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**THE ORGANIZATION AND ACTIVITY OF THE KOŚCIUSZKO
INSURRECTION'S INTERNAL SECURITY BODIES**

**ORGANIZACJA I DZIAŁALNOŚĆ ORGANÓW BEZPIECZEŃSTWA
WEWNĘTRZNEGO INSUREKCJI KOŚCIUSZKOWSKIEJ**

**ОРГАНИЗАЦИЯ И ДЕЯТЕЛЬНОСТЬ ОРГАНОВ ОБЕСПЕЧЕНИЯ
БЕЗОПАСНОСТИ ВО ВРЕМЯ ВОССТАНИЯ КОСТЮШКО**

Abstract

In this article author analyses a security system of the Kosciuszko Insurrection, including a period of activity of The Temporary Replacement Council and The Supreme National Council. Within the scope of the first of above – mentioned authorities they were described Police and Diplomatic Department. The bulk of the article was devoted to authorities and institutions that were appointed after 10th of May 1794. Those authorities and institutions included the Security Department which included The Police as well as the crime Investigating Commission or The Commission to Track Civilian and Military Spies. Those commissions were focused on dealing with traitors and searching for spies.

Keywords: *Tadeusz Kościuszko, Police, Security, Revolution, State system*

Streszczenie:

Artykuł analizuje system bezpieczeństwa Insurekcji Kościuszkowskiej, włączając okres funkcjonowania Rady Zastępczej Tymczasowej i Rady Najwyższej Narodowej. W ramach pierwszego organu zostały omówione Wydział Policyjny oraz Wydział Dyplomatyczny. W ramach drugiego Wydział Bezpieczeństwa. Większa część pracy zostało poświęcona organom i instytucjom powstałym po 10 maja tj. w okresie funkcjonowania RNN. W poczet tych instytucji zapisano Wydział Bezpieczeństwa (do którego włączono Policję) oraz Deputację Indagacyjną czy Deputację do Indagowania Szpiegów Cywilnych i Wojskowych. Koncentrowały się one na rozliczeniu się ze zdrajcami oraz szukaniem szpiegów.

Słowa kluczowe: *Tadeusz Kościuszko, Policja, Bezpieczeństwo, Rewolucja, Ustrój państwa*

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Аннотация:

В этой статье анализируется система безопасности во время восстания Костюшко, в том числе период функционирования Совета Временной замены и Высшего Национального Совета. В рамках первого органа были обсуждены Департамент полиции и Дипломатический департамент. В рамках второго – Департамент безопасности. Большая часть работы была посвящена органам и учреждениям, созданным после 10 мая, то есть в период существования Высшего Национального Совета. К этим учреждениям были причислены Департамент безопасности (в который включалась полиция) и Отдел допросов или Отдел допросов гражданских и военных шпионов. Они сосредоточились на борьбе с предателями и поиске шпионов.

Ключевые слова: *Тадеуш Костюшко, Полиция, Безопасность, Революция, Государственное управление*

Introduction.

The system of the Kościuszko Insurrection is, not without reason, considered a separate, special period in the history of the Commonwealth [W. Bartel, Civil regime of the Kościuszko Uprising, Wrocław 1959, pp. 9-24; Kallas M., History of political systems in Poland, Warsaw 2005, 167-169, History of the State and Law of Poland, volume II From the mid-15th century to 1795, edited by Juliusz Bardach, Warsaw 1966, pp. 548-557, Bardach J., Leśniowski B., Pietrzak M., History of the Polish political system and law, Warsaw 2001, pp. 320-326, Maciejewski T., The History of Polish Legal System from the 10th to the 20th century, Warsaw 2016, pp. 47-48, Kościuszko Uprising 1794. From political and social history, edited by Janusz Wojtasik, Warsaw 1997, pp. 30-49]. Shaped, among others under the influence of the French Revolution, the military situation in Europe and the character of the groups that controlled the most important organs of the uprising. The vision of the new order was included in the Act of the Uprising of Citizens of the Cracow Province from March 24,

1794, in which the powers of the General Commander of the National Armed Forces were basically brought into military affairs [W. Bartel, Government Office, p. 15]. In reality, however, his influence was much greater. On the basis of revolutionary acts, Tadeusz Kościuszko was obliged to establish the Supreme National Council, which was to serve as the executive authority with respect to the Chief. Appointment of the SNC members and their activities, which boiled down to faithful execution of commander-in-chief's orders, were an evidence to support this thesis.

