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FORMS OF AND THE FIGHT AGAINST ORGANISED CRIME IN POLAND BEFORE 1990

Crime, in the complex form of various types of cooperation between criminals, is a problem that law enforcement agencies have had to tackle for many years. As a rule, people who initially deal with simple theft, violent attacks against the person or fraud quickly find that acts committed together with other people are more secure, more profitable and safer for the perpetrators involved. Starting from the simplest, most immediate forms of cooperation to more developed forms of cooperation and long-lasting criminal relationships — this is the evolution that can be seen in the history of the criminal world. The world's largest criminal structures date back to the Middle Ages. The Sicilian Mafia, widely recognised as the oldest of the criminal organisations in Europe, originates from the 13th century. The Japanese Yakuza and Chinese triads have also been known for several hundred years. Interestingly, the origins of the Mafia, Japanese Yakuza and Chinese triads originate from the organisations which resisted their invaders and occupiers, in contrast to the United States where ethnic groups dominated from the very beginning and the threat of this kind was fully revealed in the second half of the nineteenth century. The most dangerous of them, the Italian 'black hand', disappeared only during the prohibition period in the 1920s, when other groups emerged — new and better organised ones which operated based on the criterion of effectiveness in the commission of crimes².

Polish historical literature also contains descriptions of extensive criminal structures operating as early as in the 16th century. They consisted of people living their lives outside of the accepted rules of the community. Among them there were peasants assigned to the master and the land

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² See: D. Southwell, *The History of Organized Crime. The true story and secrets of global gangland*, Brema 2009, p. 107ff.

who escaped and became outlaws, petty town offenders, and landless nobility members. They created 'gangs of rascals' living off road raids, village robberies and thefts in larger towns. It was possible to determine the structure of the groups with their unwritten internal rules of conduct and to disguise their criminal practice³.

During the period of partitions, the phenomenon of crime, which is now referred to as organised crime, occurred mainly in the lands under Russian rule and in Galicia. In Warsaw, both bandit groups dealing with thefts, robberies and extortion as well as gangs of bandits operating in the economic sector were a noticeable threat to public order. Numerous groups of pickpockets - already known as vallesmen - were organised best. An unwritten thieves' code which prohibits stealing from children and widows became widespread⁴. In the last decade of the nineteenth century, a well-organised group of wine forgers that forged branded products using cheap replacements was revealed⁵. In 1910, an investigation was launched against a group of money counterfeiters, which resulted in the discovery of a large international criminal group. In 1914, over 70 members of this group faced trial in Warsaw.

Forms of organised crime up to 1939 and the fight against the crime

In the interwar period and in the years 1944-1989, a number of organised criminal structures of various characters operated in Poland. The territorial scope of their activity was usually of a local character and the groups specialised in specific forms of crime. The term 'organised crime' was not used at that time, but depending on the area of activity, the groups were described as 'bandits', 'smugglers', 'white-collar criminals', etc. The term 'organised crime' was not used at that time.

In the 1930s, the term 'professional crime' was used for this form of criminal activity. Research on the phenomenon was undertaken in several research centres. Special attention should be paid to the research and publications of professor Witold Świda. Analysing the results of the conducted research on criminal groups, he states that 'Some of the groups take on a broader form and become a kind of professional organisation, whose aim is also to provide mutual assistance and make it easier for the members to carry out their criminal activity'⁶.

After the First World War, the biggest problem in Poland constituted well-organised, armed bandit groups operating in the eastern provinces

³ S.F. Klonowic, *Worek Judaszów i inne pisma polskie w wyborze*, Warsaw 1914, p. 54ff, <www.bbc.mbp.org.pl/dilibra/documentadata?id=10854&from=pubindex&diridis=18&lp=2556>, 12 April 2019.

⁴ D. Zając, *O tych co mieszki rzezają*, <www.historia.org.pl/2011/04/17/o-tych-co-mieszki-rzezaja>, 12 April 2019.

⁵ See: S. Milewski, *Ciemne sprawy dawnych warszawiaków*, Warsaw 1982, p. 176ff.

⁶ W. Świda, *Przestępca zawodowy*, Vilnius 1932, p. 41.

of the Republic of Poland. They carried out attacks on villages and small towns, shops, post offices, trains and tax convoys. According to the estimates of the 2nd Department at the National Headquarters, in the years 1921-1925, there were several hundred criminal groups totalling about three thousand people operating in the area⁷.

