

THE POLISH UNDERGROUND STATE
1939-1945

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Volume 4

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THE POLISH UNDERGROUND STATE
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1. HISTORICAL INTRODUCTION

In November 1918, after over 120 years, Poles regained their independence and rebuilt their *Commonwealth*. However, together with this newly regained independence, Poland found itself facing a lot of challenges.

The basic problem was the question of existence between two dangerous neighbors – Germany and the Soviet Union. They both were extremely aggressive¹ and thus very dangerous for the future existence of Poland. Both countries didn't recognize decisions which created the new European order, made by Allied Powers in Versailles in 1918.

Germany, aiming to return to the position of world's superpower, wanted to receive lands lost in the effect of the

¹ The German *Weimar Republic* had presented itself since the beginning of existence as a *democratic state*, showed extremely aggressive attitude against Poland. Not only conservative circles of Prussian establishment and army circles but also social-democratic leaders, were very radical in presenting Poland as *säsonstaat* – temporary state. The main reason was the lack of acceptance for the cession of former eastern Prussian territories (gained as the result of partitions of Poland) – Pomerania, Wielkopolska and part of Upper Silesia – into reborn Poland. For Bolshevik leaders, Poland stayed on the way to Germany and Europe, and it was the main obstacle against expected *world's revolution*. Also mentioned above great collapse of Bolshevik army in the war of 1920 was a prestigious failure for the new Soviet state – because of that they were looking for a possibility of fast revenge.

Treaty of Versailles, and aspired to wipe the disgrace of its defeat in the Great War (World War I).

Bolshevik Russia (then called the Soviet Union) was committed to the *world's revolution*, and at the same time afire with eagerness to revenge the humiliating defeat it had suffered against Poland in the war of 1920. The Soviet Union, also basing on previous Russian visions, declared necessity of unification of Belarus and Ukraine, which as Soviet republics became parts of this country²

Poland also had to make enormous efforts in order to create one living entity from the three previously partitioned parts of the country. One has to appreciate that there were marked differences among these three parts of the nation in terms of economic, social, legal and cultural development. There were also profound differences in the legal and administrative systems in each part of the previously different countries, which suddenly became one commonwealth.

The next major challenge was the composition of the new state's nationalities. Nearly one third of its inhabitants was formed by national minorities. Of course, the tradition of a multinational Polish – Lithuanian Commonwealth had a proud history between the 14th and 18th centuries. However, in the 20th century, the situation was rather different.

Due to the complete elimination of anti-communist elements within the Soviet Union, the Ukrainian³ aspirations for independence were turned with full force against

² Poland after the Treaty in Riga signed with Bolsheviks ruling in soviet Russia in 1921 regained only lesser part of the territories, which belonged to the Polish – Lithuanian Commonwealth before partitions in the second part of the 18th century. However, Bolsheviks recognized stipulation of the Riga pact as the “partition” of Ukraine and Belarus and declared eastern Polish territories as “Western Ukraine” and “Western Belarus”.

³ We have to remember that Ukrainian or Ruthenian population lived in east – southern Poland (so called Eastern Małopolska or Eastern Galicja). It was about 3–4 million people (about 15% of country's population).

the Polish state. Neither did the Germans⁴, waiting for the changes of territorial stipulations made in Versailles, hide their enmity towards Polish state.

Finally, the Jewish population of whom Poland had the highest percentage in Europe⁵, in maintaining their separateness, at best regarded the Polish State with complete indifference.

There were a lot of problems with rebuilding Polish economy⁶. Economic confrontation with Germany (so called *custom war*) and then the effects of the Great Crisis, were – like for almost all other European countries – huge shock to Poland. The economy, which for evident, historical reasons was weak, was unable to cope with the results of this turn of events until 1935.

The newly reborn state undertook the task of building a democratic order. These efforts bore fruit, firstly in the shape of the Constitution of 1921⁷ and then in the creation of one of the most democratic electoral systems in Europe⁸. This became one of the solid foundations not only of the

⁴ Situation with German minority was quite similar. They lived mainly in Silesia and Pomerania – it was more than 1 million people.

⁵ Jewish population in Poland lived mainly in cities in central and western Poland – it was more than 10% of country's population (about 3,5 million people).

⁶ Economy of each of three parts of Poland, was naturally oriented on co-existence and strong cooperation with economies of occupying countries. It was a complicated process to change these orientations and to create a new single Polish economy.

⁷ It was so called March Constitution passed by the elected in the beginning of 1919 mentioned *Sejm Ustawodawczy* – Constituency.

⁸ An extremely proportional electoral law passed by Polish *Sejm Ustawodawczy* only after rebirth of Poland, resulted in extremely partitioned into more than twenty political groups in parliamentary chambers after elections in 1919 and then in 1922. We also have to add that the right to vote was received by practically all people (including women) over the age 18, which created one of the most democratic electoral system in Europe in this time.

new democratic order, but it also gave a firm guarantee for the rights and freedoms of its citizens⁹.

The first few years of an independent existence brought with them many disappointments in this regard. These were directly related to the poorly constructed relationship between the parliament and the executive authorities. The Polish parliament held a dominating position in relations with the executive power – the President of the Republic and the government (Council of Ministers with the Prime Minister on its top). As a result of this model the initiatives of the executive power were often paralyzed¹⁰.

Furthermore, parliament was itself internally paralyzed, as a result of the fragmentary nature of the political scene, which was composed of umpteen groupings. The whole political system operated in chaos.

When in 1925 following the agreements reached with the Germans in Locarno, the Western powers gave them considerably far-reaching green light concerning their policy towards their eastern neighbors including Poland, a new dangerous situation appeared for the young state. It also opened to the Germans all possibilities for the strengthening of ties of co-operation with the Soviet Union¹¹. As a result, Poland's situation became extremely dangerous.

⁹ It is necessary to remember about great legislation passed by *Sejm* in 1919 which created a great "social charter" for Polish citizens. Thanks to this legislation there was no conditions for Bolshevik propaganda during the war and Poland was the only state in this part of Europe, without radical internal revolutionary quakes.

¹⁰ We can find here not only the lack of stability of governments in result of permanent changes in parliamentary coalitions. It was also the result of assassination of the first President of the Republic Gabriel Narutowicz in 1922 and the very passive role of the next President, Stanisław Wojciechowski. In effect, the country had a very weak Presidency, destabilized government and partitioned parliament.

¹¹ The agreement in Locarno opened the way for quasi *reconquista* in the East for Germany. When we remember about Rapallo agreement between Wei-

Also at this time, the paralysis of state institutions was at its highest level. It manifested itself in the apparently permanent inability to find any parliamentary consensus, and majority that would allow the Cabinet to function.

In this situation on 12th of May 1926 Marshall Józef Piłsudski, the hero of the victorious war of 1920 against *Bolshevik* Russia, at the head of the army, executed a *coup d'état*. Army overthrew the President and the government. Piłsudski and his successors following his death, also mostly drawn from the army¹², held power until the outbreak of war in 1939.

With the seizure of power by so called *Sanacja* regime, the internal situation in Poland started to stabilize. Despite the protests of opposition groups, which sometimes even resorted to force, Piłsudski assured Poland of thirteen years of stable governing, markedly restricting parliament's influence on cabinets' ability to function. This process culminated in the Constitution of 1935 that concentrated the most important authority for governance of the state in the office of President of Republic of Poland¹³.

After the period of economic crisis, the *Sanacja* regime enjoyed spectacular successes on the economic front between 1936 and 1939. This resulted in a noticeable improvement

mar Reich and *Bolshevik* Russia, which renewed traditional cooperation of both countries, we can see how complicated was Poland's situation in this time again.

¹² Almost all main political leaders of the Piłsudski camp were officers and generals of the army. The most influential part of them – a group of high officers, mainly colonels – was just called *colonels*.

¹³ The Constitution of 1935 completely changed relations between executive and legislative powers. The position of the President of the Republic was strengthened, also government became more independent to the parliamentary majority. It is interesting to add, that this constitution was the inspiration for gen. Charles de Gaulle, who in 1958 prepared the constitution for French V Republic.

in the standard of living, and as usually follows, the calming of society¹⁴.

The Piłsudski's camp was also successful in changing Poland's position in international affairs. Despite the existing great problems, Piłsudski was able to normalize relations with Germany and with Russia¹⁵. He was also able to restore appropriate relations with French ally.

However, tough policies towards internal opposition and unwillingness to broaden the base of those able to participate in government, led to a marked increase in political tension. One positive effect of this situation was, that the opposition began to realize that their fragmentary nature allowed the *Sanacja* to rule the country more or less as they wished. Thus they came to the conclusion that only by consolidating the opposition groups would they open a chance of breaking the *Sanacja's* monopoly.

In effect, the opposition crystallized into three main political blocks:

- National – grouped under the National Party (*Stronnictwo Narodowe – SN*), which represented the greatest influences in all layers of society, and was the most firmly opposed to the *Sanacja* regime,
- Peasant – grouped under the Peasants Party (*Stronnictwo Ludowe – SL*), representing primarily the rural population, which evolved into a center-left formation,
- Socialist – grouped under the Polish Socialist Party, (*Polska Partia Socjalistyczna – PPS*) representing mostly the industrial working class and progressive intellectuals.

¹⁴ During 3,5 years after Great Crisis, Polish economy developed with great speed. In the middle of 1939 in almost all areas Poland has reached position which had all three former partitioned among Germans, Austrians and Russians lands together. It was a great success of the policy of reintegration of these lands into one economic organism.

¹⁵ Poland and Soviet Union signed a non-aggression pact in 1932. Two years later Poland and Germany signed the same non-aggression pact.

However, in 1937 observing that the existing opposition was ineffective, a group of prominent anti – *Sanacja* politicians from various parties took the initiative of constructing their own bloc, in which the entire opposition could be located. The prime movers behind this enterprise were Ignacy Jan Paderewski, one of the most eminent co-founders of independent Poland, and General Władysław Sikorski, one of the heroes of the war against the Bolsheviki. This initiative took its name from Paderewski's residence in Switzerland where it was born and was called the *Morges Front*.

Nevertheless, this movement did not play its expected role, for during this period the *Sanacja* regime enjoyed its greatest successes in the field of foreign policy. The practical effect of this initiative was the evolution of yet another anti – *Sanacja* consolidation in the form of the christian-democratic Labor Party (*Stronnictwo Pracy – SP*).

The four political camps, all of which always acted in a decided manner against the *Sanacja* government, created the foundations for taking responsibility for the affairs of the state. Thus it happened following the tragic defeat in the conflict against Hitler's Germany and Stalin's Soviet Union in September and October 1939.

