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The new model of the state – the constitutional position of the president in the April Constitution of 1935

Keywords: april constitution, sanitation, principle of concentration of power in the person of the president, president
Słowa kluczowe: konstytucja kwietniowa, sanacja, zasada niepodzielnej władzy prezydena, prezydent

Abstract

The March Constitution of 1921, which was to set the framework of a democratic state, but turned out to be an act that would not fit into the balance of power in the state. As a result of the crisis of Polish parliamentarism and the political situation in Europe, the desire to change the system quickly increased. The effect of this was the adoption of the April Constitution April 23, 1935. It was supposed to constitute a kind of compromise between authoritarian and nationalistic tendencies – which in Polish society raised wider opposition and liberalism, which in Polish political conditions did not gain support. The April Constitution denied the classical principle of the division of powers. It was replaced by the principle of concentration of power in the person of the president. This was due to the need to adjust the authoritarian system to the new concept of power and to remodel a decision center that would concentrate the process of governance in all the most important state matters. Centralization of power in the person of the president was aimed at strengthening the state, especially in international relations, and was in line with trends visible in other European countries. In emerging concepts of polit-

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ical changes, the president was perceived as the only organ that implemented the legal order and the superior of the state. The article is to bring the problem of the functioning of the power structure under the April constitution.

Streszczenie

Nowy model państwa – konstytucyjna pozycja prezydenta w Konstytucji kwietniowej z 1935 roku

Konstytucja marcowa z 1921 r., która miała wyznaczać ramy demokratycznego państwa, jednak okazała się aktem nieprzystającym do układu sił w państwie. W wyniku kryzysu polskiego parlamentaryzmu oraz sytuacji politycznej w Europie szybko wzrastało dążenie do zmiany ustroju. Efektem tego było uchwalenie 23 kwietnia 1935 r. konstytucji kwietniowej. Miała ona stanowić swoisty kompromis między tendencjami autorytarnymi i nacjonalistycznymi – które w polskim społeczeństwie budziły w szerszym wymiarze sprzeciw oraz liberalizmem, który w polskich warunkach ustrojowych nie zyskał poparcia. Konstytucja kwietniowa zanegowała klasyczną zasadę podziału władzy. Zastąpiono ją zasadą koncentracji władzy w osobie prezydenta. Wynikało to z potrzeby dostosowania ustroju autorytarnego do nowej koncepcji władzy oraz przemodelowania ośrodka decyzyjnego, który koncentrowałby proces rządzenia we wszystkich najważniejszych sprawach państwa. Centralizacja władzy w osobie prezydenta miała na celu wzmocnienie państwa, zwłaszcza w stosunkach międzynarodowych oraz była zgodna z tendencjami widocznymi w innych państwach europejskich. W pojawiających się koncepcjach zmian ustrojowych prezydent był postrzegany jako jedyny organ urzeczywistniający porządek prawny i zwierzchnik państwa. Artykuł ma przybliżyć problematykę funkcjonowania struktury władzy na podstawie konstytucji kwietniowej.

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The constitution adopted in 1921, which was to set the framework of a democratic state, but turned out to be an act that would not fit the system sepration of powers in the state. Very quickly, since its adoption, the advancing forces, whose merit was the democratic nature of the March constitution, were removed from power. As a result of the crisis of Polish parliamentarism and the political situation in Europe, the desire to change the system has been growing rapidly. The effect of this was the adoption of the April Constitution 23

April 1935. It was supposed to constitute a kind of compromise between authoritarian and nationalistic tendencies – which in Polish society raised wider opposition and liberalism, which in Polish political conditions did not gain support. The consequence of such an assumption was its anti-parliamentary and anti-democratic character, which shaped the system of the authoritarian state with strong power concentrated in the "Sanitation".

