

POLSKI UNIWERSYTET NA OBCZYŻNIE
W LONDYNIE

ZESZYTY NAUKOWE

SERIA TRZECIA, NR 5, 2017

WOJTEK RAPPAK

UNIVERSITY COLLEGE, LONDON

*LEADERS AND POLICIES OF THE POLISH
GOVERNMENT IN EXILE 1939–1990,*
ED. BY MICHAEL FLEMING, PUNO PRESS,
LONDON, 2016, 266 PAGES, 17 PHOTOGRAPS,
3 MAPS, ISBN 978-0-9568839-4-0

Presented in English through a wide range of articles by (mostly) Polish historians, the book is an important contribution to our understanding of the Polish government in exile. It will also be interesting to all those who want to reflect on the nature of the state and on the notion, most recently examined by the English historian Quentin Skinner, that the state is something intangible, something you cannot touch, that its power and existence is expressed through language and tradition. The immediate focus of most of the articles is on the leaders of the Polish government in exile, on the men (and they were all men) who saw their mission as the preservation of an independent, sovereign Polish state. It was a mission whose progress was relentlessly downward: the catastrophe in 1939 followed by Katyn, Tehran, the Warsaw uprising, Yalta and then the communist takeover of Poland. When its former Western Allies withdrew their recognition in July 1945, the Polish government in exile seemed doomed: it became a government of mere protest, a guardian of the idea and the „insignia” of an independent pre-war Polish Republic. It started to look irrelevant, a rel-

ic soon to be forgotten. But then came 1989 and the impossible miracle which these elder statesmen, and now elderly gentlemen, waited for, finally happened: communism fell, Poland became an independent state and in 1990 the insignia of the Republic were returned to Poland, where they came to symbolise historical continuity, legitimacy, a Poland that *jeszcze nie zginęła* („has not yet been lost”). The London-based government in exile acquired significance, its mission had a point and in 1990 its work was done.

The articles in this collection help us understand the importance of statehood and the difficult questions of nationalism, ethnic homogeneity and dominant traditions. Some of the articles in the book are scholarly, others offer fascinating reminiscences of people who seemed for years to be attached to a hopeless cause. All of them offer insights into an important strand of European history.

It is worth noting some of the key themes which run through this collection of articles. First of all, there is the obvious and fundamental significance of the fall of communism; as Michael Fleming puts it in his *Introduction* (p. XVIII), we need to *consider how the breakthrough of 1989 and the unexpected collapse of communism transforms our understanding of the leaders of the Government in Exile*. It may be argued that it was not our understanding of them that was changed in 1989, it was their role and historical significance that was transformed by the collapse of communism. Fleming is emphatically correct to note that this collapse was „unexpected”; we might add that in the years before 1989 it was almost universally accepted in Poland, and elsewhere, that communism would last throughout one’s lifetime and beyond, that any independent Polish attempt to overthrow it would be crushed with Soviet tanks. It was widely believed that the ultimate end of communism – however welcome – could only be the outcome of a war between the two nuclear superpowers, a war which, yet again, might be waged on Polish soil. In those circumstances the gentlemen who kept the small flame of independent Polish statehood burning in London seemed distant to the shipyard workers in Gdańsk in 1980. As Wiesław Jan Wysocki reminds us in his article on Ryszard Kaczorowski, *it is not insignificant that those striking in August 1980 in the shipyards, especially that of Gdańsk, had no awareness of the functioning of the Polish Government in Exile in London* (p. 187).

Everything changed in 1989 with the collapse of communism, the transformation of the Polish state and the urgent need to provide it with the legitimacy, authority and continuity based on historical roots. It was critically important that after 1989 the newly sovereign Polish state did not emerge from nowhere, it was re-established and re-born; it was never destroyed, it was kept alive by the

ageing Polish elder statesmen of the Polish government exiled in London since 1940. Their patriotism had never been in doubt but for many years it seemed to many that the state, whose government they claimed to represent, was a mere fantasy. The importance of their wartime credentials was never questioned but as they grew older and passed away it was not clear who could take their place and by what right they might take it. It seems that 1989 came just in time.

When Ryszard Kaczorowski, the last Polish President in exile, transferred the insignia of Polish statehood to President Lech Wałęsa in Warsaw on 22 December 1990, he seemed to have made the fantasy real. He and his colleagues in the Polish government in exile could now be seen as the guardians of sovereign Polish statehood, which was nearly destroyed during the war but which they kept alive for decades and brought back to Poland in 1990. The act was more than merely „symbolic” or „legalistic”, Wysocki makes an interesting reference (p. 189) to Wojciech Ziemiński, a journalist, life-long dissident and one of the initiators of the idea of handing over the insignia: it would mean that the Third Republic – established after the fall of communism – *would be officially declared as the continuation of the Second, maintaining political, legal and moral authority*. It would have historical roots, there would be no question of its legitimacy and no doubt about the source of its authority. This, in turn, raises another set of questions about the nature of statehood.