Another body of the Insurrection was the Provisional Substitute Council, which was a form of government not provided for by the founding act - the Cracow Act. In the first days of its creation, the central authority did not function. In order to replace it, the PSC was created, which was dictated by the need to provide the central part of the country with proper insurgent administration. The Supreme National Council was established with a certain delay, because they did not want to be associated only with the region in which the Act of Citizens' Uprising, residents of

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the Cracow province, i.e. Małopolska [Z. Góralski, System of the Kościuszek Uprising, [in:] Kościuszek Uprising 1794. From Political and Social History, J. Wojtasik (ed.), Warsaw 1997, pp. 32-33]. The cleansing of the Russian armies of Warsaw and Vilnius began a new phase of the Uprising. The organs, although created without his knowledge and consent, immediately surrendered to the Chief. The Temporary Councils fulfilled the role of independent regional authority only until the SNC was created.

Government and central power authorities.

The main and most important task was to create the proper administration structure. For this purpose, in order to give continuity and legality to its activities, all the provisions of Targowica and the Grodno Sejm were repealed. The Act of the Uprising of Citizens of the Krakow Province was reluctantly upheld, thus rejecting the provisions of the Constitution of 3 May. This allowed on 19 April 1794 to appoint the above-mentioned bodies. Initially, the Council consisted of three Departments: Diplomatic, Military and Revenue. Two days later, the act regulating the work of all offices was passed. On its basis, an additional Police Department was distinguished, which received competences equal to those of the former Crown Marshals of the Republic of Poland. The Deputation for the Revision of Foreign Papers operated alongside them [A. Lityński, Penal trial of Kościuszek Uprising, Katowice 1983s. 19 - 20]. This lower-level organization was to play an important role in ensuring future internal security for cities. The system of security organs turned out to be surprisingly modern. At its top there was the Police Department. He was recognized as a security service with the attributes of political police. The apparatus

of power was directed, first of all, to seek enemies of the Insurrection and to judge the people who cooperated earlier with the traitors. The highest insurgent organs, whether it was the SNC or PSC, indicated in many legal acts of many organizations the obligation to look for spies and enemies of the uprising, which indicates the lack of separate services. The task was to be carried out with the help of administration and citizens [APK, vol. I, Explanation of the criminal justice system, pp. 52-54].

The Diplomatic Department was another body responsible for security. Each national uprising sought to break the barrier created by the invaders on the international stage [S. Kieniewicz, A. Zahorski, W. Zajewski, Three National Uprisings, Warsaw 2006, pp. 98 - 104, B. Szyndler. Kościuszek Uprising 1794, Warsaw 1994, pp. 165-171]. The organ was composed of supporters of the King, who treated the Insurrection with detachment. This is the reason for the passivity of his actions. Despite this, they tried to use the employees of this department to check the archive of the Russian embassy. However, one cannot fully agree that these tasks were completely beyond its competences. Only those specialists in the field of contacts with the Russian Empire could contribute to the disclosure of cases of cooperation between compatriots and foreign powers, which was the primary goal of the Insurrection security system. According to the assessment found in the literature, this organ turned out to be not very active. Z. Góralski treats the functioning of the Diplomatic Department as a deliberate slowing down of the justice system and showing dislike towards new authorities [Z. Góralski, Political system ..., op. cit., p. 35]. On the other hand, A. Lityński considers entrusting the task of reviewing

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the entire collection of Targowica documentaries and representatives of the partitioning powers as difficult, and finding the required information in such a short time is simply impossible (A. Lityński, Trial ..., op. cit., pp. 70-71]. The last thesis seems closer to the truth. The consequence of this state of affairs was insufficient activity on the international scene.

Many authorities sought an evidence against the well-known traitors of their homeland. Due to too short deadlines for their completion, these goals have not been achieved on time. Convictions were frequently issued, although the evidentiary proceedings were carried out incorrectly [A. Lityński, Trial ..., op. cit., p. 73]. Such a situation took place on June 28, 1794, when the death penalty was imposed for twelve people for treason. The verdict was issued when the Deputation for Papers received an order to find documents constituting evidence of their guilt, only on the 18th of the same month. As a result, work on this assignment was completed four days later, i.e. on June 22, when the trial began. The haste of the judiciary resulted from the fear of the reaction of the people of Warsaw, a month before, a riot occurred, as a result of which the crowd broke into the city custody in order to execute judgments on persons staying there.