The April Constitution denied the classical principle of the division of powers. It was replaced by the principle of concentration of power in the person of the president. This was due to the need to adjust the authoritarian system to the new concept of power and to remodel a decision center that would concentrate the process of governance in all the most important state matters. It was also to guarantee control and superiority over the radical parliament. The centralization of the president's power was aimed at strengthening the state, especially in international relations and in line with trends visible in other European countries. Meanwhile, in Poland, the functioning of weak parliamentary governments, which could not ensure internal security and even more external security, was characteristic. In emerging radical conceptions of systemic change, the president was perceived as the only body implementing the legal order and the superior of the state[2]. Therefore, they could not be reconciled with a simple modification of the parliamentary-cabinet system. It did not adhere to the new model of the state after the May coup. They corresponded with the emerging projects aimed at changing the political position of the president, e.g. BBWR, in which the president was referred to as the highest representative of power in Poland[3]. Although these projects have not yet broken the principle of division of powers, they have introduced restrictions. In addition to the three traditional authorities, the fourth president's authority overcame them. The concept of a unified and undivided power concentrated in the person of the president was very clearly defined in the systemic thesis of Walery Sławek. Presenting the standpoint of the Non-party Bloc for Cooperation with the Government of Józef Piłsudski (BBWR), he pointed out that "power is one and indivisible and must be concentrated in the hands of the President, and under his exhortation there must be organs of

[2] W.L. Jaworski, *Projekt konstytucji*, Cracow 1928, p. 55.

[3] Art. 2 Constitutional Act of 23 April 1935 (Dz.U. No. 30, item 227), hereafter as the April Constitution.

authority intended to fulfill the tasks falling on them." Harmonizing their activities and resolving conflicts between them should belong to the President[4]. The thesis about the obsolescence and practical devaluation of the tri-division of power spoke out for the adoption of solutions aimed at concentrating power. The concept of opposing three authorities, without communication between them, was the source of conflicts. There were no simple mechanisms for resolving them[5]. In this way, the evolution of views on the Polish political scene took place. From the concept recognizing the tripartite as a necessary condition of the lawful state, its negation took place[6]. It resulted from internal conflicts, civilization development of the so-called great capital, increased tendency to take power by different social masses. In addition, there was a clear desire to rely on the monocratic rule of the individual and to recognize the current ideology as obsolete. The tendency to strengthen the executive branch at the expense of the legislature's rights was in line with those prevailing in other European countries. It was an element of the functioning of the state in the times of economic crisis and the will to develop economically. They expressed themselves either in strengthening the position of the government or the position of the individual, or through the actual and extra-legal concentration of all power in one hand. In Poland, the emphasized needs of systemic changes were justified by the actual situation. At the head of the group wielding power, the authority of the individual has been cultivated, having for many years a decisive influence on the design and implementation of constitutional solutions. In addition, the tradition of leadership of the state by the Chief and monarchist concepts was alive. The regulations introduced in neighboring countries were viewed with some sympathy. Thus, the strengthening of the president and the government's most associated body – the government – seemed to be the solution that most realized the new ideology. This position was taken into account in the work of the constitutional commission. It found its legal expression in Art. 2, sec. 1 and 4 of the April Constitution. The president was the head of the state and his person is focused on a unified and indivisible state power.

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[4] W. Sławek, *Wytyczne nowej konstytucji*, "Gazeta Polska", 7 sierpnia 1933.

[5] That is what S. Car claimed, *Uzasadnienie tez konstytucyjnych*, druk 820, okres III.

[6] A. Peretiatkowicz, *Reforma konstytucji polskiej*, Warsaw 1928, p. 14.

The introduced constitutional structure was the opposite of the separation of powers. It rejected the previous division of functions of state organs. As part of the new solutions, No arbitrator was tried to settle disputes. Conflicts between the authorities ceased to exist by establishing a superior body, equipped with the power to decide in all state matters. Hence, the constitution explicitly includes provisions defining the political position of the president, on which he is responsible for God and history for the fate of the state. His primary duty is to care for the welfare of the state, defensive readiness and position among the nations of the world[7]. Consequently, the above-mentioned assumptions were based on Art. 3 of the April Constitution, which established the president's authority over state authorities, not only the government or parliament, but also the armed forces as well as courts and state control authorities. They emphasized their service role towards the state. Moreover, in the detailed part of the constitution, organizational and technical provisions were introduced (eg. in the chapter II), which were related to the authority of the pre-candidate in relation to the state authorities.