Due to the ethnographic structure of the pre-war state, criminal groups often assumed an ethnic character, which is rare in Poland nowadays. An example cited by W. Świda is the professional association of Jewish criminals established in Vilnius in 1922, known as 'Bruder Ferein', whose activity included both common crimes involving bandit thefts and extortion as well as bailing out arrested members, helping their families or financing the purchase of tools used to commit crimes. At the peak period of its development, the group consisted of more than a thousand people. The group leaders were also responsible for the division of spoils and profits⁸. The criminal environment was closed but internally diverse. Externally, strict rules on law enforcement relations were in place. Inside, there was an unwritten thieving code called 'dintojra', which indicated both the rules of conduct and how to react in the case of their breach. Among the groups of pickpockets, burglars and elite cashiers, there existed a system of preparing entrants for the 'profession', according to which they were provided with long-term care, including health care, and basic living conditions.

The most famous criminal groups at that time were the gangs called 'Władek' from Sosnowiec, 'Czarna ręka' [Black Hand] from Białystok, 'Bracia Nocni' [Brothers of the Night] from Łódź, and 'Biała Ręka' [White Hand] from Gdynia. In Warsaw, of particular importance to the criminal world was the armed criminal gang headed by Łukasz Siemiątkowski, called 'Tata Tasiemki', who participated in the fight for the independence of Poland and who, thanks to his political connections from that period, remained unpunished for years, terrorising mainly merchants from the Warsaw market called 'Kercelak'. Even after his arrest and conviction, the political influence of the group's leader led to his quick pre-offence pardon in 1935 by President Ignacy Moscicki⁹.

The threat of drug crime was not yet as widespread as it is today, but drug abuse was also slowly becoming a major social problem. The distribution of narcotics was mainly carried out by persons with links to the medical and pharmaceutical communities. In 1929, the number of drug addicts in Warsaw alone was estimated at about 15,000. They were mainly intoxicated with morphine, which cost about 20 PLN per gram, and heroin, which cost about 30 PLN per gram. In court cases, it was claimed

⁷ R. Cheda, *XX wiek: Czerwony Terror na kresach*, <www.rp.pl/Rzecz-o-historii/306099906-XX-wiek-Czerwony-terror-na-kresach.html>, 10 May 2019.

⁸ W. Świda, *Przestępca zawodowy...*, *op. cit.*, p. 41.

⁹ See: M. Piątkowska, *Życie przestępcze w przedwojennej Polsce*, Warszawa 2012, pp. 63ff.

in defence of drug traffickers that the effects of the drugs are not more harmful than those of commonly used alcohol¹⁰.

The practice of pimping was also of an organised nature. A Warsaw group led by Jakub Krybus consisted of about 15 people who controlled several dozen brothels and hundreds of women involved in prostitution¹¹. In Toruń, with 60 thousand residents, 164 prostitutes were registered and about 1500 unregistered women who were controlled by groups of so-called 'guardians' were involved in prostitution. In Lviv, a special unit consisting of 22 female police officers was set up to combat prostitution and its organised forms¹².

In the eastern provinces of the Second Republic of Poland, organised groups of horse thieves posed a significant threat. Some of them were active for several years and had a well-prepared structure. Among them, there were individuals 'targeting' farms with horses that could be stolen, as well as those providing information about the habits of the farm owners, ways of securing stables, etc. The last component in the criminal group was specialised fences with a very thorough background knowledge of the market, including the needs of the army.

There were also connections between Polish criminals and organised groups from other countries. Abram Sycowski, a petty thief from Łomża, emigrated from Poland just after the war. He came to Chicago when the largest criminal structures were developing there, and he quickly became one of the members of the Alphonso Capone group. When the group collapsed, he was convicted of alcohol trafficking, but managed to escape to Europe, where he committed further crimes in France, Austria, Poland, and Hungary, and finally was arrested and convicted in Gdańsk¹³.

Perfectly organised pre-war smuggling groups operating both on the western and northern borders with Germany as well as on the entire eastern borderland played a significant role. The structure of such groups was described as a 'chain', the smallest links of which were petty smugglers carrying goods across the border, then intermediaries transferring goods to wholesalers in the country and so-called pushers supplying smuggled goods to shops, restaurants and markets¹⁴.

Criminal groups have also dealt with crime which is now known as economic crime. This was facilitated by huge investments that were made in some regions of the country. Significant media coverage was given, for example, to the multi-million-dollar losses caused by a criminal group involved in the construction of a post office building in Gdynia. A great 'Żyrardów scandal' was revealed in 1932. The case referred to the huge tax, customs and economic fraud in the large Żyrardów textile factories

¹⁰ See: S. Milewski, *Ciemne sprawy międzywojnia*, Warszawa 2002, pp. 99–109.