The Tax Department is - next to the Military - the most important department with the task of collecting funds for conducting war activities. Its functioning was defined extremely broadly. On behalf of the entire government, the Department took loans for the uprising. From May 10, 1794, the citizens' financial claims were also raised against Targowica participants. In this ministry there was the Liquidation Deputation, which cooperated together with the Deputation to the Writing of

Things that were the property of Deprived Persons, Arrested and Departed.

Auxiliary institutions

The Provisional Substitute Council was to be replaced by the Supreme National Council. Since its inception as the central government, it has taken over the competence of all regional authorities in the country. The arrival to Warsaw of Ignacy Potocki and priest Hugo Kołłątaj, Kosciuszko's envoys and the proclamation of the 10th of the Połaniecki universal on 10 May, is considered the beginning of the existence of this organ [B. Szyndler, Kościuszko Uprising, Warsaw 2001, p. 162]. Together with them, Jan Dominik, Piotr Jaśkiewicz and Franciszek Dmochowski representing Lithuania, as well as representatives of the Crown, Franciszek Myszkowski and Ignacy Wossogota Zakrzewski joined the work. Franciszek Ksawery Dmochowski, the Pobóg coat of arms was born on 2 December 1762 in Oprawczyki in Podlasie. Thanks to a comprehensive education, he was able to start work as a teacher at the Warsaw faculty school in 1789. He also actively participated in Kuźnica Kołłątajowska's activity, where he was the personal secretary of Hugo Kołłątaj. During the Kosciuszko Insurrection, he was the co-editor of "Gazeta Rządowa" and "Dziennik Powstania Narodu". After the third partition, he went to a short emigration. In 1799 he returned to the country where he began to organize education under the Russian partition. At the same time, he edited the "Nowy Pamiętnik Warszawski". For science, he became famous as one of the founders of the Society of Friends of Sciences. He died on 20 June 1808. [Polish biographical dictionary of Polish History, ed. Władysław Konopczyński, Cracow 1939-1946, vol. V, pp. 203-205, entry: Dmochowski Franciszek Ksawery]

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Jan Dominik Piotr Jaśkiewicz was born on July 6, 1749 in Lviv. In 1775 he received the title of doctor of medicine. He performed many functions at the Krakow Academy. He died on 14 November 1809 in Cracow. [Polish biographical dictionary of Polish History, ed. Bogusław Leśniodorski, Cracow 1964-1965, vol. XI, pp. 90-93, entry: Jaśkiewicz Jan Dominik] The National Council - according to the assumption - was to perform the role of the highest civilian authority. Kościuszko defined a general organizational chart, introducing the division into eight Departments [M. Misiuk, Administration of internal affairs, Olsztyn 2005, pp. 48-49].

In addition to the existing central institutions, they function - auxiliary - endowed with great freedom of action. The first of these was specified in the regulations of 28 April 1794, establishing the Investigation Deputation combined in activities with the Deputation for the Revision of Papers. Their goal was to bring traitors to court. Characteristic of the then legal acts was the determination of not competence, but the setting of goals [A. Lityński, Trial ..., p. 9.]. The Investigation Deputation worked from 1 May and prepared materials for the emerging Supreme Court of Criminal Justice. The most important matter conveyed in the first place was the underground action against the state and betrayal. During the Kosciuszko Uprising, police or judicial power, like in the period of the French Revolution, received unlimited power in certain cases [APK, vol. I, p. 97, point. 7]. In the case of suspicion of crimes against the nation, uprising or peace and public security, the authority of the Investigation Deputation was defined as unlimited. Unlike today, the arrest of a citizen or a foreigner was possible even without much evidence. As a

consequence, the Investigation Deputation repeatedly dismissed people who were not confirmed. In order to implement the project, another organizational unit of the ministry was established, called the Composition for the Revision of Papers [Z. Góralski, Political system ..., p. 35.]. Officially, the whole resort was included in the security system, transforming the Ministry into a police auxiliary body. These changes resulted from the moods that arose in society and in this way, they tried to calm them down. The population did not want to wait for the verdict and decided to bring justice to the well-known traitors in June 1794. The equivalent of modern counterintelligence has become - set up at the same time as the Investigation Deputation - the Deputation to the Dispatching of Civil and Military Spies. Its competences included detecting foreign spies and conducting investigations against them [A. Lityński, Trial..., op. cit., p. 11]. Like other police authorities in the field of conducting investigations, it had unlimited power. It resulted from the desire to achieve the greatest efficiency and errors of the legislator who did not precisely define the limits of police institutions. This caused major problems in operation, especially regional administration. Lack of proper legal regulations resulted from the rejection of the orders introduced by the Constitution of 3 May and the Grodno Parliament. This practice of regional authorities has blocked the functioning of the justice system. The central authority, as an administrative court, unable to cope with the resolution of the dispute and answer the questions of provincial offices, often allowed to resolve disputes on its own.