After WWII, till the end of the 1980s, it was practically impossible to seriously discuss about Polish Underground State (then PUS) in Poland. Communist regime didn't accept this form of Polish statehood, because of its consequences for the bastard origins of communistic Poland in 1944 under the Soviet protectorate.

There were only few historical presentations, with marginal mentioning about this phenomena. Specially, among legal historians and constitutionalists, there were no discussions about this problem. PUS didn't exist in official Polish historiography. Only in exile, especially in England, where most of activists and soldiers of PUS found their home after leaving homeland, a lot of publications and discussions had been made.

The term “Polish Underground State” (*Polskie Państwo Podziemne*) can be found first time seriously used to explain the nature of Polish resistance during WWII, in publication of the famous emissary to Poland, Jan Koziński – Karski. In 1944, shortly after his coming from the occupied country with information about the holocaust of Jewish population organized and realized by the Germans in Polish occupied territories, his book was published in Boston (Ma)¹⁶. In the title of this book and in the text, he used a lot of times the term : “*Polish underground state*”.

Then, the most important publications about Polish fight in conspiracy used this term. We can find it in the monumental publication of Polish Londoners in 1950¹⁷, in S. Dołęga-Modrzewski’s book about PUS¹⁸, in the former commander of Home Army T. Bór-Komorowski’s book¹⁹, in J. Garliński’s and T. Bielecki’s books²⁰, and finally in S. Korboński’s books²¹. The last one published his most important book also in English²².

¹⁶ J. Karski, *Story of the Secret State*, Boston 1944. We can also find, that in occupied country official magazine of Home Army “*Biuletyn Informacyjny*” used this term in his issue from January 13th 1944.

¹⁷ *Polskie Siły Zbrojne w II wojnie światowej. Armia Krajowa. Vol. III*. London 1950. What is interesting, in this publication – because of communistic terrorist actions against heroes of Underground State in Poland during this period, we generally can’t find the names of a lot of activists and soldiers of PUS. There are also information about persons living after the war in the western countries on exile.

¹⁸ S. Dołęga-Modrzewski [Kauzik], *Polskie Państwo Podziemne*, London 1959.

¹⁹ T. Bór-Komorowski, *Armia Podziemna*, London 1974.

²⁰ J. Garliński, *Mędzy Londynem a Warszawą*. London 1966; *Polska w II wojnie światowej*. Londyn 1982; *Polskie Państwo Podziemne. Zeszyty Historyczne*, Paris 1974 No 29 – it was published also in English. T. Bielecki, *Podziemna walka o Polskę niepodległą*. Philadelphia 1977.

²¹ S. Korboński, *W imieniu Rzeczypospolitej*. Paris 1954; *Polskie Państwo Podziemne. Przewodnik po podziemiu 1939–1945*. Paris 1975.

²² S. Korboński, *The Polish Underground State*, Hippocrene 1981.

In Poland, only after 1956 it was possible to mention in some situations, about non – communistic underground fight during WWII. In 1957 an article of great symbolic importance was published in *Tygodnik Powszechny* (Catholic weekly magazine) – “*The Truth and Lie about Home Army*”²³. The authors were former members of the highest staff of Home Army and they were among few not killed by the terrorist regime before 1956. In this article they shortly remembered the nature of the Polish Underground State.

An important publication was published in secrecy in 1980, without communistic censorship, by another hero of WWII underground fight²⁴.

There were also important discussions in *quasi* official journal of Polish legal historians between two great Polish scientists : W. Sobociński and S. Salmonowicz²⁵. Although they discussed about Polish anti – Russian resistance in the middle of the 19th Century (during the January Uprising (*Powstanie Styczniowe*) against Russia in 1863–1864), because of some parallels the problem of PUS had been importantly mentioned.

Then, the latter one played crucial role fighting for the presence of the PUS in the official Polish constitutional history²⁶.

²³ L. Muzyczka, K. Pluta-Czachowski, *Prawda i nieprawda o Armii Krajowej*, Tygodnik Powszechny, Kraków 1957 No 24.

²⁴ W. Bartoszewski, *Polskie Państwo Podziemne*, Warszawa 1980.

²⁵ It was “*Czasopismo Prawno – Historyczne*” [Legal History Periodical] in the beginnings of 1980s.

²⁶ S. Salmonowicz published a lot of publications, among them we can mention first of all : *Polskie Państwo Podziemne. Z dziejów walki cywilnej 1939–1945*. Warszawa 1994, *Z dziejów struktur Polskiego Państwa Podziemnego (1939–1945)*, *Czasopismo Prawno-Historyczne* T. 1–2, 1992 and *Walka cywilna w latach 1939–1945. Pojęcia – struktury – rodzaje*. *Czasopismo Prawno-Historyczne* T. 1–2, 1993.

Publications of this author and my books and articles²⁷ opened a place for the Polish Underground State in almost all legal publications about constitutional history of Poland.

Parallel, official communistic historiography consequently questioned the legal sense and historical importance of the PUS. Almost all communistic historians, till the end of the 1980s, stayed on such positions²⁸

After 1980 it was easier to officially publish in Poland books about various aspects of PUS functioning. Even some prominent official historians changed their attitude to this problem²⁹.

From this perspective it is rather easy to understand, why not so many publications about PUS can be found in the English, French or German languages. For historians in the country it was practically impossible to find a way, without state's support, to publish positive analysis of PUS in international market.

After 1989 situation had completely changed. A great number of historical publications were published in Poland,

²⁷ G. Górski, *Administracja Polskiego Państwa Podziemnego 1939–1945*. Toruń 1995; *Ustrój Polskiego Państwa Podziemnego 1939–1944*. Lublin 1995; *Polskie Państwo Podziemne 1939–1945*. Toruń 1998. See also some important articles : *Powstanie Administracji Zmilitaryzowanej ZWZ/AK pod nazwą „Teczka”*. *Studia Historyczne*, Kraków 1988 No 3; *Krajowa Rada Ministrów w czasie Powstania Warszawskiego*. *Przegląd Powszechny* Warszawa 1989 No 7–8; *Ziemie Zachodnie i Północne w planach Komendy Głównej ZWZ/AK i Delegatury Rządu RP na Kraj. Dzieje Biura Zachodniego i Wojskowej Administracji Ziemi Nowych w latach 1940–1944*. Sobótka, Wrocław 1989 No 3; *Administracja Zmilitaryzowana ZWZ/AK – „Teczka” w latach 1941–1943*, *Studia Historyczne*. Kraków 1990 No 3–4; *Polski wymiar sprawiedliwości 1939–1945 [w:] Dzieje wymiaru sprawiedliwości*. Koszalin 1999; *The Polish Underground State and The European Resistance Movement in the years from 1939 to 1945*. *Review of Comparative Law*, Lublin 2002, vol. 7.

²⁸ See specially publications of two very prominent communistic authors : E. Duraczyński and J. J. Terej.

²⁹ We can show here C. Madajczyk's publication : *Państwo Podziemne w okupowanej Polsce [w:] Państwo Polskie w myśli politycznej*. Wrocław 1988.

and the same is in the first decade of the 21st century. In this last period we can find a special role of the Institute of National Remembrance (IPN), supporting a great number of publications.

However, only a few of them concentrate on the legal and constitutional aspects of PUS. But in practice, in Polish legal history PUS in the last year's has become a normal part.

We also still haven't got important publications about PUS in international market. Because of that this problem is practically absent in historical discussions outside Poland.

This is the most important reason why I've decided to publish this book in english language. I do hope, that this publication would give some necessary information and interpretations of legal and constitutional aspects of PUS functioning.

I will not give in this book a strict definition of the Polish Underground State. I understand that it is not easy in the context of great number of definitions of state, which are functioning in the theory and philosophy of law.

But I'm sure, that in later considerations I'll show a lot of characteristic elements of it.

Finally, I'll present some remarks in the summary and it should help in understanding of the problem, which is under our review.

Part I.

**BEGINNINGS OF THE POLISH
UNDERGROUND STATE**

CHAPTER 1

THE OCCUPATION OF POLAND IN THE CONTEXT OF INTERNATIONAL LAW AND INTERNAL LAW

At the end of September 1939 and until the first days of October 1939, regular troops of the Polish Army continued to fight not only against the Germans but also Soviet Red Army¹. During these operations Germany and the Soviet Union had secretly signed an agreement “*about frontiers and friendship*” between them in the treaty on September 28th, 1939².

Both countries developed and specified the common position against Poland further to the non-aggression pact they had signed in Moscow on August 23rd, 1939³.

¹ The last Polish troops capitulated to Germans at Hel peninsula (in the north of Poland) on October 6th 1939.

² *Documents on Polish-Soviet Relations 1939–1945* (DPSR), London–Melbourne–Toronto 1961, pp. 59–61. Basing on this pact they changed previous arrangements made on August 23rd in Moscow. Originally both sides agreed that “demarcation line” on Polish territory would be course on the line of rivers Narew–Wisła–San. In September this line was changed on new one : Narew–Bug–San. Germans also agreed for the transfer of Lithuania (the same as Latvia and Estonia) into the Soviet “sphere of influences”.

³ First of all Germans and Soviets declared in this agreement that Polish state would be never reestablished.

We should also remember that it was precisely this pact, which conveniently cleared the way for Germany's invasion of the September 1st, 1939⁴.

In the preamble to the treaty of September 28th, the ministers of both totalitarian regimes, in contrary to the most basic principles and regulations of international law declared :

The Government of the German Reich and the Government of the USSR consider it as exclusively their task, after disintegration of the former Polish state, to reestablish peace and order in these territories and to assure to the peoples living there a peaceful life in keeping with their national character⁵.

The opinion expressed in this treaty, that the Polish state had ceased to exist, was inconsistent with reality and glaringly in contravention to international law. We should remember that firstly, the invasion of sovereign state's territory by a foreign power in the course of a conflict, does not give the invading foreign power any rights to decide the fate of that territory. The only clearly specified rights of the occupying powers, are those concerning the conduct of the war, which however, are very narrowly defined by the IVth Hague Convention⁶.

Specially, in occupied territory the occupying power can exercise only the rights of a military oppressor. Thus

- the administration of the occupied territory must be carried out in the name of the military authorities,

⁴ It is rather obvious for all historians and politicians 70 years ago and now, that without this agreement, Hitler would not have decided for the war in September 1939. Only Soviet and Russian historians and politicians do not agree (up to now) with this common consciousness.

⁵ DPSR, s. 59.

⁶ *Dziennik Ustaw RP* (further Dz. U. RP) from 1939, No 102 pos. 1006. *Dziennik Ustaw RP* was official magazine for publishing legal acts of polish authorities.

- the occupying power cannot change the character and legal status of the occupied territory,
- the occupying power cannot revoke or change existing laws and so forth.