¹¹ M. Piątkowska, *Życie przestępcze w przedwojennej...*, *op. cit.* p. 339.

¹² A. Dworzaczek, *Policja Państwowa w woj. lwowskim w latach 1919–1939*, <www.kuriergalicyjski.com/historia/smaczki-z-archiwum/5875-policja-panstwowaw-woj-lwowskim-1919-1939>, 17 March 2019.

¹³ M. Piątkowska, *Życie przestępcze w przedwojennej...*, *op. cit.* p. 77.

¹⁴ *Ibid.*, p. 181ff.

managed by the French company Comptoir de l'Industrie Cotonniere. At the same time, a powerful state matchmaking monopoly was shaken by the 'Kruger affair' - a Swedish industrialist, the owner of an international capital group, which also included Polish matchmaking factories¹⁵.

An unprecedented increase in crime occurred in the late 1920s. This was not prevented by tightening criminal policy. In 1930, for the first time after regaining independence, the capacity of the prisons was exceeded¹⁶.

One of the most important measures considered to be essential for the effective fight against crime was the reform and improvement of the State Police structures, which should have been based on a perfect model of organisation, and equipped with the latest scientific developments¹⁷.

After regaining independence, the fight against crime in Poland was hindered mostly by the partitioners' incoherence of the police systems. In the initial period after regaining independence, the biggest problem was the integration of police units operating in the area of three partitions and newly established police institutions such as the Municipal Police and the People's Militia in the territory of Poland into a single structure. In September 1918, the Civic Militia was established in Małopolska province, which was later transformed into the Małopolska Civic Guard. On 28 October 1918, the Security Guard of the Polish Liquidation Commission was established in Kraków. In the area of Eastern Galicia, there was the Gendarmerie, while in Cieszyn Silesia, there was the National Gendarmerie¹⁸. Individual political parties also established their own law enforcement organisations, such as the Public Security Guard belonging to the National Democracy Party, the People's Militia of the Polish Socialist Party (hereinafter: People's Militia PSP), the State Police Guard, the Civic Guard (hereinafter: CG) and others¹⁹.

In the Prussian partition of Wielkopolska province, the Civic Guard was established on 13 November 1918, which in the period of the Wielkopolska Uprising became part of the People's Guard, reporting to the Supreme People's Council.

When independence was regained, the People's Militia of the Polish Socialist Party played a special role. Its structures developed rapidly, Militia units were created at various levels, and by a decree of Józef Piłsudski on the organisation of the People's Militia of 5 December 1918²⁰, the militia was given the status of a state institution responsible for protecting

¹⁵ See more: J. Cieślak, *Brytyjscy biegli rewidenci w Polsce w okresie międzywojennym*, "Zeszyty Teoretyczne Rachunkowości" 2015, Vol. 85(141), p. 139.

¹⁶ J. Makarewicz, *Wzrost przestępczości w Polsce*, "Przegląd Prawa i Administracji" 1931, Vol. 2, p. 164.

¹⁷ L. Radzinowicz, *Legalna bezkarność*, "Gazeta Sądowa Warszawska" 1932, No. 35, p. 495.

¹⁸ S. Franc, *Policja Państwowa w II Rzeczypospolitej*, "Annales Universitatis Paedagogicae Cracoviensis. Studia Politologica" 2012, Vol. 8, pp. 188–193.

¹⁹ A. Misiuk, *Administracja spraw wewnętrznych w Polsce (od połowy XVIII wieku do współczesności). Zarys dziejów*, Olsztyn 2005, p. 116ff.

²⁰ Monitor Polski z 1918 r., nr 227, poz. 3.

peace and security and combatting “[...] all types of social inertia”²¹. Within the structure of the National Headquarters, there was a need to establish a unit responsible mainly for combatting violent crime and profiteering. This task was carried out by the 3rd Analytical and Intelligence Department.

After establishing the State Police (hereinafter: SP) in 1919, its structure was subject to frequent changes in the interwar period. From the very beginning of its activity, security and public order issues were within the competence of the Ministry of the Interior. The organisational statute of the Ministry of the Interior of 13 January 1921 assigned them to the competences of the 3rd Department of the Ministry of the Interior - Public Security and the Press²².

State Police structures always included units directly involved in the surveillance of the criminal environment. In the first period after establishing the Headquarters of the State Police in 1919, its Registration and Penal Department was responsible for the coordination of combatting crime. The department consisted of the following units: information, surveillance and reconnaissance²³.