Putting the president at the head of the state expressed his superior position and defined him as a subject of sovereignty. It is also important that the principle of national sovereignty expressed in the constitutional solutions has been replaced by the principle of "the common good of all citizens." In this way, the attributes of sovereignty began to be enjoyed by the community and the state as a legal order. The only sovereign in the country began to refer to the president as a managerial unit standing above the collective[8]. The president has become a superior factor. From his position in the state (which is the common good of all citizens), care and responsibility for them were to be due. However, it was not a responsibility before the nation, but before the factors of a moral nature. At the same time, the supreme position of the head of state in the attitude to other state organs was the result of a superior position towards the nation. This location of the president clearly emphasized Art. 2 and 3 of the Constitution. The implications contained various constitutional legal solutions. The main consequence of the president's overriding position

[7] Art. 2 sec. 2 i 3 of April Constitution.

[8] W. Komarnicki, *Ustrój państwowy Polski nowoczesnej. Geneza i system*, Wilno 1937, p. 241; see also A. Deryng, *Siły zbrojne jako organ władzy państwowej w nowej konstytucji*, "Ruch Prawniczy, Ekonomiczny i Socjologiczny" 1938, No. 1, p. 13.

was the system of his investiture. This was so despite the fact that the decisive influence on defining its role had the scope of the competences conferred upon it. It should be emphasized here that the political tradition indicates the greater legitimacy and position of the head of state, if they have their source in the nation. It is weaker in the case of the head of state elected by the parliament and exercising its powers as a matter of will of the representative body. The same, when the president's power is a consequence of general elections, his opposition to the parliament is much more justified. Therefore, the creators of the constitution had to solve a dual-systemic systemic dilemma. On the one hand, the president could not draw his powers from any of the organs under his authority, such as the parliament. On the other hand, as a sovereign standing above the nation, its power should not have a source in the nation. Such justification would create a limitation of its sovereignty. Three elements were linked to ideological necessity: the supreme position of the head of state, the independence of choice from the legislature and the limited plebiscite. Admittedly, the president could not be made independent of the will of the nation. According to Art. 16 sec. 3 of the Constitution, as well as in the case of the re-enactment of the Act referred to in Art. 54 sec. 3 of the Constitution, the decision of the nation was binding. However, these were only two deviations from the established rule. The importance of the head of state in the election procedure emphasized its decisive role. Article 16 of the Constitution provided for the right to appoint a successor. This solution was justified by having state experience, feeling of raison d'etat, and at the same time perceiving the president as the most objective factor[9]. Of course, this motivation was of a political nature, however, it resulted from the above-mentioned superior position in the state. The right to indicate the successor was the prerogative of the head of state.

In accordance with Art. 16 sec. 3 of the Constitution, the head of state served the right to nominate a candidate for his successor, other than that elected by the Electoral Assembly. The acting president was not limited in any way. As a factor superior to the Congregation itself, without using the above law, it also consented to the candidate of the Electoral Assembly[10]. It is important

[9] Speech of S. Car *Przemówienie na 147 na posiedzeniu Sejmu 27 czerwca 1935 r.,* sprawozdanie stenograficzne CXL VII/21, okres III.

[10] Art. 16 sec. 5 Constituion.

that the president was not obliged to put forward a candidate in a situation where the Assembly was obliged to do so. In addition, voting took place only when both the head of state and the Electoral Assembly put forward separate candidates. It should be assumed that the president put forward a candidate when he disagreed with the Electoral Assembly presented by the Assembly. The general vote in such a case was to be a vote of confidence for the outgoing president and acceptance of his authority. It does not seem possible, however, that the universal voting procedure could find the possibility of practical implementation. Admitting the nation to participate in the election of the president would negate its superior position[11]. After all, it was the president, not the nation, who was responsible for the fate and good of the state. An element of this was succession at the president's office. Any plebiscite in the interwar period was particularly unpopular in Poland. This was determined by nationalistic antagonisms and aversion to various forms of election[12]. To meet these tendencies and to protect the proper electoral process, the constitution provided only a guarantee in the form of an appropriate composition of the Electoral Assembly. According to the wording of Art. 17 of the Constitution, the Assembly consisted of the Speaker of the Senate as the chairman, the Speaker of the Sejm as his deputy, the Prime Minister, First President of the Supreme Court, the Inspector General of the Armed Forces, and 75 electors, elected from among the most convenient citizens in 2/3 by the Sejm and 1/3 by the Senate. The electors' mandates expired by virtue of the law itself on the day the new President took office. The solution provided for in the regulations of the chambers was an underline of the dependence of the electoral college from the president. According to him, the deputy elected Marshal was obliged to obtain the consent of the head of state to accept the election, and only after the approval he submitted the statement to the chamber. This solution was incompatible with the wording of Art. 34 sec. 1 of the Constitution, according to which the chamber was competent to cast the marshal's position, however the provision against the above was dead. The Senate was an expression of the political activity of the elite. In 1/3, he was appointed by the president, and the rest of the composition was determined by an un-

[11] A. Chmurski, *Nowa konstytucja*, Warsaw 1935, p. 60.