Let us add, that in the case of aggression carried out by both occupying powers in violation of international treaties, particularly the Kellogg Pact (1928), whose signatories included Poland, Germany and Soviet Union, all acts committed by the occupying powers on the territory of Poland⁷ were already *ex definitione* illegal from the outset.

Germany and the USSR committed a glaring violation of international law, when without the slightest foundation in such law, they annexed Polish territories.

The German Reich took for itself⁸ western Polish districts and the USSR – using as an excuse a fictional, illegal referendum⁹ – absorbed the eastern part of Poland.

The fundamental principle of international law is the statement that :

The provisions of international law do not lose their validity or moral strength even in the event of their being violated¹⁰.

Meanwhile however, in accordance with the Polish Constitution of 1935, the President of the Republic and the Govern-

⁷ Although Soviet Union didn't recognize Hague Conventions formally, indirectly it accepted its fundamental arrangements signing for example Briand – Kellogg pact or non – aggression pact with Poland in 1934.

⁸ Legal foundation for the German annexation was the act done by the Chancellor, A. Hitler, on October 8th 1939.

⁹ Soviets organized referendum on October 29th 1939 on the territories gained from Poland. Using the terrorist pressure they made almost 90 % of population participate in this plebiscite and almost 90 % from them said “yes” for the “brotherhood annexation” into the Soviet Union.

¹⁰ A. Klafkowski, *Okupacja niemiecka w Polsce w świetle prawa narodów*. Poznań 1946, p. 76.

ment¹¹, found shelter in France after the occupation of Poland had started. In France, in accordance with precedents in international law which were clearly established during the World War I¹², the French authorities welcomed them as guests and provided them with conditions necessary to ensure the continuing activity of the institutions of the Polish state. Practically all the nations which had up till then held diplomatic relations with Poland – the exceptions being Germany, later Italy and their satellite states and the Soviet Union – continued to recognize the legal existence of the authorities of Poland.

Recognition of the formal status of these authorities in France, and later in England, was shown by the fact, that the buildings used by Polish institutions, government officials and civil servants were granted the diplomatic privilege of extra-territorialism. Furthermore, changes at the highest levels of Polish administration in France did not change the legal situation and status of Polish authorities. Ignacy Mościcki was replaced as President of the Republic by Władysław Raczkiewicz, and general Władysław Sikorski became the Prime Minister and Supreme Commander of Polish Army (*Naczelny Wódz*)¹³.

The official magazine of Polish Government *Monitor Polski*, published in Paris on October 2nd, 1939 announced the nomination of Raczkiewicz, the same was with other nominations. In this way constitutional obligations had been

¹¹ Polish authorities : President I. Mościcki, government with Prime Minister gen. Sławoj-Składkowski and Supreme Commander of Polish Army Marshall Śmigły-Rydz, all were arrested by Romanian authorities during their journey to France. This act of Romanian authorities, made under strong German pressure, violated reciprocal agreements between Romania and Poland.

¹² We are thinking about Belgian situation. After the occupation of Belgian territory by German troops, Belgian authorities operated from France, and were recognized by allied powers.

¹³ All these changes were made basing on regulations of the Constitution from April 25th, 1935.

fulfilled¹⁴. This Constitution remained the legal basis for everything performed by the organs of the Republic between 1939 and 1945.

An important element had been added to constitutional practice in this time. It was *Paris Agreement* signed between President Raczkiewicz and general Sikorski. They agreed that during the war the extensive powers of the President would be limited in practice¹⁵. President publicly committed himself to exercise these powers only after consultations with the Prime Minister¹⁶.

In the view of the reality of war, the following important conditions were concluded :

1. the Polish Government in its proclamation to the Nation made on December 18th, 1939, affirmed that the Polish Nation was the sole provider of the authority of the state
2. The Council of National Unity (*Rada Jedności Narodowej*) established in Paris, was the substitute of the Polish parliament (*Sejm* and *Senat*) during the war,
3. the remaining organs of the Polish state were :
 - a) the Government (with the number of ministers reduced to the size of war cabinet),
 - b) the Supreme Supervisory Chamber (*Najwyższa Izba Kontroli*),
 - c) Polish Army, which fought on almost all fronts of the World War II under the Supreme Commander commandment.

¹⁴ See more about it in M. Hułas, *Goście czy intruzi ? Rząd polski na wychodźstwie, wrzesień 1939–lipiec 1943*. Warszawa 1996.

¹⁵ See more about it in : Wł. Rostocki, *Stosowanie konstytucji kwietniowej w okresie drugiej wojny światowej*, Lublin 1990.

¹⁶ Ibidem. Rostocki gives wide constitutional analysis of the problem with some distance. On the other side we have opinion of W. Pobóg-Malinowski who fundamentally criticizing agreement, as a breaking of the Constitution (W. Pobóg-Malinowski, *Najnowsza historia polityczna Polski, Tom III, 1939–1945*, London 1960).

All Polish embassies and diplomatic missions of Poland would continue to operate.

Among the first important acts signed by the President in Paris was the fundamental decree : *The Invalidity of Legislation passed by the Occupying Powers*. It stated in paragraph 1:

All legislation and administration by the powers occupying the territory of the Polish state, if they exceed the limits of a temporary administration of occupied territory are, in accordance with the resolution passed by the IVth Hague Convention of 1907 governing the rules and customs of land war, null and void ¹⁷.

The other question was a formal basis for underground movement in internal law. As it will be presented later, the most important underground activity based on legal regulations which were in use before September 1939.

For the PUS founders it was obvious, that the structures of underground state should base on Polish prewar legal order. It was recognized as one of proofs of continuity of Polish public institutions. This is the reason why the structure of Polish public administration before the war and the extraordinary regulations for the war time will be briefly presented.

The Polish legal order was based on the mentioned above Constitution from April 1935 (so called *April Constitution*). The fundamental idea of this regulation was that the unique and undivided authority in the Commonwealth was concentrated in the institution of the President. In his hands were important elements of legislative power (the right to issue decrees basing on parliament authorization, the exclusive right to regulate organization of governmental administration and functioning of armed forces, the right to veto the bills passed by parliament) and the right to initiate changing the Constitution. He also played important role in the

¹⁷ Dz. U. RP 1939, No 102 pos. 1006.

election of a new President, he nominated the Prime Minister and Ministers, judges and the General Inspector of the Army (*Generalny Inspektor Sił Zbrojnych*) during peace and the Supreme Commander (*Naczelny Wódz*) in case of war.

The President had important rights and obligations for the war time. He could nominate his Antecessor (*Następca*), who could take an office in case of President's resignation (or for other reason) and also regulate in decrees almost all problems of the state.

These regulations gave into the President's hands all important instruments for securing the continuity of Polish institutions during the war. He could appoint the Prime Minister and Ministers, Supreme Commander of Army, nominate his Antecessor and finally regulate in legal regulations all necessary issues for Polish activity in Exile and in the country.

Parliament, which consisted of two chambers : *Sejm* and the *Senat*, couldn't exist in normal composition during the war. But the Constitution gave the President the right to establish *quasi* – parliamentary body for this time, to represent all political groups and opinions.

Let us present now generally the structure of Polish administration. On central level, directly before the war there were 11 ministries under Ministers – the members of the Council of Ministers headed by the Prime Minister. Each Ministry was divided into departments, and those into bureaus and divisions¹⁸.

More complicated was the structure of the administration on the territorial level. The country was divided into provinces (*województwa*), these into counties (*powiaty*), and these into communities in cities and rural areas (*gminy miejskie i wiejskie*). There were also two types of administration:

¹⁸ Precisely bureaus were the structures in some ministries between departments and divisions.

governmental on province and county level, and self governmental on county and community level.

Governmental administration was composed of general administration and special administration, but some structures of special administration¹⁹ were unified with general administration.

The head of a province administration was *wojewoda* nominated by the President after the proposition of the Minister of Internal Affairs. He represented Government in a district and was also a supreme officer to all administrative structures in the territory.

In the county similar position had *Starosta*, nominated by the Minister of Internal Affairs. The bigger cities (over 75.000 inhabitants) were city counties (*powiat grodzki*) with presidents (Mayors) on the top.

However, parallel on the county level functioned self governmental structures. County councils were composed of the representatives of communities located in the county. An Executive of the county was elected by the council, but the above mentioned *Starosta* stayed as the head of this executive²⁰.

In communities there were councils elected by their population. Councils elected executives with mayors in the cities and *wójt* in the rural areas. In greater cities mayors were called presidents²¹.

¹⁹ Special administration functioned in some specific areas like : military affairs, railway administration, telephone and telegraph administration, administration of justice. Special administration divisions were separated from the divisions of general administration.

²⁰ In the County Executives territorial governmental and self-governmental administration were the unified.

²¹ It is important to say that the structure of the polish self-government was unified for all country only in 1933. Up to this time there were various structures based on the regulations passed in former austrian, prussian and russian occupations during partitions of Poland.

Silesia region²² held a special status in Poland. There was wide autonomy for this land, which formally was called also the province (*województwo*). Silesians elected their regional *Silesian Sejm* with a lot of rights to pass specific regional legal regulations. On the top of the administrative powers stayed *wojewoda*, however, he had more specific rights than *wojewoda* in other Polish territories²³.

In the end of these considerations let us present judicial system of the Commonwealth. Generally, it was divided into the common courts and special courts. It is important for PUS, that among special courts were military courts, strictly connected with the army.

Common courts operated on three levels. The lowest were county courts (*Sądy Grodzkie*), which operated in civil and criminal cases. On the higher level were circuit courts (*Sądy Okręgowe*), which also operated in civil and criminal cases. Finally, there were courts of appeals (*Sądy Apelacyjne*). On the highest level as a cassation operated the Supreme Court (*Sąd Najwyższy*) with Civil Chamber and Criminal Chamber.

An important question with a lot of consequences during the war was the relation between army and civil authorities. In the first years of independence after the war with Bolshevik Russia, there was a great conflict between Marshall Piłsudski and almost all political parties.

²² In 1920 Polish *Sejm* passed special constitutional regulation for Silesia. The reason was, that basing on Versailles arrangements on the Upper Silesia planned plebiscite had to decide about location of this land neither in Germany nor in Poland. Polish authorities passed the regulation guaranteeing Silesian population wide autonomy after expected incorporation of this territory to Poland.

²³ Competences of the Silesian *wojewoda* were wider than the *wojewoda* in all other provinces. It was result of constitutional regulation which gave to the Silesian authorities a lot of specific competences not present in other provinces.

Civil authorities aimed to control army whereas Piłsudski wanted to protect the army from political influences. It was one of the most important reasons of May 1926 *coup d'état*. After this dramatic break, a special regulations had been issued by the new President, I. Mościcki²⁴.