After the reform in 1922, the tasks related to the registration of crimes and their detection belonged to the 4th Registration and Prosecution Division of the State Police Headquarters. Another change took place in 1926, when the 4th Division adopted the name of Investigation and Prosecution of Crime. In the following years, the following units were responsible for prosecuting crime:

- criminal,
- reconnaissance,
- registration and pursuit,
- women’s police force that fought crimes related to prostitution and pimping.

Later on, specialised units were set up within this department:

- Anti-Counterfeiting Money Central Unit,
- Unit to fight illicit drug trafficking.

In the local units, from 1926, there were investigative offices at the regional headquarters of the State Police, which supervised investigative proceedings in the province. At the level of counties and cities, in the largest units (32 counties and 9 cities), there were investigation departments operating under the supervision of the prosecutor’s office²⁴. County headquarters, where no investigating departments were established, employed investigating officers whose task was to conduct complicated

²¹ A. Misiuk, *Administracja spraw wewnętrznych...*, op. cit. p. 171.

²² *Ibid.*, p. 142.

²³ See: B. Sprengel, *Gromadzenie, przetwarzanie i udostępnianie danych przez Policję Państwową (1918–1939). Wybrane problemy* [in:] M. Fałdowski, P. Kardela (Eds), *Dawniej niż wczoraj — 100 lat Polskiej Policji*, Szczytno 2019, p. 26.

²⁴ Policja Państwowa II RP, <www.dws-xip.pl/wojna/2rp/ad8.html#skok2>, 12.03.2019.

investigations requiring special preparation²⁵. In addition to investigating more complex crimes requiring better preparation and application of technical measures by police officers, these departments registered wanted persons and professional criminals.

Another change took place in 1927, when the Order of the Minister of Internal Affairs of 8 April 1927 on departments and investigation offices²⁶ changed the name of the 4th Division of the State Police Headquarters to the Headquarters of the Investigation Service²⁷. The main tasks of the headquarters were to supervise the activities of the State Police within investigation services, to collect information on crime throughout the country and to create a central dactyloscopic registry. Thus, it played a coordinating role in the surveillance of (also foreign) environments threatened with organised crime.

Finally, from 1938, the direct fight against crime at the central level was the responsibility of the 4th Division of the State Police Headquarters²⁸.

After September 1939, several thousand criminals escaped or were released from prisons, and therefore armed robberies intensified. As a result of warfare on the German-Soviet front, many groups of soldiers from broken Russian units appeared in the Polish territory. In 1943, several dozen robberies were recorded a week. Some of the bandit groups pretended to be armed underground units, taking valuable items to fight against the invader. In 1943, the Commander-in-Chief of the Home Army issued instructions on how to fight violent crime, and information about death sentences for bandits was published in the Information Bulletin²⁹.

Organised crime groups in Poland between 1945–1989 and the fight against them

The phenomenon of organised crime in the years 1945-1989 was undoubtedly a fact, although until the end of the 1980s, this term was not reflected in the literature. The activity of criminal groups was described as 'violent crime', 'smuggling crime' or, most often, 'large-scale economic crime'. The phenomenon of organised crime was rarely the subject of scientific research, even the existence of organised criminal structures in Poland was denied³⁰.

²⁵ M. Fałdowski, *Reforma systemu szkolnictwa policyjnego w latach 1928–1931* [in:] M. Fałdowski, P. Kardela (Eds), *Dawniej niż wczoraj...*, op. cit., p. 38.

²⁶ DzU z 1927 r., nr 40, poz. 358.

²⁷ A. Misiuk, *Instytucje policyjne w Polsce. Zarys dziejów. Od X wieku do współczesności*, Szczytno 2006, p. 105.

²⁸ See: S. Franc, *Policja Państwowa w II Rzeczypospolitej...*, op. cit., p. 200.

²⁹ M. Zaremba, *Bandytyzm powojenny*, <www.polityka.pl/tygodnikpolityka/historia.1511100,1,bandytyzm-powojenny.read>, 10.05.2019.

³⁰ W. Filipkowski, *Struktury przestępcze w Polsce* [in:] E. Pływaczewski (Ed.), *Przestępczość zorganizowana*, Warsaw 2011, p. 75.

In the post-war period, the first forms of organised criminal activity involved criminal offences. This was mainly facilitated by the loosening of social ties due to several years of occupation, the mayhem caused by two war fronts, the disappearance of social ties, universal access to firearms, and very weak civil authorities. The largest criminal groups were formed mainly in the areas of the western and northern lands taken over after the war. Displacements of local residents and an influx of displaced persons from the former Polish eastern territories further contributed to the development of criminal groups. They consisted mainly of looters seizing the property left unattended by the displaced Germans and robbing both the people newly settled there and the emerging institutions - shops, post offices and police stations. The groups included marauders, members of military groups from the war period, as well as people professionally involved in thefts in the interwar period. Criminal structures were not stable and were organised for the implementation of specific projects. Their consolidation and specialisation in specific forms of crime lasted for a few more years³¹.