The notion that Polish statehood was kept alive by the government in exile has much, if not everything, to do with the 1935 constitution of the Polish Second Republic, which defined the institutional structure and the offices of the head of state and of the government. It specified an emergency procedure through which the office of the head of state could be legitimately transferred as well as the legal mechanism, enacted in September 1939 just after the outbreak of the war, which ensured the continuity of the Polish state. It is this 1935 constitutional measure which made the transfer legitimate and, in broad terms, ensured that the authority of the Polish state was vested in the offices and institutions of the exiled Polish government. The return of the insignia of the Second Republic in 1990 is significant because it can be viewed as one enacted under the authority of the 1935 constitution, the last one drafted by a sovereign Polish state, and finally as a constitutional act which guaranteed the continuity of the Polish State through a transfer of the symbols of statehood from the Second to the Third Polish Republic. It is important to note that in 1990 the institutions of the Polish state were still defined through the Stalinist constitution of 22 July 1952, which was, as Arkady Rzegocki reminds us, imposed by a foreign

power and thus illegitimate. This created an interesting constitutional conundrum: President Wałęsa, whose presidential office at the time was one defined by this „Stalinist” constitution, but who was *the first president of Poland to be elected by popular vote* (p. 204), received the *symbols of power* from Kaczorowski who was the constitutionally legitimate president. To Rzegocki, this was a *small concession to the principle of legalism* and, one may add, an obvious use of common sense. But the reference to the „Stalinist” constitution has a deeper meaning here. Rzegocki states that unfortunately, there was no *restoration of the pre-war state... despite the fact that updating the 1935 constitution would have been far easier than making copious amendments of the Stalinist one of 22 July 1952* (p. 204). There is a vague suggestion here that in the years following 1989 the people bringing in reforms and creating the new, sovereign Polish state chose to act within and perhaps make use of the old communist structures. They did not have to; abandoning the Stalinist constitution and restoring the legitimate one framed by a sovereign Polish state in 1935 would not have been difficult. Why then did they not do it? Rzegocki’s answer is indirect, he refers to the traditions, institutions and the talented Polish émigrés who were overlooked by the new post-communist authorities, *a missed opportunity which could have significantly bolstered the rebirth of the state*. This was particularly evident in the diplomatic field, *how differently would Polish diplomacy have presented itself had its mainstay consisted of people who had no skeletons in their closets* (p. 205). There is a strong hint, but no more than a hint, of an answer to why the Stalinist constitution was left fundamentally unchanged: the people in power at the time had „skeletons in their closets”. They were the communists, now the post-communists, adapting to the new reality, making sure that the power and influence they had before 1989 was adjusted and retained.

It is interesting that Arkady Rzegocki, in what is perhaps one of the most engaging articles of the collection, does not mention the 1997 constitution which was obviously drafted, passed and implemented by a sovereign Polish government and accepted by the Polish electorate in a referendum. It must be noted, however, that only 52% voted in favour of it in that referendum. This suggests that there was a significant degree of dissatisfaction with the way the „post-communist” elite was framing the new Polish state. Rzegocki raises a question which might provide an explanation for the source of this dissatisfaction: perhaps this elite was not fully *committed to serving the Polish State and [did not view] Polishness as an indisputable value?* (p. 206). Was the 1997 constitution and the kind of Polish state it framed in some ways fundamentally faulty, did

it fail to link up with the one framed by the previous Polish Republic in 1935 brought to Warsaw by President Kaczorowski in December 1990?

The articles in the collection are based on a conference held in London in 2011 and therefore there is no reference here to the constitutional changes implemented in Poland since late 2015. Some may regard these changes as an improvement to the 1997 constitution, as an implementation of the sovereign will of the Polish people, as expressed through their elected representatives. Others may see it as a constitutional crisis in which the separation of powers is abolished and all state institutions are placed under the control of the political party in power, as they were in People's Poland. In both cases the constitution is clearly regarded as being of fundamental importance, it defines the institutions and the power of the state. The ability to draft and change it, especially in the Polish context, is what makes a nation sovereign. The people who formed the Polish government in exile spent decades in what seemed like a hopeless task of safeguarding the constitutional instruments of a sovereign Polish state in London. Their authority to do this was defined by the 1935 constitution. After the fall of communism in 1989 they brought the insignia of the state back to a sovereign Poland and transferred them to the elected Polish president. Their mission was completed.

We may assume that after the fall of communism they hoped that the Polish state would emerge with a constitution that guaranteed democratic institutions, the rule of law, a free press and clearly-defined limits to state power. That hope lives on.