In a new model the President was recognized as the Superior of Armed Forces (*Zwierzchnik Sił Zbrojnych*). During the peace President worked through the Minister of Military Affairs (*Minister Spraw Wojskowych*) who was a member of the Council of Ministers.

The General Inspector of the Army (*Generalny Inspektor Sił Zbrojnych*) nominated by the President, was responsible for army's preparations to the war. In case of war General Inspector was nominated by the President on the position of the Supreme Commander (*Naczelny Wódz*).

On September 1st the Council of Ministers declared in the morning the state of emergency²⁵, and some hours later the President proclaimed martial law status²⁶. In the consequence of these decisions, regulations from an act of martial law²⁷, passed by parliament only in 1939, started to be obligatory.

One of its regulations importantly influenced on the process of creating PUS. Article 4. 2 of this act stated that:

²⁴ Regulation of the issuing decrees concerning commandment of the armed forces (Dz. U. RP No 79 from 1926 r. pos. 444) and basing on this presidential decree from August 6th, 1926 about supreme commandment of armed forces during the peace time and about general inspector of the army (Dz. U. RP No 79 from 1926 r. pos. 445). Finally presidential regulation from October 25th, 1926 establishing Committee for the Defending of the State was issued (Dz. U. RP No 108 from 1926 r. pos. 633).

²⁵ Dz. U. RP from 1939 r. No 85 pos. 542.

²⁶ Dz. U. RP from 1939 r. No 86 pos. 544.

²⁷ Dz. U. RP from 1939 r. No 57 pos. 366.

„in counties where in the effect of war action civil authorities are not operating all their rights belong automatically to the military authorities“.

Another important principle was described in the 8th article. Basing on this regulation, civil authorities were obliged to fulfill all expectations from military authorities (necessary for their functioning during the war and necessary for their military operations).

Another fundamental regulation was the President's decree about the conducting of army during wartime²⁸. There was described fundamental role of the Supreme Commander who not only conducted the army and all its military operations, but also could give to the government directives and instructions concerning all military operations and demands in all questions connected with the defense of the state (public safety, protecting military and communication utilities, protecting war industry and providing production of military goods). All these expectations from the Supreme Commander were obligatory for the Government.

For the cooperation with civil administration the Supreme Commander nominated Main Civil Commissioner (*Główny Komisarz Cywilny*). The Commissioner (and commissioners in provinces which were located on the territories under military operations) executed all the Supreme Commander's rights, in relations with civil administration (also on regional level). The network of commissioners composed so called „militarized administration“ responsible for the functioning of the Polish state on the territories under military operations.

²⁸ Presidential decree from September 1st 1939 about supremacy over the armed forces and civil commissioners from the nominating Supreme Commander (Dz. U. RP from 1939 r. No 86 pos. 543).

All above mentioned regulations created a legal basis for the establishing and functioning of the Polish Underground State.

Let us also review how occupants administered on the occupied territories. It is important to understand conditions in which Poles created underground structures.

The mentioned above Hitler's decree from October 8th, opened a new situation on western Polish territories. Northern Polish lands²⁹ became a part of German *Provinz Ost Preussen*. In Pomorze (Pomerania)³⁰ together with the territory of Gdańsk (Free City) a new *Gau – Danzig West Preussen* – was established. In Wielkopolska³¹ also another new *Gau* was established – *Warthegau* (Kraj Warty). Southern Polish territories³² became a part of German Province Silesia³³.

At the top of German administration in provinces and *gaus* stayed Presidents and Deputies. They were nominated by the Minister of Internal Affairs and were dependent to him through Office for Administration on Eastern Territories. We also have to add, that these officials were at the same time chiefs of the Nazi Party (NSDAP) in their regions. There was also a special Office for the Strengthening of Germanizing on East. It was responsible for the Germanizing of Polish lands and Poles specially after 1941, when Germans started with the realisation of the *Generalplan Ost*³⁴.

On the annexed territories Germans established administrative order the same like in Reich, breaking rules

²⁹ It was northern part of the Warsaw province and small part of Białystok province (Suwałki region).

³⁰ Whole Toruń province.

³¹ Whole Poznań province and part of Łódź province.

³² Whole Silesian province and western part of Kraków province.

³³ Then this province was divided into Upper Silesia and Lower Silesia. All annexed Polish territories were in Upper Silesia.

³⁴ See more about it in Cz. Madajczyk, *Polityka III Rzeszy w okupowanej Polsce*, Warszawa 1970.

of international law. The same was with judiciary system and we also have to add information about very important role played by various German policies and secret services operating there.

Another question was a legal situation of Polish population living on the annexed territories. Till the autumn of 1941 there was not clear which was their position in the state, where the whole life was based on Nazi ideology. This ideology excluded other then German population from the possibility of normal functioning in the German state.

In the special regulation dated on March 4th 1941 Germans created *German National Register*. There were four categories of applicants to the register. All inhabitants of Polish lands with German origin could apply to the 1st group of the register. Those, who before September 1st lived in Poland and were active in fighting for German interests, could apply to the 2nd group of register. People accepted to these two groups could receive German nationality and German citizenship, and had all rights in German state. But the number of such applicants was very limited.

To the 3rd and 4th groups could apply members of some Polish ethnic groups (Silesians, Kaszubs, Mazurs) and people who had far German ancestors. But these people received only German citizenship, which gave them less rights then members of two first groups had.

We have to mention here, that from about 10 million Polish citizens living before September 1st 1939 on the annexed territories, only 2,8 million decided to apply to the register³⁵. On the other hand, it is necessary to say that about 300.000 people living on the annexed area were deported to

³⁵ It is necessary to say that specially in Pomerania Germans made a great pressure on Polish population for applying to the register. People who didn't apply were sent to the concentration camps and they lost all possessions. Their families lost possibilities for normal life in Reich (they became homeless, lost cards for food, they couldn't find a normal work).

the central Poland. Another group, about 600.000–700.000 people were transferred to Reich as compulsory workers³⁶.

It is not clear why Germans decided to establish General Government (GG) on the rest of the occupied Polish territories. We can characterize German policy towards the GG as :

- policy of plundering and economic exploitation – till the end of 1939,
- policy of adjustment of GG economy to German economy – till the end of 1941, and
- policy of Germanizing of the GG – starting in the beginning of 1942³⁷.

The last stage of described policy was strictly connected with the idea of *Generalplan Ost*. Germans aimed in this plan to change GG into German country within 15–20 years. The first attempt in realization of this idea was massive extermination of the Jewish population of GG (*Holocaust*)³⁸. After finishing this stage German planned final extermination of Polish population in GG through massive genocide and massive deportation on the east.

GG was established on territories of Kielce and Lublin provinces and greater parts of Warsaw, Łódź, Kraków provinces and about half of Lwów province. After the start of

³⁶ Cz. Madajczyk, op. cit., s. 335 i 231. Cz. Łuczak, *Polska i Polacy w drugiej wojnie światowej*, Poznań 1993, p. 180.

³⁷ About German policy concerning GG see more in still actual Cz. Madajczyk, *Polityka ...*, pp. 50–53.

³⁸ Of course the extermination of Jews in GG was a part of a wider idea of the *Final Solution*. But we have to remember that *Wannsee Conference*, where German officials were informed by German Third Reich leaders about the idea of the complete extermination of Jews in Europe took place in January 1942. It shows that *Generalplan Ost* was strictly connected with *Final Solution* and that the Germans' aims concerning the future of Poland and Poles were quite similar to ones concerning Jews, although they knew, that realization of these concepts would take place later in the second step of the so called *Global Lösung*.

the German – Soviet war in June 1941, three provinces³⁹ previously annexed by Russians, were incorporated to GG.

On this area four (then five) districts were established (Kraków, Warsaw, Radom, Lublin, Lwów). Kraków became the capital city of GG and the seat of General Governor nominated by A. Hitler⁴⁰. The Governor worked through GG government with the secretary of state and chiefs of central administrative divisions. On the territorial level general governor administered through district's governors.

Germans accepted Polish self governmental authorities on the lowest level. But their executives were under strict control from occupants administrators and secret services. Specially just various secret services and police structures controlled all aspects of life in GG.

Germans also abandoned Polish courts (except the Supreme Court). But there was also established a separate network of German courts. They performed jurisdiction in all cases when a German citizen was as a party or if a case touched the German interest. German criminal courts judged in all cases of military importance.

GG was a quasi-state (less than Bohemian Protectorate in part of Czechoslovakia) dependent on German Reich, but with separate economy, monetary system and customs border.

Similarly to A. Hitler, Soviet authorities decided to legalize their violation of international legal order. The way was, however, different. Yet during the invasion Soviets founded various „revolutionary councils”. All these bodies quickly declared „common will” of incorporation into the Soviet state.

³⁹ Stanisławów and Tarnopol provinces and bigger part of Lwów province.

⁴⁰ Through all war time this position was held by H. Frank then sentenced in Nürnberg Trial in 1945 and captured.

Then on October 22nd 1939 on eastern Polish territories Soviets organized elections⁴¹ to „national assemblies” of Eastern Belarus and Eastern Ukraine – as Soviets called Polish territories.

Only some days later elected assemblies asked Soviet Supreme Council for the incorporation of Eastern Belarus and Eastern Ukraine to Soviet Belarus and Soviet Ukraine – both in Soviet federation.

On November 2nd 1939 Soviet Supreme Council positively answered on these “applications”, and Polish territories⁴² were incorporated into the Soviet Union.

In this moment the whole Soviet legal and administrative order was extended in Polish territories. All Polish institutions were destroyed, all property of Polish state and Polish citizens was confiscated and nationalized. Soviet judicial system was also extended on these lands. Similarly the whole population living on annexed area became Soviet citizens. Polish citizens were forced to change Polish documents on Soviet ones. During this procedure they were forced to declare, that they would not aim to restore Polish state⁴³.

We also have to add, that in February, April, June/July 1940 and in June 1941 Soviet authorities organized massive deportation of population from these areas. Almost 1 million people were transferred to the far east parts of the Soviet Union. Great number of them died during the travel to far eastern parts of Soviet Union.

⁴¹ These were elections in “Soviet style” – with fictional legal rules (voting without deletion), with terrorist pressure on voters and with absolute control over the procedure of counting votes.

⁴² Northern provinces – Wilno, Nowogródek, Brześć and bigger part of Białystok became a part Soviet Republic of Belarus, southern provinces – Wołyń, Stanisławów, Tarnopol and bigger part of Lwów province.

⁴³ All these steps violated international legal order.