The rapidly increasing isolation of the country and its economy from the Western European market contributed to the development of organised smuggling groups. Especially developed forms of smuggling took place in the region of Podhale. As early as in the 19th century, smuggling became one of the most important sources of income for the region's residents³².

Smuggling scandals in the 50s and 60s of the 20th century included mainly the smuggling of watches and foreign currency into the country, while works of art and gold were smuggled out. The largest of the 'foreign currency exchange groups' monopolising the purchase and trade in foreign currencies in most of the country was the family group of 'Mętlewiczów' sentenced in 1976 for trading in 16 tons of gold³³.

In the 1950s and 1960s, the existence of both 'amateur' and well-organised criminal groups was confirmed by spectacular bank robberies, e.g. in 1962, a group of 5 randomly selected friends robbed the National Bank of Poland (NBP) in Wołów, taking over 12.5 million PLN. The criminal group operating in Warsaw and its neighbouring areas was exceptionally well-organised. The greatest publicity was received after the events of 22 December 1964. Still unknown perpetrators attacked the National Bank of Poland on Jasna Street in Warsaw, getting away with 1.3 million PLN, killing one guard and wounding another one. The perpetrators

³¹ See: W. Mądrzejowski, *Pojęcie przestępczości zorganizowanej i działalność zorganizowanych struktur przestępczych w Polsce* [in:] W. Jasiński, W. Mądrzejowski, K. Wiciak (Eds), *Przestępczość zorganizowana. Fenomen. Współczesne zagrożenia. Zwalczanie. Ujęcie praktyczne*, Szczytno 2013, p. 51.

³² J. Kochanowski, *Socjalizm na halach, czyli "patologia stosunków społeczno-ekonomicznych i politycznych w Zakopanem"* (1972), *Przegląd Historyczny* 2007, No. 98/1, p. 72.

³³ See: P. Pytlakowski, *Pitawal PRL*, <<https://www.polityka.pl/archiwumpolityki/1852408,1,pitawal-prl.read>>, 20.03.2019.

of these robberies were not found, and they are also believed to have also robbed a cashier of a shoe shop in 1957 and a post office in 1959³⁴.

At that time, organised economic groups operated mainly in the purchase, trade and processing of woollen and leather raw materials, in the agri-food industry, in the construction and construction materials industry, and also in foreign trade.

In 1957, a scandal was revealed in the cooperative activity in the Wrocław region, where the losses amounted to over 8 million PLN, and the group's area of operation also included industrial plants, state shops and the National Bank of Poland. In 1962, nine cases described as large-scale were identified with over 200 persons involved, and in 1963, 18 cases with about 600 persons. The so-called meat scandal with about 400 people involved got a lot of publicity. It lasted over 12 years³⁵. Meat, which was a permanently scarce commodity, was stolen from butcher's shops, supplemented with water and waste, then sold in selected stores, and the profits were shared with the management of municipal enterprises. This was the only economic case in which the death penalty was passed and carried out³⁶. Economic scandals of the 1970s, mainly in the agri-food industry, retail trade and construction, were of a similar nature.

The threat of large-scale economic crime at that time was primarily associated with a permanent shortage of goods, and the crimes usually took place at the interface between the socialised economy and private market.

In the 1970s, there were also economic scandals resulting from mismanagement in the public economy. In 1979, it was found as a result of inspections that various enterprises had purchased machinery and equipment worth at least 4 billion PLN, which proved unnecessary and were not used.

In order to effectively combat large-scale crime, legislation was introduced in the first post-war period to provide for special responsibility for organised forms of property misappropriation. Three decrees were issued, which established, among others, the Special Commission for Combating Abuse and Economic Damage³⁷. In particular, the third of these decrees setting up the Special Commission played an important role in combatting organised attacks on public property and revealing economic scandals

³⁴ M. Kozubał, *Zagadka napadu stulecia*, <www.rp.pl/Sadownictwo/305229895-Zagadka-napadu-stulecia.html>, 20.03.2019.

³⁵ M. Romański, *Afery i nadużycia gospodarcze. Przyczynek do badań nad przestępczością w PRL*, "Studia z Historii Społeczno-Gospodarczej" 2013, Vol. 12, pp. 127ff.