[12] W. Komarnicki, op.cit., p. 201.

democratic electoral law. It determined the influence of the ruling group on the composition of the lower house. This minimized the possible emergence of a conflict between the president and the authority who would be responsible for indicating the second candidate in the elections. The composition of the electoral college was additionally rationed by appointing it from among the most comfortable citizens. This was clearly foreseen in Art. 17 sec. 1, of the Constitution. In correlation with the principle of elitism from Art. 7, it limited the circle of people, among whom the Electoral Assembly was elected. The pro-government interpretation of the provisions of the constitution was also influential. Although the law on the election of the president appealed to the electoral procedure, it nevertheless did not regulate electoral eligibility and whether or not it limited re-election[13]. The tendency to strengthen the president's position and ensure the continuity of power evidently indicates that the re-election was completely acceptable[14]. The electoral powers of the president additionally extended in the event of war. In accordance with Art. 13 of the Constitution, this was his prerogative. This solution enabled Ignacy Mościcki to be appointed by his successor Władysław Raczkiewicz after his resignation from office on September 30, 1939. Although it can be justified by the nature of the political system and climate at the time, such a phenomenon is not known in any contemporary and later adopted constitution. Completely proved the thesis that the intention of the creators of the constitution was to provide the president leaving office with a decisive influence on the election of the successor[15]. Thus, the Constitution established an important monopoly in the scope of casting the office. It ruled out a situation in which a superior subject would not decide on the fate of the state. It created quite an innovative solution. In consequence, it led to the fact that the new president would rule by the will and with the consent of the outgoing president. He would not be embarrassed by the will of another body or addicted to the will of the nation.

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[13] Act of 8 July 1935 on the election of the President of the Republic (Dz.U. No. 47, item 321).

[14] Eg.W. Komarnicki, op.cit., s. 210, A. Chmurski, op.cit., s. 60.

[15] See the constitutional thesis of S. Car, *Uzasadnienie tez konstytucyjnych*, druk 820, okres III, which in its radical concepts also proposed submission of the entire self-government to the authority of the president.

The traditional empowerment of the president and defining his position as a neutralized head proper to the parliamentary system, in the light of the adopted constitutional solutions, lost its sense of existence. In this place authority appeared, to which the state organs were hierarchically subordinated: the government, the parliament, the senate, the armed forces, the courts, and state control. At the same time, the president was not defined anywhere in the constitution as a state body. The supremacy was a guarantee of the implementation of the principle of supremacy and the building of a center of state power around the president. His powers and functions could not be defined within the traditional model of separation of powers. In the light of the provisions of the Constitution, it was equipped with both legislative and executive powers. In addition, giving the right to interfere in the operation of judicature. The first part of the constitution confirmed the presumption of the president's competence. An interpretation of the constitution, which would minimize its powers in the least way, was unacceptable[16].

The supremacy of the president over state organs was to manifest itself in harmonizing the actions of supreme state bodies (Art. 11). It meant correlating the operation of subordinate bodies. It included imposing a common state policy on them and correcting them in the event of any discrepancies. As in the constitutional monarchy, the president, as part of exercising his authority, obtained an unlimited possibility of interference in the activities of state organs. In addition, the use of elements of evaluation and unfettered criticism and the imposition of their will in accordance with the subjective good of the state (of course within the constitutional provisions defining a wide range of its powers).

The principle of the president's uniform and undivided power, adopted in the constitution, was antagonism to the separation of powers. It ruled out the existence of other authorities as equal. They would be able to exercise their powers towards the president and even co-decide on the state's policy. The promotion of any cooperation could only serve to implement the top-down decisions of the president. Only support the realization of the constitutional concept of harmonization.

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[16] K. Grzybowski, *Zasady Konstytucji Kwietniowej. Komentarz prawniczy do części I Ustawy konstytucyjnej,* Cracow 1937, p. 33; A. Chmurski, op.cit., p. 45.