CHAPTER 2

THE BEGINNINGS OF THE POLISH UNDERGROUND STATE

Yet in spring 1939 Polish General Staff started with preparations to the war with Germany¹. In March 1939 The Chief of Staff gen. Stachiewicz proposed to General Inspector marshal Śmigły-Rydz composing special groups, operating on the territories which, as they expected, could stay in the first phase of war under German occupation. These groups would be operating in cooperation with Polish intelligence, as well as realize diversion and sabotage against German troops. They planned, that these groups should operate specially in Pomerania and Silesia. Major Edmund Galinat was nominated²as the coordinator of this action.

At the same time Commander of the Corps (*Dowódca Okręgu Korpusu*) in Toruń (Pomerania) – gen. Karaszewicz-Tokarzewski, started with similar attempts³.

Just gen. Tokarzewski in the first days of the war met in Toruń with a group of officers to discuss precisely, how Pomeranian conspiracy should work⁴. While we don't know

¹ W. Stachiewicz, *Wierności dochować żołnierskiej*, Warszawa 1998, p. 438.

² Ibidem.

³ About these preparations see book : *Organizacje paramilitarne i pokrewne na Pomorzu w przededniu II Wojny Światowej*, Toruń 1996.

⁴ About this meeting S. Salmonowicz, *Relacja L. Muzyczki. Przyczynek do genezy ruchu oporu na Pomorzu Gdańskim na jesieni 1939 r.*, Zapiski Historyczne, nr 3–4 Toruń 1988.

clearly about the discussion at this meeting, it is important, that three of its participants soon started the organization of conspiracy in various places.

Gen. Tokarzewski created Service for Poland's Victory (then SZP) (*Służba Zwycięstwu Polski*) in Warsaw, Ludwik Muzyczka created Organization of White Eagle (then OOB) (*Organizacja Orła Białego*) in Kraków and Józef Dambek *Gryf Kaszubski* (then called *Gryf Pomorski*) in Pomerania. What is characteristic all three organizations had very similar structures. The Model of the unique military – civil organization, was probably discussed and accepted at the Toruń's meeting.

After about two weeks gen. Tokarzewski reached Warsaw with the rest of Pomeranian troops. He became a close cooperator of gen. Rómmel, who was the Commander of Warsaw's defense. Tokarzewski also closely worked with politicians present in Warsaw, because he represented gen. Rómmel in the Council of Warsaw's Defense (*Rada Obrony Warszawy*). Among them were the president of Warsaw S. Starzyński, M. Niedziałkowski (one of the socialist party leaders) and W. Lipiński (important politician of *Sanacja* camp)⁵. This group discussed and formulated basic ideas for the future conspiracy – we can say the foundations of PUS⁶. Let us review their visions discussed during the last days of Warsaw's defense.

It was obvious for them that Poland had lost the September campaign and that Versailles order in Europe was finally destroyed. It was rather impossible in their opinion to rebuild this order in the future. But for Poland it was important that two of its Allies, Great Britain and France,

⁵ K. Pluta-Czachowski, *Faza inicjatyw początkowych. Wrzesień–Październik 1939*, Warszawa 1961 (In Collection of Historical Institute of Polish Academy of Sciences, Warsaw), pp. 10–11

⁶ Presenting it we are basing on the work mentioned above Pluta-Czachowski relation pp. 11–16.

were at war with Germany. It gave hope that war crash didn't mean the final solution for Poland, as the German and Soviet aggressors declared, but that determination of Poland's future would be done after victorious end of the war.

For that reason it was extremely important that Polish authorities still operated in France, and that there was a constitutional continuity of these structures, because they operated on the legal constitutional foundations. This fact gave them not only internal mandate but also strengthened their position in relations with the Allies. Finally, it helped to sustain the position of Poland in its international relations. For that reason the presence of Polish authorities in the West, their ability to influence directly on the Allies' policy, played fundamental role.

On the other hand, the above mentioned group concluded the complete collapse of Polish pre-war political, social and administrative order. The aggressors totally destroyed Polish state and its structures and elites. It was a great challenge to rebuild these values in such extreme conditions. But it was necessary for at least three reasons.

Firstly it was the necessity of reconstruction in conspiracy of state's institutions to show to the Poles, that the Polish state was still alive. We have to remember, that Poland was reborn in 1918 after more than 100 years of absence on Europe's map. For great part of society it was quite a normal status and there were fears, that they could passively accept new situation as some kind of return to the previous reality. PUS in this idea was some manifestation how valuable for the Poles a state as an institution was.

The second reason was the will to prove to the aggressors, that their declarations about destroying Poland were not true. The aggressors' will to sustain such a situation in this context, would have no perspective. PUS through active fight for independence would express undefeated desire of independence.

Finally, PUS was supposed to strongly support the position of Polish authorities in their relations with the Allies. However, they knew, that the Polish Army reconstructed in France would play important role in military operations in the West, and also underlined the importance of active resistance on the rear of German troops. Strong anti-German conspiracy would importantly strengthen the role of Polish Ally. For that PUS and authorities in France were to cooperate among themselves very closely.

In this context it was important how conspiracy would be organized. Specially as a result of prewar political relations, the model of relations between politicians (and political parties) and officers elite in PUS structures was important. In Tokarzewski's idea PUS was to be composed of two pillars: military and civil.

For military pillar the aim was to continue active military fight against both aggressors and to coordinate its operations with military operations of Western Allies.

Civil pillar should fight for the protection of national values, and to maintain foundation and recourses for military operations and Polish authorities. Here they underlined the necessity of maintaining in conspiracy structures of governmental and self-governmental administration, administration of education, economy and other fields.

Both pillars should be functioning in unique, military – political structure, which would be recognized by Polish authorities as their imminent part.

Staying on such position Tokarzewski started practical preparations to work in conspiracy still during the Warsaw's defense. Similarly under the military administration during the war campaign on all occupied territories wide anti-German and anti-Soviet resistance quickly arose.

There were various forms of this actions – military, political, charity, even cultural organizations were organized. For all these initiatives it was obvious, that German and Russian declaration about destroying Polish state couldn't stop its

existence. Almost all Poles believed that Poland would gain its independence again. This massive movement was the foundation for the future development of the Polish Underground State.

But the crucial role in the process of forming PUS was connected with the above mentioned initiative of gen. Tokarzewski. In the evening of September 26th, the day before the capitulation of Warsaw, gen. Rómmel met with gen. Tokarzewski, who presented his initiative of continuing the fight with the occupants. During this meeting of two generals they received information, that an emissary of marshal Śmigły had just come to Warsaw. Major Galinat, who had stolen a plane in Romania, sent to gen. Rómmel marshal's nomination on the position of the commander of all still fighting Polish troops. Major Galinat also told them, that he was appointed to organize underground resistance.

After this meeting gen. Rómmel decided to transfer his nomination to gen. Tokarzewski with an order to continue the fight against the occupants in conspiracy⁷. He also ordered major Galinat to work under Tokarzewski's command.

Having such an authorization gen. Tokarzewski, parallel to capitulation of Polish troops in Warsaw, started to create his SZP. For his initiative the mandate from the Supreme Commander played a crucial role.

For that reason and in the context of above mentioned ideas discussed by Tokarzewski and his cooperators, SZP was planned as all-nation organization with two pillars – military structure and civil structure. Militarized part of the organization was to sustain active fight with occupant forces in strict cooperation with the Western Allies, while civil part was responsible for the protection of national val-

⁷ In this document he wrote : *"Authorization to command of all Polish troops on all Polish territory given by Supreme Commander, I've passed to gen. Michał Karaszewicz-Tokarzewski with an order for continuing fight to maintain independence and territorial integrity"*. S. Korboński, *Polskie Państwo Podziemne*. pp. 32-33.

ues and independent state idea. Civil part should also sustain foundations for military attempts and for authorities in exile. Here he underlined the necessity of continuing in conspiracy prewar administrative structures⁸.

SZP's founders saw this organization as a unique structure. Structure which was recognized by them as a straight continuation of prewar, legal state structures and in this context we clearly understand, how important was the authorization gained by Tokarzewski from the Supreme Commander. In Tokarzewski's opinion, it was not only the authorization for continuing military struggle against occupants.

Basing on the prewar legal regulations (mentioned in 1st chapter), authorized army commanders were responsible for sustaining activity in the civil administration area automatically. It had happened because civil authorities didn't establish their authorized representatives.

Because of that gen. Tokarzewski found himself as a person responsible for all military and civil actions of official structures of the Polish state in conspiracy. But it is important to say, that such a dictatorship power was against his will. From the first moments the general aimed to share this responsibility with main political centers which were continuing their activity in conspiracy.

But the political atmosphere in Poland and in the exile in the end of 1939 and in first months of 1940, was extremely hot. Almost all political centers recognized *Sanacja* camp as totally responsible for September collapse.

Gen. Tokarzewski became a victim of this atmosphere. He was one of the most influential army officers directly after May 1926 *coup d'état*⁹. But then, although Tokarzewski was

⁸ K. Pluta-Czachowski, *ibidem*, p. 16.

⁹ Piłsudski nominated him on the position of the chief of personal office in Ministry of Military Affairs. A lot of officers dismissed from the army after *coup*, saw Tokarzewski as responsible for "clearing" of Army. Tokarzewski during

also one of the most talented Polish officers¹⁰, he was sent to administrative functions¹¹. One of the reasons of these problems was his sympathy for Masonic movement and occultism¹². On the other hand, he had a lot of contacts with politicians from the centre and centre-left parties. Specially during his service in Lwów he found a lot of sympathy from the peasant and socialist movements¹³.

On the other hand, national camp, the strongest political movement in Poland, didn't trust him. These facts were of great importance for the first period of PUS functioning.

Gen. Tokarzewski proved very soon that his loyal relation to legal Polish authorities was stronger, than his political sympathy to *Sanacja* camp. On the 2nd of October 1939 he met in City Hall with Warsaw's president S. Starzyński, M. Niedziałkowski and W. Lipiński. The meeting took place just when they received information about the formation of the new Polish Government in France with Gen. Sikorski as the Prime Minister, and replacing the President by Władysław Raczkiewicz and Supreme Commander by Gen. Sikorski.

The main conclusion of the meeting was, that in the result of these changes

WWI was one of the commanders of *Polska Organizacja Wojskowa* POW (*Polish Military Organization*) and for that he was not only very well experienced in conspiracy. Most of *Sanacja* camp members trusted him very strongly.

¹⁰ In 1919 he led a spectacular action of support for Lwów defenders. Then during the Bolshevik War he participated in other important campaigns.

¹¹ He became a Commander of Corps in Lwów and then in Toruń. On this positions he was practically outside important army matters.

¹² We have to remember that about 1935 Polish authorities started with the policy against Masonic organizations and other secret *quasi*-Masonic structures. Tokarzewski's sympathies and connections with them in fact closed his career in army.