³⁶ See: K. Madej, *Kara śmierci za mięso*, "Biuletyn Instytutu Pamięci Narodowej" 2002, No. 11(22), p. 55ff.

³⁷ Dekret z 16 listopada 1945 r. o przestępstwach szczególnie niebezpiecznych w okresie odbudowy państwa (DzU z 1945 r., nr 53, poz. 300); dekret z 16 listopada 1945 r. o postępowaniu doraźnym (DzU z 1945 r., nr 53, poz. 301 ze zm.); dekret z 16 listopada 1945 r. o utworzeniu i zakresie działania Komisji Specjalnej do Walki z Nadużyciami i Szkodnictwem Gospodarczym (DzU z 1945 r., nr 53, poz. 302 ze zm.).

involving the illegal misappropriation of property by private individuals, including those often employed by public and economic administration officials³⁸.

The specific rules on punishment for participation in organised, planned activities of a criminal and economic nature were laid down in Article 14 of the Small Penal Code³⁹. The essence of the notion of a criminal group was solid organisational forms, actual identification of the management, and discipline among the members of a given group⁴⁰. In the next legal acts⁴¹, the notion of an organised crime group or criminal association was often used, however its precise definition was left to judicature. It was only after many years that the crime of a large-scale misappropriation of property was introduced into the Penal Code in 1969⁴². In the then binding division into offences against public and private property, the large-scale misappropriation of property belonged to the group of offences infringing both of these types of property, although some authors limit the possibility of its occurrence only to public property⁴³. In the general opinion, the members of organised groups of a large-scale character were thought to primarily be persons of a higher intellectual capacity, occupying positions in economic and state administration.

Contemporary research⁴⁴ indicates several areas of economy which, in the 1970s and 1980s, were particularly threatened by the emergence and operation of organised criminal structures. It is possible to distinguish here mainly the construction industry and trade in construction materials, the trade in food products, especially meat, and foreign trade, while at the end of the 1980s, nomenclature enfranchisements and banking. Criminal groups also included officials of state administration at various levels, members of political parties and representatives of law enforcement agencies. Only in the Ministry of the Interior, a special unit

³⁸ H. Maliszewska, *Zorganizowane (afektywne) zagarnięcie mienia. Rys historyczny* [in:] A. Marek, W. Plywaczewski, (Ed.), *Kryminologiczne i prawne aspekty przestępczości zorganizowanej. Studia i materiały*, Szczytno 1992, p. 126.

³⁹ Dekret z 13 czerwca 1946 r. o przestępstwach szczególnie niebezpiecznych w okresie odbudowy Państwa (DzU z 1946 r., nr 30, poz. 192 ze zm.).

⁴⁰ O. Górniok, *Ochrona prawnokarna własności społecznej w PRL*, Katowice 1974, pp. 9–10.

⁴¹ Among others in the so-called March decrees, i.e. dekret z 4 marca 1953 r. o wzmożeniu ochrony własności społecznej (DzU z 1953 r., nr 17, poz. 68) and dekret z 4 marca 1953 r. o ochronie własności społecznej przed drobnymi kradzieżami (DzU z 1953 r., nr 17, poz. 69) as well as in the ustawa z 18 czerwca 1959 r. o odpowiedzialności karnej za przestępstwa przeciwko własności społecznej (DzU z 1959 r., nr 36, poz. 228).

⁴² Ustawa z 19 kwietnia 1969 r. — Kodeks karny (DzU z 1969 r., nr 13, poz. 94 ze zm.; hereinafter referred to as: k.k. z 1969).

⁴³ See more: A. Sośnicka, *Przestępstwo i wykroczenie przywłaszczenia w polskim prawie karnym*, Warsaw 2013, p. 18.

⁴⁴ See: K. Nawrocki, D. Wicenty, *Brudne wspólnoty. Przestępczość zorganizowana w PRL w latach siedemdziesiątych i osiemdziesiątych XX wieku*, Gdansk-Warsaw 2018.

for combatting internal pathologies was established. Set up in December 1984, it was named the Board for Protection of Officers. Its activity led to the punishment of over 2000 officers of the Ministry, mainly for criminal offences and economic crimes⁴⁵.

The thesis that, among perpetrators of major economic crimes committed by organised groups, persons with a particularly high intellectual capacity prevailed, is not confirmed in light of extensive research conducted on a group of 547 persons accused under Article 202 (2) of the Penal Code of 1969 of participation in an organised criminal group which committed the misappropriation of great value property⁴⁶. In this group, 71% of perpetrators completed primary and vocational secondary education, and among persons employed in enterprises, 78% of perpetrators were labourers, while among leaders of criminal groups, over half held a higher education degree, and only 35% completed primary and vocational secondary education.