In addition to the Lithuanian Substitute Council, Lithuania also took the trouble to create an efficient administration. The

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organization of the authorities in this region looked a bit different. The Public Security Deputy, which performed police duties, took far more energetic steps in catching and judging associates of Targowica and enemies of the uprising. It resulted from the resignation of seeking all evidence against the accused. As in the French Revolution, it is not lawful to determine what actions were considered necessary to judge. The analysis of the trials proves that it was a category of crimes that were treated as betrayal, but contained: a plot against the state and the nation, espionage, agreement with the enemy - active and free participation, participation in the Grodno parliament, collecting wages from Russia and Prussia, accepting offices from Targowica, participation in the Targowica plot, inciting to join, putting the enemy into the country, bribery [Z. Góralski, Political system ..., p. 14]. The trial of Józef Ankwicz or Piotr Ożarowski is what seems to be the most interesting cases of the treason. Józef Ankwicz (1750 - 1794), although for a long time he was a supporter of King Stanisław August Poniatowski, after the fall of the Constitution of 3 May went to the Targowica. As a deputy at the Grodno Sejm, he first applied for the approval of the partition treaty. As a reward, he was appointed marshal of the re-established Permanent Council [Polish biographical Dictionary of Polish History], red Władysław Konopczyński, Cracow 1935, vol. I, pp.115 - 116, and the slogan Józef Ankwicz (1750 - 1794)]. Józef Kazimierz Korwin of the Ślepowron coat of arms, as the Bishop of Cymeń and Livonian, held important functions in the state. At the same time, he cooperated with Russia, from whom he was regularly paid salaries. After the overthrow of the Constitution of 3 May, he took an active

part in creating the delegation to Catherine II. He also took active part during the sessions of the Grodno parliament. When the Insurrection of Kościuszko began, he was arrested and hanged shortly afterwards. [Góralski, Political system ..., p. 14]. Another interesting figure was Piotr Ożarowski (1730-1794). This active politician, supporter of Stanisław August Poniatowski, from 1789 became a Russian agent. After the enactment of the constitution on 3 May, he joined the Targowica, thanks to which he became the Grand Hetman of the Crown. After the outbreak of the uprising in 1794, he was arrested shortly thereafter. [Polish Biographical Dictionary, ed. Stefan Kieniewicz, Cracow 1979, vol. XXIV, pp. 673 - 678, slogan Ożarowski Piotr h. Rawicz] According to the court's judgment, their guilt consisted of voluntary joining the Targowica, accepting the Russian delegation and close cooperation with it. The activity of police authorities is an extremely important element in answering the question of what the police of the late eighteenth century was in the Republic of Poland. The files of proceedings during the investigation display this issue. In the Kościuszko Insurrection law, they were defined as separate stages of the proceedings: the commencement of the investigation and the preliminary initiation of the proceedings. In fact, the Investigation Deputation seems to be the best examined in this respect [Z. Góralski, Political system ..., pp. 25-88; W. Tokarz, Investigation Deputation, Cracow 1928]. As mentioned before, it was appointed together with the Deputation for the Revision of the Papers in order to arrest all traitors and observe unfavorable ones.

The main problem to be dealt with has become the division of competences

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regarding the initiation of the investigation. Initially, the courts were responsible for conducting the investigation, so they started it. The many duties and the lack of appropriate structures prompted the Temporary Replacement Board to withdraw these competences and transfer them to the Investigation Deputation [W. Tokarz, Deputation, pp. 26-27]. From 1 May 1794, it was to find and prepare materials for the Supreme Criminal Court. The institution practically dealt with gathering evidence of common crimes and presenting them to lower courts. The activity of the Investigation Deputation was hampered by dependence on the Supreme Temporary Council, which prolonged unnecessary formal activities. After the establishment of the Supreme National Council, the Deputy was subordinated to the Security Department and consequently it was divided into two branches. This was due to the need to consider many cases based on other types of evidence. The first received and dealt with investigations in which an evidence was testimony from witnesses [W. Turner, Deputation, p. 30]. The second one examined the documents and based on them, built the accusation of crimes. This primitive way of catching villains today may raise many objections. Did the results of these investigations not cause random arrests and, as a consequence, adjudication of convictions? This was prevented by the consultation with the Provisional Council [W. Tokarz, Deputation, pp. 33-36]. Throughout the uprising, it has not been clearly established who the initiative belongs to. However, police investigation showed that investigations were part of the Order Commissions. There were some exceptions that resulted from the competence of individual institutions. The Investigation Department represented by