¹³ It was during the wave of peasant strikes in Małopolska region when Tokarzewski as the Corps Commander in Lwów supported these actions.

"constitutional continuity of the State and governing was sustained. These are fundamental facts with internal and international importance.(...) In democratic systems people who finished their activity with collapse are leaving their offices. In Polish situation it is obvious, that people responsible for September collapse have to leave their offices"¹⁴.

We will not find among *Sanacja* camp members and supporters in this time, conclusions similar to these that were made by Tokarzewski and his partners.

We should also remember that politicians united around gen. Tokarzewski represented ideas and visions rather far from those dominating among *Sanacja* politicians. M. Niedziałkowski "*political mind of SZP*"¹⁵, was the most influential politician of Socialist Party (PPS) and one of the leaders of anti-regime opposition before the war. Kazimierz Pużak was another leader of PPS and, like Niedziałkowski, important opposition leader. Zygmunt Zaremba (also from PPS) prepared a radical "Program of People's Poland" – the first manifesto of the underground. Maciej Rataj was in fact the leader of Peasant Party and was recognized as the one of the most influential opposition leaders. Mieczysław Michałowicz was the leader of Democratic Party (*Stronnictwo Demokratyczne – SD*), which united radical anti-*Sanacja* intelligentsia. These are only some examples of politicians who had worked with gen. Tokarzewski since the beginning and it is impossible to say, that they all made a mistake or couldn't understand the real nature of general's initiative.

They accepted his vision of fight against the occupants and the model of organization suggested by him. They also

¹⁴ K. Pluta-Czachowski, *Faza organizacyjna SZP (Wrzesień 1939–Styczeń 1940)*. (In Collection of Historical Institute of Polish Academy of Sciences, Warsaw), pp. 1–2.

¹⁵ M. Karaszewicz-Tokarzewski, *Jak powstała Armia Krajowa ? Zeszyty Historyczne*, Paris 1966 Nr 6, p. 35.

understood that the occupants were aiming to destroy the Polish state definitely and for that reason Tokarzewski's idea was an adequate answer.

The model of SZP was quite similar to the organization known from the period of World War I. Polish Military Organization (*Polska Organizacja Wojskowa – POW*), was established by J. Piłsudski for secret fight for independence. POW played extremely important role in the struggle for the freedom of Poland. But then it was recognized as one of the crucial foundations of Piłsudski's camp and this is why a lot of oppositionists acknowledged people from POW or had positive opinion about it, as a suspected *Sanacja* camp members¹⁶.

Gen. Tokarzewski (*"Doktor"*, *"Torwid"*) started organizational works yet before the capitulation of Warsaw. On September 25th he met with a group of officers who decided to continue their fight in conspiracy. They established the first structures for organizing conspiracy communication, legalization of conspirators, and securing weapons and ammunition¹⁷. On the same day the President of Warsaw, S. Starzyński, established a secret structure for supporting SZP, inside City's Executive¹⁸.

After the night meeting with gen. Rómmel and E. Galinat on the day of the capitulation of Warsaw gen. Tokarzewski had in hand a special authorization for continuing resistance from the Supreme Commander and a foundation of staff of SZP composed by about 15 officers¹⁹. In the middle of October 1939 col. Stefan Rowecki came to Warsaw and

¹⁶ It was quite funny to suspect that Niedziałkowski or Rataj were secret members of *Sanacja* camp but in very heated political atmosphere in France in the end of 1939 such absurd suppositions could play important role in governmental decisions.

¹⁷ K. Pluta-Czachowski – *Faza inicjatyw początkowych*, p. 21.

¹⁸ See more about it in J. Kulski, *Zarząd Miejski Warszawy*. Warszawa 1964.

¹⁹ S. Korboński, *Polskie Państwo Podziemne*.

started cooperation with SZP. It was a very important fact for the development of military part of the organization.

Gen. Tokarzewski started also preparations for developing regional structures of SZP. On October 3rd 1939 emissaries of SZP moved from Warsaw to almost all provinces (*województwa*) to establish such structures²⁰.

During the first days of October Colonel Stefan Rowecki came to Warsaw and joined SZP staff. In fact he became the Chief of Staff and from this moment on he conducted over the whole military part of the organization, while Tokarzewski could concentrate on organizing its civil part²¹.

For SZP it was important to have the statute, which precisely described its structure. The final document was adopted about October 10th 1939²². *Statute*²³ was not only a kind of internal constitution of SZP but also a warm manifesto to the whole nation. Tokarzewski declared strong will of fighting for independence but also for democracy and freedom. He described two most important aims of organization as follows :

- a) to continue decisive and tenacious fight with occupants on all fields of their activity by all possible means up to liberate Poland in borders from before the beginning of the war,
- b) reorganization of personal value of our army and strengthening its moral and physical abilities,
- c) creation of the centers of temporary national authorities which are united hierarchically and harmonically cooperating.

²⁰ K. Malinowski, *Żołnierze łączności konspiracyjnej Warszawy*. Warszawa 1983, p. 19.

²¹ K. Pluta-Czachowski, *Faza organizacyjna SZP*, p. 20.

²² J. Karasiówna, *Pierwsze półrocze Armii Podziemnej*. Niepodległość, Londyn 1948 Vol. 1, p. 267.

²³ Whole *Statute* in : *Armia Krajowa w dokumentach 1939–1945*. Vol. 1, London 1970. pp. 31–37. (Further see this publication as : AK I. Next volumes of this edition : AK II, London 1973; AK III, London 1976; AK IV, London 1979; AK V, London 1981; and AK VI, London 1989.

He planned to establish the Council of National Defense (*Rada Obrony Narodowej* – RON), which was to have “political directory of SZP activity (...) in full loyalty to Polish Government”.

In the second part of the statute the structure of SZP was described. On the top of it was the Main Commander (*Dowódca Główny*) with two Deputies. The first was also the Chief of Staff and coordinated military pillar, the second was the Main (Civil) Commissioner (*Komisarz Główny* or *Cywilny*) – who coordinated the civil pillar and stayed as a president of mentioned RON.

Military staff of SZP was to be composed of six Divisions (*Oddziały*) with chiefs on the top.

In districts District Commander (*Dowódca Wojewódzki*) was the chief of SZP structures. He also was to have two deputies – chief of staff and District Commissioner (*Komisarz Wojewódzki*), who was also the president of Province Council of National Defense (*Rada Wojewódzka Obrony Narodowej*). The same structure was planned for the County (powiat) level. In the lowest level Picket (*Placówka*) was planned as a basic structure.

It is rather impossible to say how far these statutory stipulations were realized in practice. We have to remember, that SZP could operate in planned structures only till the end of 1939. Hence we can't expect that all its structures were functioning precisely like the statutory regulations determined.

It is obvious that the position of the Main Commander was taken by general Tokarzewski. His deputy, the Chief of Staff became the mentioned above col. Rowecki. Yet in October Rowecki presented to Tokarzewski the plan of action till June 1940 (the expected date of war in the West). The most important topics were

- The necessity of organizing the whole Staff,
- The organizing of all district commandments,
- The establishing of internal communication and

- permanent communication with the Supreme Commander in France²⁴.

In the beginning of December 1939 gen. Tokarzewski had informed the Supreme Commander, that the Main Staff of SZP is completely organized and all its Divisions were in actions²⁵. It is necessary to add, that for SZP Commanders :

Divisions and bureaus in Staff (...) after development could become expositions of former departments of Ministry of Military Affairs, divisions of Main Staff and military bureaus in civil ministries in the country, and also realize their tasks, up to creation of real structures²⁶.

Let us present some brief information about the organization of staff's divisions.

1st Division – Organizational – had been headed by major Antoni Sanojca ("Knapik") since the end of September. Trough this division all territorial commandments were directed by Main Commander. There were also Religious Service with rev. Stefan Kowalczyk ("Biblia") and Women's Military Service (*Wojskowa Służba Kobiet*) with Maria Wittekówna ("Pani Maria").

Also in the end of September 1939 started the creation of the 2nd Division – Intelligence. It was headed by major Wacław Berka ("Brodowicz").

In the middle of October, after his coming to Warsaw, Col. Janusz Albrecht started the organization of the 3rd Division – Operations. In this division were three parts : III A of general planning with J. Albrecht, III B of training with Col. Kazimierz Bąbiński ("Krzysztof"), III C – of diversion with Col. Franciszek Niepokólczycki ("Franek"). There were also

²⁴ K. Pluta-Czachowski, *Faza organizacyjna SZP*, pp. 20–21

²⁵ AK I, p. 22 – information from December 7th 1939.

²⁶ K. Pluta-Czachowski, *Faza organizacyjna SZP*, p. 31

the special staff for conducting diversion actions composed of at least 10 officers²⁷.

Probably in the middle of November 1939 the 4th Division – Logistics started to be organized by Col. Adam Świtalski.

Crucial role for effective conspiracy was played by the 5th Division – Communication, called also Bureau of Main Quarter. Since September 1939 major Janina Karaś (“Bronka”) had stayed at its top. She headed the branch of the internal communication. Cpt. Leon Chendyński (“Gruda”) headed the branch of internal security, and Lt. Konrad Bogucki (“Zaremba”) headed the branch of radio communication.

Political and Propaganda activity was concentrated in the 6th Division headed since October 1939 by major Tadeusz Kruk – Strzelecki (“Dyrektor”).

Finally, since October 1939 major Stanisław Thun (“Nawrot”) had created the 7th Division – Financial.

Only in the end of 1939 Ludwik Muzyczka started with the organization of the 8th Division – Military Bureaus.

The development of the SZP structures was broken by the decision of Polish authorities in France, which established new military organization – The Union of Armed Struggle (*Związek Walki Zbrojnej* – ZWZ). The greatest success of SZP was, that its staff

just till the end of the 1940 was the only institution in the country, which was able to prepare for all Polish centers, synthesis of the situation basing on wide and truthfully materials”.²⁸

Since the middle of October 1939 gen. Tokarzewski had concentrated his activity in SZP on organizing the civil part, while Col. Rowecki was responsible for the military part.

²⁷ T. Strzembosz, *Oddziały szturmowe konspiracyjnej Warszawy*, Warszawa 1983, p. 22.

²⁸ K. Pluta-Czachowski, *Faza organizacyjna SZP*.

In October all military commandments in central Poland were organized (in Warsaw, Lublin, Kraków, Kielce and Łódź). In the next month structures in the districts gained by Reich were established. It was extremely hard to organize structures on territories gained by Bolsheviks. The development of the SZP military structures advanced much faster than the civil ones.