In the first organisational structure of the Civic Militia Headquarters (hereinafter CMH), an investigative service department was established, whose tasks included the fight against the most dangerous forms of crime, i.e. smuggling, violent crime, counterfeiting and fraud, currency and drug trafficking, tax crimes, white-collar crimes and profiteering⁴⁷.

Due to the more active operation of criminal groups dealing with illicit trafficking in foreign currency, a police department to fight economic crime was established in the Civic Militia structures on 1 May 1952. In the CMH, there was the 4th Department, in regional headquarters, there were 4th divisions⁴⁸.

The Civic Militia tasks related to combatting crime were described in the decree of 20 July, 1954 on the Civic Militia⁴⁹, and then developed in the decree of 21 December, 1955 on the Civic Militia activities and scope of operation⁵⁰. Article 6 of the decree of 21 December, 1955 included, among others:

- protection of citizens' health and life,
- protection of public and private property,
- crime prevention and the fight against crime, arranging activities aimed at the fight against crime and developing effective methods of this fight⁵¹.

⁴⁵ D. Wicenty, *Brudne wspólnoty wśród milicjantów i esbeków w świetle dokumentów Zarządu Ochrony Funkcjonariuszy MSW* [in:] K. Nawrocki, D. Wicenty (Eds), *Brudne wspólnoty. Przestępczość...*, op. cit., p. 153ff.

⁴⁶ W. Mańdrzejowski, *Podmiotowe aspekty zorganizowanej przestępczości przeciwko mieniu* [in:] A. Marek, W. Pływaczewski, *Kryminologiczne i prawne...*, op. cit., p. 173ff.

⁴⁷ A. Misiuk, *Instytucje policyjne w Polsce...*, op. cit., p. 136.

⁴⁸ See: T. Pączek, *Powiązania funkcjonariuszy MO województwa gdańskiego z półświatkiem przestępczym w latach osiemdziesiątych XX wieku. Studium przypadku* [in:] K. Nawrocki, D. Wicenty (Eds), *Brudne wspólnoty. Przestępczość...*, op. cit., p. 182.

⁴⁹ DzU z 1954 r., nr 34, poz. 143.

⁵⁰ DzU z 1955 r., nr 46, poz. 311; hereinafter: dekret z 21 grudnia 1955 r.

⁵¹ See more: B. Sprengel, *Praca operacyjna Policji*, Toruń 2018, pp. 72–76.

The fight against organised crime was not mentioned there as the traditional definition of violent or economic crime remained. The notion of an organised criminal group appeared in the decree of 4 March, 1953 on the improvement of public property protection⁵², and then in the Fiscal Penal Act of 13 April, 1960⁵³.

The threat of so-called large-scale economic crime was regarded to be so serious at that time that in 1957⁵⁴, the 4th Division for the fight against Economic Crime was established in the structure of the CMH. It included, among others, the 1st Department for the Fight Against Crimes in Industry, the 2nd Department for the Fight Against Crimes in Trade, the 3rd Department for the Fight Against Crimes in Agriculture, the 4th Department for the Fight Against Foreign Currency and International Trade Crimes, and the 5th Investigation Department.

The need to thoroughly describe the mechanisms of economic crimes led to the establishment of separate teams for research and economic analysis in 1961 in the militia economic crime department. It can be assumed with a high degree of probability that the officers employed there were the first [...] to diagnose the inefficiency and ineffectiveness of the socialist economy⁵⁵. In 1967, the existing CMH units were transformed into CMH offices, and the Criminal Bureau, the Economic Crime Bureau and the Investigation Bureau were directly responsible for coordinating the fight against crime. This structure was maintained after the changes in the structure of the Militia in 1985 and the establishment of the Ministry of the Interior's Militia Service⁵⁶. The Civic Militia structure did change until 1989⁵⁷.

The changes that took place at the end of the 1980s in the area of economy, the development of enterprises with foreign capital (from Poles abroad), the abolition of favouring state enterprises and the special protection of public property in criminal law created conditions for the development of private entrepreneurship.

After the opening of borders, private enterprise started to be set up on a large scale thanks to the open borders with Western European countries and the possibility of unrestricted import of new and second-hand vehicles. Apart from stealing vehicles intended for sale on the rapidly developing domestic market, new forms of these crimes were developed, such as so-called buy-outs, i.e. offering the owners of stolen vehicles the possibility to buy them back from the perpetrators, organised thefts

⁵² DzU z 1953 r., nr 17, poz. 68.

⁵³ DzU z 1960 r., nr 21, poz. 123.

