of a dean, and then, in 1969–1971, the dean of the Faculty of Law and Administration of Toruń’s Alma Mater. Szyszkowski was also the president of the Social Scientific Society in Toruń. Already in Poland, he wrote several valuable scientific monographs on constitutional and international law, but also a biography of Benjamin Constant. In total Szyszkowski was the author of nearly two hundred scientific (including reviews) and journalistic publications, printed in Poland and abroad<sup>22</sup>.

In 1974 Prof. Szyszkowski retired, but he was still active in scientific life. He cooperated with the team of the Polish Biographical Dictionary, for which, for example, he prepared a biography of President Władysław Raczkiewicz, but also of many Zet brothers, among others: Józef Małowieski, Józef Marszałek, Tadeusz Moniewski, Antoni Nowak-Przygodzki, Maria Nowicka, Czesław Nusbaum, Stanisław Paprocki or Stanisław Podwiński. Waclaw Szyszkowski, already retired, participated in many national and international summits and legal conferences. He lived to see independent Poland<sup>23</sup>.

Between 1990 and 1993 he participated as an expert in the work of the Senate Constitutional Commission preparing the draft Constitution of the Republic

<sup>21</sup> Own collection, a letter of Szyszkowski W to Rakowski J, 5 VIII 1964.

<sup>22</sup> Own collection, Szyszkowski W, *Résumé...*, *op. cit.*, p. 2.

<sup>23</sup> Own collection, a letter of W. Szyszkowski to P. Kardela, 23 IV 1993.

of Poland. Regardless of this, together with Prof. Andrzej Mycielski from Wrocław, he developed, the author's draft constitution, published in the Sejm Publishing House<sup>24</sup>. In 1994 he wrote a lecture for students about the State Tribunal, published by the publishing house of the Nicolaus Copernicus University<sup>25</sup>. In the same year he published a monograph of the Venetian Republic<sup>26</sup>. Professor actively participated in the work of the editorial team, of the "Zet" monograph, published in November 1996, in which he co-authored the part quoted in this article entitled "Members of the Zet movement in exile". Apart from the books by Przemysław Waingertner indicated in the footnotes, this item will satisfy the curiosity of all those who would like to learn about the rich and at the same time little-known history of the Zet movement.

## Conclusions

On December 6, 1996 Waclaw Szyszkowski was hit by a tram in Warsaw. Transported from the Otwock clinic for further treatment to the United States, unfortunately, he was already in a condition that made any rescue impossible. He died on 29 December 1996 at the Trenton Hospital in New Jersey, having lived through 92 years of hard work. The ashes of the professor were brought to Warsaw and after the solemn holy mass in the church of the Holy Cross, were buried in the family grave in Jaktorow<sup>27</sup>. Andrzej Pomian, a pre-war lawyer living in Washington, a former Home Army officer, a historian and writer in exile, a correspondent of the Polish Radio Free Europe, wrote about the professor after his death: "He was an extremely modest man, the opposite of the career type. He was only ambitious at work. He gained a position through knowledge and reliability. He was good and helpful. He was eager to help, devoting all his time and effort. He never held any grudges. In the spirit of Christianity, he gave the other cheek. Demanding from himself, he was forgiving to others. He preferred to speak of people well or not to speak at all. He endured varieties of fate according to the stoics. He learned to demand little from his life. He confined himself to what was necessary". A little further, in the same text devoted to his friend Pomian added: "He belonged to the generation of Independent Poland, which in the struggle for its state existence destroyed by war and post-war living conditions, especially difficult in the country, could not fully exploit its enormous intellectual and moral potential"<sup>28</sup>.

With the death of Waclaw Szyszkowski, not only an eminent expert in law and scientist passed away, but also a righteous and distinguished man for the independence of Poland. The man has passed away from the generation, which can only be recalled from a historical perspective.

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<sup>24</sup> Information of W. Szyszkowski granted to the author (December 1995).

<sup>25</sup> Szyszkowski W, Trybunał Stanu, [in:] Prawo konstytucyjne: zarys instytucji w okresie transformacji ustrojowej. Toruń, 1994.

<sup>26</sup> Szyszkowski W, Wenecja. Dzieje Republiki 726–1797. Toruń, 1994.