Gen. Tokarzewski, as we have mentioned before, was in a strict contact with a lot of politicians. After the first discussions they agreed to create political representation of underground movement composed by M. Niedziałkowski (PPS), M. Rataj (SL) and Leon Nowodworski (SN – National Party). But they also agreed that this group should be enlarged by representatives of other political parties²⁹. Tokarzewski declared to Niedziałkowski, that

the only principle for such a representation is to accept that it should be composed of representatives of all political parties present till September 1939, and also these arose in conspiracy, including Sanacja, if they would accept political program commonly confirmed by PPS, SN, SD and SL.³⁰

Basing on this idea gen. Tokarzewski met with Józef Chaciński from Stronnictwo Pracy (Labour Party), Kazimierz Stamirowski from *Sanacja* groups, with activists from Polish Red Cross, teachers' unions, trade unions, peasant organizations, Union of Polish Scouts and many others³¹.

Probably on October 7th 1939 in Radość near Warsaw, gen. Tokarzewski met M. Niedziałkowski and Z. Zaremba from PPS, and M. Rataj and Stefan Korboński from SL³². He presented to them basic principles of the projected SZP.

²⁹ M. Karaszewicz-Tokarzewski, *op. cit.*, p. 24.

³⁰ *ibidem*

³¹ K. Pluta-Czachowski, *Faza organizacyjna SZP*, pp. 8–9.

³² M. Karaszewicz-Tokarzewski, *op. cit.* p. 22; S. Korboński, *Polskie*, p. 25. There was also Col. Rowecki as a participant at the meeting.

Two days later, on October 9th, he discussed about it with S. Starzyński, M. Niedziałkowski and S. Rowecki³³.

Finally, the following day, October 10th 1939, he met again with a big group of politicians : M. Niedziałkowski, K. Pużak, Z. Zaremba from PPS, M. Rataj, S. Korboński from SL, L. Nowodworski from SN and M. Michałowicz from SD³⁴. They probably accepted SZP *Statute*, M. Niedziałkowski and L. Nowodworski as candidates for the positions of Civil Commissioners and his Deputy. Finally, the commission composed of Niedziałkowski, Nowodworski and Rataj was appointed to prepare the creation of the RGON, "General Declaration" of the fighting country and regulations for secret administrative structures³⁵.

Gen. Tokarzewski could expect, that the organization of civil pillar of his underground SZP was heading in a very good direction. But affairs of the next weeks destroyed his attempts.

Firstly, newly established, in the middle of October 1939, authorities of SN declared, that they would continue co-operation with SZP only if gen. Tokarzewski finished his cooperation with SD. They also disavowed L. Nowodworski as a representative of their party³⁶.

Another serious blow was a visit in Warsaw of the first emissary from Polish authorities in France. Jerzy Szymański ("Konarski") didn't communicate with gen. Tokarzewski, because governmental officials banned him to do so. In fact, the mission of Szymański was very limited only to making some review of the climate after the September collapse

³³ K. Pluta-Czachowski, *Faza organizacyjna SZP*, p. 9; S. Korboński, *Polskie*, p. 25.

³⁴ Ibidem.

³⁵ Ibidem.

³⁶ J. J. Terej, *Rzeczywistość i polityka. Ze studiów nad dziejami najnowszymi Narodowej Demokracji*, Warszawa 1979, p. 128; M. Karaszewicz-Tokarzewski, op. cit., p.33.

among politicians in the country³⁷. It is rather obvious that Szymański's interlocutors presented Tokarzewski's initiative in the darkest colors³⁸.

However, because of the arrests of M. Rataj and M. Niedziałkowski, it was not easy to present SZP as *Sanacja* organization. But when they were eliminated from SZP on the break of 1939/1940, strong attacks on gen. Tokarzewski's initiative started with new power.

Parallel, another initiative developed intensive activity. It was Political Bureau which was established by Ryszard Świętochowski. Świętochowski had closely cooperated before the war with gen. Sikorski. During September campaign he spent some days with gen. Sikorski in Osmolice. They discussed about their future activity.

Basing on these discussions, Świętochowski started conspiracy among *Front Morges* politicians. He presented himself as a representative of Prime Minister. However, he didn't receive any authorization from the new government in France. But in very heated political atmosphere in the end of 1939, Świętochowski could organize concurrent political center. He had founded the Central Committee of Organizations fighting for Independence (*Centralny Komitet Organizacji Niepodległościowych CKON*) but there were no serious political organizations except Stronnictwo Pracy.

However, for governmental centers in France it was at this time an attractive alternative for Tokarzewski's initiative. That's why they engaged a lot of sources in Świętochowski's group and tried to avoid the existence of SZP.

But it was practically impossible because in the end of 1939 SZP was the only initiative, which operated in all the

³⁷ E. Duraczyński, *Kontrowersje i konflikty 1939–1941*, Warszawa 1977, pp. 119–123.

³⁸ There were N. Barlicki, S. Mierzwa, F. Kwieciński, R. Świętochowski and others – all connected with *Front Morges*. They were in very strong opposition against *Sanacja* and recognized SZP as the initiative of this political camp.

areas of occupied country. SZP had not only a very proficient central structure but also effective structures in almost all provinces. It also cooperated with the most important political and social organizations in the country. After some months, in the middle of 1940, even gen. Sikorski and his supporters would accept it.

CHAPTER 3

FORMATION OF THE MILITARY CONSPIRACY

Gen. W. Sikorski reached Paris on September 24th 1939. During his journey he had a lot of conversations with Polish and French politicians. Most of them, specially the French politicians and officials, suggested that he would be a proper person to take responsibility for Polish affairs. Despite Polish opinions and French pressure, it was impossible to gain nomination for Ignacy Jan Paderewski to be the new President. President Mościcki, who was captured by Romanian government¹, appointed for a new President Władysław Raczkiewicz². Only just strong French pressure on Raczkiewicz resulted in the nomination of Gen. Sikorski for the positions of the Prime Minister and the Supreme Commander³.

After political talks on October 1st 1939 new Council of Ministers started its governance. But in the first days and weeks the members of the Council concentrated on the question of political responsibility for September collapse.

¹ Precisely president and other members of polish authorities were interment by romanian authorities which broken their legal obligations under the german presure.

² See more about it in mentioned above publications of M. Hułas and W. Pobóg-Malinowski where we can find he strong was the presure from french authorities.

³ See in the same publications.

Gen. Sikorski was in a very hard situation. On the one hand, there was strong pressure from the prewar opposition. Those people expected that Sikorski would eliminate from the army (and civil offices) a lot of generals and officers recognized as members of *Sanacja* camp. On the other hand, he was conscious that such an elimination could strongly destabilize army and government.

For that reason among members of the Council of Ministers were such prominent *Sanacja* politicians as August Zaleski (former Minister of Foreign Affairs close to J. Piłsudski), Adam Koc (the leader of Camp for Nation's Unification – *Obóz Zjednoczenia Narodowego* – OZON), the most important political organization of the *Sanacja* before the war). Another prominent person was gen. Kazimierz Sosnkowski (who had closely cooperated with Piłsudski till 1926 coup d'état) who became a deputy of the Supreme Commander.

However, first Sikorski's decisions concerning activity in the occupied country were much more controversial. On October 3rd 1939 one of the coalition parties, SL, designated Aleksander Ładoś as a member of the Council of Ministers. On the same day, after his nomination, gen. Sikorski entrusted him supervision over all civil conspiracy attempts in the country⁴. After next two weeks, because of the lack of effects of his activity, another new minister – Marian Seyda from SN – supported him in this work. The Council at its session on this day also agreed, that the work of both ministers, "*is the most important challenge of the government after the organization of the army in the West*"⁵.

On the same day gen. Sosnkowski – mentioned above – became also a member of the Council of Ministers, to "*conduct military actions in the country*"⁶. The important conclu-

⁴ Muzeum i Instytut im. gen. W. Sikorskiego (then : IS), A9 Ia/2, *Relation of Minister of Internal Affairs from May 1942*.

⁵ IS, PRM K – 102, *Council of Ministers session from October 17th 1939*.

⁶ Ibidem.

sion of the Council was that both military and civil attempts in the country would stay under Sosnkowski's control.

Comparing the progress of works in the occupied country (under strong German and Soviet pressure) with the situation in France we can see, how slowly new authorities created expected solutions. It was the consequence of gen. Sikorski's lack of concept for the organization of conspiracy in the homeland. He remembered about his talks with politicians before leaving the country in September and he probably waited for their initiatives and proposals. It could have been an important argument for him to promote solutions proposed by the *fighting country* and not prepared just in France. For that reason he didn't put the pressure on Ładoś and Seyda, and then on Sosnkowski.

We can also find decisions from October 17th as similar to the concept of unique military-civic organization SZP promoted at the same time by gen. Tokarzewski. However, the situation had changed during the next several days. It was probably connected with the first information about wide Tokarzewski's initiative in the country. Although Sikorski and other new Polish leaders didn't know organizational aspects of SZP, its commander and some of his cooperators disqualified all their attempts.

In this context we can better understand next decisions made in France. On November 3rd Sikorski discussed with Sosnkowski about military organization in the country and probably during this meeting they agreed about basic solutions⁷. Some days later, on the 8th of November 1939 gen. Sosnkowski presented to the Council of Ministers principles of the new organization – Union for Armed Struggle (*Związek Walki Zbrojnej* – ZWZ). The Council decided to create such a military organization⁸.

⁷ IS, *Dziennik Czynności Naczelnego Wodza (DCNW)*, November 1939.

⁸ IS, PRM K – 102, *Council of Ministers session on November 8th 1939*.

Sosnkowski also suggested establishing the Ministers' Committee for Country's Affairs (*Komitet Ministrów do Spraw Kraju*) – KMSK, but there were some controversies among ministers. Because of that Sosnkowski, Ładoś and Seyda under Sikorski's conduct were obliged to prepare the final solution of this question.

After the next few days, on 13th of November 1939 as a result of political consultations, gen. Sikorski issued directives about the creation of ZWZ and the Committee⁹.

The only challenge of KMSK was to "*watch over all problems connected with the country, with secret Nation's attempts to free the Commonwealth from the occupation of the enemies*". The Committee was composed of gen. Sosnkowski as the president and A. Ładoś, M. Seyda, Jan Stańczyk (from PPS) and gen. Marian Kukiel (from SP) as its members.

ZWZ was defined in Government stipulations as a "*strictly secret military organization*" which was preparing "*active fight against the occupants*". On the same day gen. Sosnkowski was appointed as the Main Commander of the ZWZ by gen. Sikorski. As a deputy of Supreme Commander he had a very strong position.

However, in the middle of November 1939 government's achievements in the field of organizing conspiracy in the occupied country were very poor. Specially, there was a great distrust towards almost all country initiatives which were recognized as secret *Sanacja* attempts.