the investigator enjoyed independence in conducting the investigation itself, which is why an officer of the Order Commissions did not take part in it. The investigators often used solutions from the distant past. The deliverer's institution, already known in procedural law, was also introduced during the Insurrection [W. Lithuanian, Roman criminal trial, Cracow 2003, p. 78.]. The informers, or delators, were dealt with by the Investigation Deputation. At the beginning he played an important role during the trial replacing the public prosecutor. It was only after 3 June 1794 that he was deprived of this competence by creating an appropriate office. After this date, the delator only participated in the investigation, which could often be started only on the basis of his testimony - delation [A. Lityński, Trial ..., op. cit., p. 37]. There were two types of it: private persons and ex officio. The informer was mentioned by name and surname. In the case of false testimony, he was held criminally liable. At the same time, it can be concluded that in this situation there was a presumption of innocence.

The rules according to which the interrogated persons were handled deserve special attention. They were not clear even for officials. Often, they asked a question about instructions regulating these issues [A. Lityński, Trial ..., op. cit., p. 28]. It was only after gaining experience that some schemes were created. The basic question was to testify. The ordinance of 14 May 1794 provided for a special procedure for dealing with informers, suspects and witnesses. Hearings were conducted at the deputation office or a delegation of at least three persons was sent to the area. The decision on arrest was made by the entire Investigation Deputation. A separate issue during the Insurrection period was the release of the suspect from

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custody. The letter of the law made it clear that only the Criminal Court could make such a decision [APK, vol. I, op. cit., p. 69]. However, he did so at the request of the President of Warsaw. As W. Tokarz's research showed up to 14 May 1794, every suspect stood before the court. Only the new ordination obliged the Deputation to release the detainee if he turned out to be innocent before the trial [W. Tokarz, Deputation ..., pp. 86- 88]. Later, after June 22, the Supreme National Council deprived the Investigation Deputation of the right to release the arrested ones on its own, leaving it only to issue an opinion on the release, which was sent to the security department, which issued the relevant document on the basis of which the detainee was released. These regulations remained until the end of the uprising. The Investigation Deputation had the initiative to start the investigation. The scope of its operation was limited by the competences of the Supreme Court of Criminal Justice [W. Turner, Deputation ..., p.29]. It is not specified what the formal and legal act that initiates the proceedings is supposed to be nor was it known when it was to be initiated. Opinions of detainees were issued on the basis of engagements most willingly from respected persons and friends. It resulted from the mass of arrests not based on evidence, but only on the basis of suspicions [W. Turner, Deputation ..., p. 90]. The detainee released after the guarantee was not released from suspicion, but it was considered that the warranty itself was enough for conditional release. At the same time, it is worth noting that people included in all suspect groups were dismissed regardless of the nature of the accusation - political or common offenses -

nationality or property status.

Conclusions. To sum up the police power during the Insurrection, three periods of operation can be distinguished. Between 24 March and 19 April 1794, as mentioned, in fact, there was no central authority. The police authority, therefore, limited itself to regional structures. The period of operation of the Provisional Council is the second period in which central organs from the organization's point of view were similar to institutions from before the second partition. It should be noted that the Police Department, due to the revolutionary conditions, operated differently than the Police of the Two Nations. It has been more focused on the fight against crime. It was especially about detecting, arresting and bringing to justice persons acting against the Insurrection. The establishment of the Supreme National Council introduces major changes in the police power that has been subordinated to the Ministry of Security. This meant some channeling of the institution's activities. The exact comparison of the organization and competence of the police authorities of the Stanisławów times and the Kościuszko Insurrection is a very broad topic, therefore it should be made in a separate publication. Regardless of the differences, it should be noted that the police authorities in the recent period of the uprising seem to have been used to fight crime more seriously than before. However, it should be remembered that it was subordinated to the needs of the Insurrection, which had a fundamental impact on the results of its work.

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