The Constitution clearly defined the president's supremacy in order to implement the harmonization of the activities of state organs. In accordance with Art. 3, it included the government, chambers of parliament, armed forces, courts and control bodies. The Constitution did not indicate independence or independence of the indicated bodies. It broke with the traditional concept of executive power, replacing it with the term government – prime minister and ministers (Art. 25 sec. 2). Separation of the president from the government strengthened his independence not only from the cabinet but also indirectly from the parliament[17]. The government, while exercising managerial competences, was the body most closely associated with the head of state. He was an instrument of exercising the president's power. For this reason, the definition of government organization belonged to the head of state. Article 56 of the Constitution determined this. In addition, it was the appointment and dismissal of the prime minister, the appointment at his request of ministers, the granting of permission to order a state of emergency or the taking of political responsibility of the council of ministers. The adopted model of political responsibility replaced the parliamentary dependence of the council of ministers on the parliament. However, she experienced a clear limitation. The constitution provided for the president's right to dissolve the parliament and the senate, when the government did not lose the confidence of the head of state[18]. Traditional solutions assumed the requirement of parliament's confidence and the appointment of the government by the president. The new construction meanwhile accentuated the presidential confidence condition, and in the case of its loss, the obligation to resign. There was also a specific solution providing for the possibility of dismissing the minister by the president. This happened despite the countersignature of the prime minister, but without the requirement of his request. Of course, the prime minister's appeal was within the scope of prerogatives. The President also had the right to launch constitutional liability towards all members of the government.

The association of the government and the president was the result of granting powers in the management of state affairs, setting general policy principles, managing administration departments or budgetary powers. This wide-

[17] I. Czuma, *O powołaniu rządu i władz politycznych*, "Nowe Państwo" 1933, t. III, No. 9, p. 75.

[18] Art. 29 of Constitution.

ly established catalog of competences determined the scope of the head of state's supremacy over the government. Thus, he pointed to the actual indirect transfer of powers of the cabinet to the president.

The consequence of the rejection of the principle of national sovereignty was the definition of the Sejm as a body reflecting public opinion. This was not a manifestation of the implementation of the legislative function. The Senate has become the body serving to build a collective good. In correlation with the president's authority, the principle of the leading role of the state in relation to society was pursued in this way (Art. 4). It consisted in limiting the legislative function of the legislature and the right to shorten its term. In the constitution, decree legislation was widely developed, which was on par with the laws[19]. Pursuant to Art. 55, the president was provided with the right to issue decrees during state necessity and decrees in the time and scope indicated by the act. Pursuant to Art. 56, decrees concerning organization of the government, supremacy over the army, organization of government administration, could be issued at any time. Their change or repeal was possible only through decrees of the President of the Republic. Therefore, the privilege of the president was undisputed. Article 57 § 2, constituted, in any event, if the Constitution or statutes required the adoption of the law, it was possible to issue a decree. The consequence of equating both sources of law was the inability to repeal the decrees by resolutions of the Sejm. The Constitution did not demand that the decrees be presented to parliament for approval and there was a ban on their validity by the courts[20]. Decrees ceased to be temporary or substitute acts. They could not be subject to control by any state body.

As part of his powers, the president was equipped with the right of suspensive veto (Art. 54 sec. 2 and 3). It included the promulgation and publication of laws (Art. 54 sec. 1). In practice, the veto was dealt with at the earliest one year after the regular sessions were held once a year. The understanding of the issue of promulgation of laws and their compliance with the constitution was specific. The president spoke on this matter as the guardian of the constitution and the entity controlling the parliament[21]. It should also be noted

[19] Ibidem.

[20] Art. 64 sec. 5 Constitution.

[21] W. Komarnicki, op.cit., p. 220; M. Zimmermann, *Kwestia promulgacji ustaw w nowej konstytucji*, "Ruch Prawniczy, Ekonomiczny i Socjologiczny" 1937, No. 3, p. 401.

that the president had a privileged legislative initiative to change the constitution (Art. 80 sec. 1 and 2), the right to veto the draft amendment adopted by the legislative chambers (Art. 80 sec. 4), publication and promulgation of the constitutional law. These powers indicate the exercise of its constitutionality control (Art. 80 sec. 5)[22].