⁵⁴ Rozkaz Organizacyjny Komendy Głównej Milicji Obywatelskiej nr 043/KG/57 z 11 października 1957 r. (unpublished)

⁵⁵ See: A. Misiuk, *Instytucje policyjne w Polsce...*, op. cit., p. 141.

⁵⁶ Zarządzenie ministra spraw wewnętrznych nr 051/85 z 18 lipca 1985 r. w sprawie zakresu działania Kierownictwa Ministerstwa Spraw Wewnętrznych (unpublished).

⁵⁷ Inwentarz archiwalny, *Charakterystyka archiwalna podzespołu*, Electronic source: <www.inwentarz.ipn.gov.pl/archivalCollection?id_a=1370&id_pz=20497>, 23 March, 2019.

abroad - mainly in Germany - from where the vehicles were marketed in Poland, and the transit of stolen vehicles in Western Europe via Poland to the countries of the former Union of Soviet Socialist Republics. Groups from Warsaw and Tricity were particularly active in this area.

Before 1989, criminal groups with a fairly high level of organisation were already active on the coast, dealing mainly with the illegal trade in foreign currency and foreign goods. Later on, car groups, which were the source of the first large fortune, developed with the 'Nikoś' Skotarczak group at the forefront. It should be added that the 'Tygrys' [Tiger] group from Stogi also dealt in car crime. Economic cases were dominated mainly by those related to alcohol. The problem was also the so-called 'bandit' activity; abductions, tortures and deportations that happened every day in Gdynia, mainly and in some districts of Gdańsk. The 'Wróbel' [Sparrow] group operated in Gdynia, while the 'Zachar' group operated in Gdańsk. They sometimes merged with one another and sometimes fought against one another.

Smuggling continued to flourish in the country. At that time, the alcohol scandal developed on an unprecedented scale due to the introduction of regulations that allowed unlimited imports of alcohol into Poland.

The eastern borders of Poland were still completely porous, with corruption at border crossing points among both Customs Service employees and Border Guard officers. It was not unheard of for whole trains filled with alcohol to cross the eastern border, and e.g., in the west, a sapper's bridge was built across the River Nysa Łużycka in one night and crossed by several dozen tank trucks. Due to the significant degree of corruption among officers of this service and with 'gates' among customs officers, criminal groups operated smoothly⁵⁸.

Institutions combatting criminal and economic crime proved ineffective, as did the laws governing the economy and criminal law regulations which were not adapted to the new reality. Gradual changes in this area began in 1990.

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⁵⁸ See: W. Mądrzejowski, *Pojęcie przestępczości zorganizowanej i działalność zorganizowanych struktur przestępczych w Polsce* [in:] W. Jasiński, W. Mądrzejowski, K. Wiciak, (Eds), *Przestępczość zorganizowana. Fenomen...*, op. cit., p. 52.

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Summary: The phenomenon of organised crime in Poland is not, contrary to frequently expressed views, characteristic only of the situation that arose after 1990. Considering historical sources, one can refer to well-organised groups of criminals who committed crimes in medieval Poland. Criminal associations characterised by a certain hierarchy and structure threatened the safety of travellers, carried out attacks on villages and were a threat to urban residents. During the partitions, organised criminal structures occurred mainly in the Russian and Austrian partition. In judicial chronicles, there were perpetrators creating bandit groups and strong structures of pickpockets as well as those dealing with various types of economic fraud and extortion. The problem of organised crime intensified after regaining independence in 1918. The inconsistency of the legal system and weak institutions of public order protection created great opportunities for both criminal offences and economic crimes. From the 1920s, large expenditures on the development of modern economic areas (Gdynia, the Central Industrial District) became a temptation for well-organised groups to take advantage of the situation for their own benefit. Within the structures of law protection institutions, no specialised unit for fighting criminal groups was created until 1939. Central and local cells of the investigative service mainly dealt with organised gangs. After the Second World War, the shaping of the criminal environment was first influenced by huge groups of inhabitants displaced from the former Polish eastern borderlands, the general expansion caused by military operations, and ineffective law enforcement agencies. Thus, initially, the most powerful organised groups were those of criminal character. The separation of the Polish economy from open markets and economic imbalance caused the emergence of various organised crime gangs committing economic crimes ranging from smuggling and illegal trade in foreign exchange to large criminal groups at the interface between the socialised and private economy. Within the militia, which was responsible for combatting criminal offences until 1990, no units specialised in the fight against organised crime did not come into their own. As part of their competence, the criminal investigation department, in particular, the fraud squad and investigative service, dealt with organised crime.