<sup>27</sup> Kardela P, Pamięci Profesora. *Życie Warszawy*, 1997, 22–23 III.

<sup>28</sup> Pomian A.

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**Streszczenie.** W artykule przedstawiono działalność Wacława Szyszkowskiego, prawnika, emigracyjnego działacza niepodległościowego i wybitnego naukowca, który walczył w wojnie polsko-bolszewickiej 1920 roku, a po odzyskaniu przez Polskę niepodległości działał w tajnym Związku Młodzieży Polskiej „Zet” i jawnym Związku Polskiej Młodzieży Demokratycznej. Do 1939 roku W. Szyszkowski był adwokatem w Warszawie, wspierał działalność Centralnego Związku Młodzieży Wiejskiej „Siew” i Spółdzielni Pracy „Grupa Techniczna”. Oglądał artykuły w pismach politycznych i prawniczych, m.in. takich jak: „Przełom”, „Naród i Państwo”, „Palestra”, „Głos Prawa”. W czasie II wojny światowej — konspirator Związku Obrony Rzeczypospolitej, żołnierz Związku Walki Zbrojnej i Armii Krajowej z przydziałem do Biura Informacji i Propagandy Komendy Głównej AK. Walczył w Powstaniu Warszawskim, po którym został przez Niemców wywieziony do oflagu Murnau w Bawarii. Za pomoc Żydom w czasie okupacji Instytut Yad Vashem nadał mu i jego żonie Irenie tytuł Sprawiedliwy wśród Narodów Świata. Po 1945 roku pozostał na Zachodzie, angażując się w życie polskiego uchodźstwa wojennego we Francji, Wielkiej Brytanii i Stanach Zjednoczonych. Uzyskał doktorat z prawa na Sorbonie. Związał się ze Stronnictwem Ludowym „Wolność”, Stowarzyszeniem Polskich Kombatantów. Wchodził w skład Rady Narodowej RP na Uchodźstwie. Jako antykomunista był inwigilowany przez komunistyczny wywiad PRL. W latach 60. XX w. po powrocie do Polski, jako prawnik i naukowiec związany był najpierw z Uniwersytetem Marii Curie-Skłodowskiej, a potem Uniwersytetem Mikołaja Kopernika w Toruniu. W. Szyszkowski jest autorem blisko dwustu publikacji naukowych i publicystycznych drukowanych w kraju i poza jego granicami.

**Резюме.** В статье представлена деятельность Вацлава Шишковского, адвоката, активиста в эмиграции, борющегося за независимость, и выдающегося ученого, который участвовал в польско-бolshevистской войне 1920 года, а после восстановления независимости Польши он действовал в тайном Союзе польской молодежи «Зет» и открытом Польском молодежном демократическом союзе. До 1939 года В. Шишковский был адвокатом в Варшаве, он поддерживал деятельность Центрального союза сельской молодежи «Сев» и Трудового кооператива «Техническая группа». Его статьи публиковались в политических и юридических журналах, в том числе в таких как: «Пжелом», «Нация и государство», «Палестра», «Голос закона». Во время II мировой войны — конспиратор Союза обороны Республики, солдат Союза вооруженной борьбы и Армии Крайовой в Бюро информации пропаганды Главного управления Армии Крайовой. Он принимал участие в Варшавском восстании, после чего его депортировали в офлаг Мурнау в Баварии. За помощь евреям во время оккупации Институт Яд ва-Шем удостоил его и его жену Ирэнэ почетным званием «Праведник народов мира». После 1945 года он остался на Западе, участвуя в жизни польских военных беженцев во Франции, Великобритании и США. Он получил докторскую степень в области права в Сорбонне. Он связался с Народной партией «Свобода», Ассоциацией ветеранов Польши и был членом Национального совета Республики Польша в изгнании. Являясь антикоммунистом, он находился под наблюдением коммунистической разведки ПНР. В 60-х гг. XX века, после возвращения в Польшу он был связан сначала с Университетом Марии Кюри-Скłodовской, а затем с Университетом имени Николая Коперника в Торуне. В. Шишковский является автором почти двухсот научных и публицистических работ, изданных в Польше и за рубежом.

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