Emphasis also needs to be given to the president: the right to interfere in internal affairs of the chambers by appointing one third of the Senate, convening sessions of the Sejm and Senate, managing the opening, postponing and closing sessions of the chambers, determining the subject of an extraordinary session convened by the chambers on its own initiative and the right to resolve them before the end of the term (limited only by the need to indicate the reason). Therefore, the president's rights were limited to control over legislation and the right to arbitrarily shorten the term of office. This was enough to effectively consolidate the superior position and ensure the parliament's compliance with the will of the president.

In connection with the constitutional separation of armed forces, they were subjected to the presidency[23]. The exercise of parent privileges during peacetime took place personally. In the event of war, the president could appoint the Supreme Commander, who at that time had armed forces. However, this solution did not result in the loss of the position of the superior of the armed forces. The president retained the right to hold the Supreme Commander responsible. The expression of the full dependence of the armed forces on the president was to give him the right to manage annually the collection (Art. 62 sec. 1). In addition, the law of normalization only through the decrees of the organization of military authorities (Art. 56).

The jurisdiction over the judiciary was limited to the appointment and dismissal of the first president of the Supreme Court, the appointment of judges of the State Tribunal and the exercise of the right of grace. An indirect form of control was the shaping of legislation. A greater scope of powers was vested in the president against state control authorities. This was expressed in the right to appoint and dismiss the president of the Supreme Audit Office. At the request of the President of the Supreme Chamber of Control, the President

[22] M. Starzewski, *Z zagadnień konstytucji kwietniowej,* "Ruch Prawniczy, Ekonomiczny i Socjologiczny" 1937, No. 3, pp. 372–376; K. Grzybowski, op.cit., p. 35.

[23] Art. 12 letter d of the Constitution.

appointed and dismissed members of the Supreme Audit Office's college and countersigned their responsibility under his countersignature.

In addition to these powers during the war, the president had the right to appoint his successor, in case of emptying the office before concluding the peace. He had the right to appoint and dismiss the Commander-in-Chief, to make decisions about the use of armed forces, and the right to declare war and make peace (Art. 12 point f). However, they were not included in the prerogatives and required a countersignature of the Prime Minister and the Minister of War.

The development of legislation in the whole scope was implemented by decrees. The only exception was the change of the constitution. The Constitution did not make the issuing of decrees during the war dependent on the proposal of the Council of Ministers[24]. In addition, it didn't contain any restrictions as to their content. It only depended on the president's decision.

During the martial law period, he was entitled to extend the parliament's term of office until the conclusion of peace. He could also convoke, postpone and close sessions of chambers depending on the defense needs of the state and appoint them in a reduced composition. The Constitution didn't indicate the rules for the selection of such a college. It could not only come from the president's nomination[25].

In the light of the provisions of the constitution, the president was released from any real responsibility. It was only of moral nature. The president, as the superior subject, stood above the nation, being the carrier of the sovereignty of the state. Establishing his responsibility only before God and history was an expression of the uniqueness of his office. Pointing to the divine origin of his powers. Prerogatives, with a limited number of entitlements requiring a countersignature, were to ensure the freedom of decision and real exercise of power[26]. At the same time, due to the wording of Art. 14 sec. 1, the countersignature itself has lost the character of substitute liability of the members

[24] Art. 79 Constitution.

[25] On September 2, 1939, due to the state of war at the 31st session of the parliament, a resolution was passed granting him the right to form a constituent assembly, Sejm of the Republic of Poland. Term. Extraordinary Session II year 1939, Warsaw 1958, Chancellery of the Sejm, 10, 6 k.

[26] Art. 13 Constitution.

of the government for acts of the president. Even the indirect possibility of parliamentary control was contrary to the principle of supremacy over parliament and government[27].

In the light of constitutional solutions, the president concentrated the full power in the state. It didn't involve any real responsibility. In this way, the concept of a new state, rejecting the sovereignty of the nation, has been realized. It expressed its dislike for parliament and political parties. At the same time, defense against external threats was considered a need. Only a strong monocratic state apparatus managed by an exceptional unit, could oppose it. Unfortunately, for the implementation of the provisions of the constitution, this authority was lacking. In practice, constitutional solutions have failed. Thus, in practice, the President did not play such a role in the state that the constitution set for him.

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[27] W. Komarnicki, op.cit., p. 220; A. Chmurski, op.cit., p. 72; S. Car, *O kontrasygnacie*, "Nowe Państwo" 1933, t. III, p. 9.

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