Very negative role in expansion of such an atmosphere played prof. Stanisław Kot, who came to Paris at the beginning of November 1939. Prof. Kot was one of the closest and the most confidential, and finally the most influential gen. Sikorski's coworkers. On the other hand, Kot pathologically hated *Sanacja* people and spotted them almost everywhere. From this perspective we can better understand the atmos-

⁹ AK I, pp. 4-5.

phere among Polish centers in France from the end of 1939 till at least the middle of 1940.

We can also notice here that the founding of the KMSK without determining its structures and competences resulted in the lack of the decisions about structures of conspiracy in the country. However, at this moment Polish government also underlined the necessity of unique directory for military and civil activity in conspiracy. It was decided in the nominations on the positions of the chairman of KMSK and the Commander of ZWZ for gen. Sosnkowski. This solution was similar to gen. Tokarzewski's concept of unique military – civil organization. As we will see, it was changed in the following weeks.

In the second decade of November 1939 gen. Sosnkowski and his staff prepared the principles for ZWZ¹⁰. On December 4th 1939 it was signed as an *"Instruction No 1 for Mr Rakon"*¹¹. "Mr Rakon" was the pseudonym of col. Rowecki, who was the chief of staff in SZP. It is important to notice that col. Rowecki received this document in the last days of December 1940. In the consequence SZP functioned till the end of 1940.

In the end of November 1940 KMSK accepted also *"project of Political Organization in the Country"*¹². The project was prepared by A. Ładoś and accepted by the Council of Ministers on January 2nd 1940¹³, and sent to Poland as *"Instruction No 1 for All the Trustworthy Ones"* (*Instrukcja Nr 1 dla wszystkich Meżów Zaufania*). Both documents are the result of work

¹⁰ We know the essence of this principles from the telegram to col. Rowecki from December 4th 1939. But we also know that similar telegram was sent to gen. Żegota-Januszajtis to Lwów and col. Brayczewski to Warsaw in the end of November (see AK I, p. 21).

¹¹ AK I, pp. 10–21.

¹² IS, PRM K – 79, *KMSK Protocol from November 23rd 1939*.

¹³ IS, PRM K – 102, *Council of Ministers Protocol from January 2nd 1940*.

concerning the organization of conspiracy in the country in governmental center in France. Let us review them now. ZWZ was planned as

unique, sole, whole nation and over parties organization in the country which was concentrating Poles despite various political and social differences.

The aim of ZWZ activity was defined as

through concentration in conspiracy structures individuals selected after rigorous procedure to create centers of active national resistance, which should prevent the collapse of moral power of Polish society and cooperate in rebuilding of the Polish state through military fight. After coming to Poland of Polish Army organization would be incorporated to the regular forces”.

ZWZ was divided into 6 over regional commandments : 1 – Warsaw, 2– Białystok, 3 – Lwów, 4 – Kraków, 5 – Poznań, 6 – Toruń. Behind them district commandments and circuit commandments (in counties) were planned. In the lowest level basic structure were platoons with 2–5 sections each.

In the instruction were also dispositions concerning recruitment of soldiers, communication and active fight, and diversion. There were also special dispositions concerning the organization of the Warsaw’s (1) commandment.

The model which was accepted in France couldn’t support the effective development of the organization. Specially the idea that each of six over regional commandments would be directly conducted from the Main Command located in France was impossible for practical realization. In the beginning of 1940 it was extremely hard to maintain regular communication from France with Warsaw and Kraków (where conditions for secret activity were the best). The communication with Lwów and Białystok under Soviet occupation, and on the other side with Poznań and Toruń located in Reich,

was only sporadic. That's why there were no conditions for real conducting of ZWZ activity from the Main Commandment in France.

But paradoxically both gen. Sikorski and gen. Sosnkowski knew that this solution was unrealistic. However, for both of them the most important problem was to have full control over ZWZ. At this time they also didn't expect that ZWZ would become a strong and effective organization. They were absolutely sure, that the expected in 1940 war between Allies and Germany would give spectacular win to France and Great Britain, and after this they could get back to Poland as co – winners of the war. Specially gen. Sikorski remembered that during WWI there was a strong and influential Polish center in France with R. Dmowski. But the control over the rebuilding country was gained by J. Piłsudski, who organized strong secret organization POW. Both generals were afraid that the situation could be the same, and because of that there was no determination for solutions which would help ZWZ to be an effective structure. This situation would change only after the collapse of France in June – July 1940.

The same conclusion can be made after the analysis of the decisions concerning civil organization. The only Government's idea in this time was to create the network of *Trustworthy Ones*. People nominated on this positions were planned as link between the Government and organized political centers in the country. If there were no such organized centers it was their task to organize them. In the Instruction the Government underlined the importance of parties' initiative:

Parties led by their best should decide about the forms of their conspiracy activity (...). They would decide about their secret organization to unite in this structures the most valuable members. For the most effective efforts in unique civil organization of the country each party should, however,

create efficient central direction which could cooperate with similar structures of other parties. (...) These conspiracy directorates of the parties should create common Country Directorate. (...) These structures would cooperate with the Government which will assure moral and material support".

As we have mentioned above, the Government invited parties operating in the occupied country to create a common body for coordinating their activity and representing them *vis a vis* authorities in France. There was also a far reaching declaration, that the Government would not only interfere in this process and accept final result of these attempts. However, nominations for Trustworthy Ones¹⁴ were done without any agreement with country centers. It could show that these declarations were rather a façade.

Gen. Tokarzewski (who was nominated for a ZWZ commander in Lwów) and col. Rowecki (who was nominated for a ZWZ commander in Warsaw), as we have mentioned, received instructions in the last days of 1939. Personal decisions of the authorities in France ended hitherto the relation between them. But, what was more important, these decisions ended the existence of the SZP in Tokarzewski's concepts of the organization of the PUS. The unique military – civil organization was replaced by the wrongly planned military organization. There was also no idea about the organization of the civil activity and finally about the relations between two separate – in result – structures. Because of that in the next weeks they both took attempts for changing direction of governmental decisions.

Yet in December 1939 in his report to gen. Sikorski, Tokarzewski wrote:

¹⁴ Among nominees were R. Świętochowski in Warsaw and rev. J. Prądyński in Poznań.

It is extremely important to establish unique representation of the Polish government because here in the country only one organization can represent Polish government and Polish interests"¹⁵.

The same idea was represented by col. Rowecki in his "*Organizational report*" dated on January 8th 1940¹⁶ :

As a foundation of the organization we have to accept all SZP organizational achievements remembering about ZWZ principles formulated in December 4th Instruction.(...). Frames of the SZP commandments would be frames of ZWZ commandments but it is necessary to establish only one central commandment in the country. (...). Existing socio-political platform of the SZP, which would be personally the same body as planned Political Committee for ZWZ , needs automatically central commandment of the ZWZ in Warsaw, because in other situation the coordination of the activity in regions would be absolutely impossible.

In his organizational postulates he underlined

the necessity of existing of the expository of Main Commander of ZWZ here in the country or nomination of someone clearly authorized for regulating a great number of cases because it is impossible that each of six commanders can solely communicate with the authorities and separately send couriers to the central commandment in France. The same is necessary for the cooperation with the Political Committee.

Col. Rowecki concentrated at this moment on the problem of the establishing single, unique commandment for the ZWZ in the occupied country. He not only suggested it in his reports. He decided to do *fait accompli*.

¹⁵ AK I, pp. 21–24, *Report from December 7th 1939*.

¹⁶ AK I, pp. 37–41

For that reason this report was signed by him not only as the commander of the Warsaw Region, but also as “*regulating problems*” of the Kraków, Białystok, Poznań and Toruń Regions. If we remember that the commander of the Lwów Region gen. Tokarzewski strictly cooperated with Rowecki, information was absolutely clear – in fact Rowecki’s Warsaw Command was single and unique commandment for the whole country.

He also based on gen. Sosnkowski’s declaration in December 4th Instruction, that :

my directives are the first tries of regulating organizational problems in your regional commandment. I’m afraid that some regulations of this instruction can be far from real situation created during the last months. If so, I don’t want to destroy your work and I authorize you to flexible and systematic implementation of its stipulations. You are obliged by the principal regulations – please respect the spirit of the instruction.¹⁷

On the next day, January 9th 1940, gen. Tokarzewski signed “*Report No 5 for Mr Godziemba, Main Commander of ZWZ*”¹⁸. He was very determined and expressed his negative opinion about decisions made in France :

I don’t agree as consistent with our interests and experienced methods of activity and commending – making so principal decisions without any opinion of commander and staff, which have been working for three months and have had results.

He also presented his postulates, with the necessity of nominating

¹⁷ See footnote 14.

¹⁸ AK I, 41–49.

the deputy of the Main Commander with the staff in Warsaw for the whole of Poland – with him the Expository of Government in composition wider than we have now (...) with the Ministry of Internal Affairs as Civil Commissioner.

Finally he had stated that it is necessary to :

accept a principle, that without hearing the opinion of the deputy of Main Commander and Civil Commissioner (...) neither in Government nor in Main Commandment of ZWZ any decision in basic problems for the country and for the future would be made.

Both reports were sent to Paris on January 10th 1940. Before receiving them on 23rd of January, on January 16th 1940 gen. Sosnkowski signed "*Instruction No 2 for Mr Rakoń (Grabica)*"¹⁹ There were first stipulations which basically changed the regulation of the previous instruction. Gen. Sosnkowski decided to establish two Commandments of Occupations – Soviet and German. The first one with regions in Białystok and Lwów was under gen. Tokarzewski's command, while the second with Warsaw, Kraków, Poznań and Toruń was under col. Rowecki's command. What is important, is that authorities in France even without reports from the country quickly understood the weakness of the original organizational concepts.

But there was also another stipulation of a great and far reaching importance. Gen. Sosnkowski stated that

ZWZ "is a part of Polish Armed Forces subjected by the Main Commander to the Supreme Commander of Polish Army. Each officer and soldier member of ZWZ is still a soldier of the army which is operating on the front and has all moral and material rights of a soldier in active service".

¹⁹ AK I, pp. 72–80.

It was the most important decision concerning conspiracy made by Polish authorities in France since their functioning there. ZWZ was recognized as a *part of Polish Armed Forces* and since that moment this organization could base on all prewar legal regulations stating the position of Polish army. We have to remember that through next month's Polish authorities in France had forgotten about the essence of this stipulation. Because of that we will see a lot of controversies soon. But after it, finally in the second part of 1941 even gen. Sikorski definitely accepted the legal status of ZWZ.

In the meantime col. Rowecki, on 10th of January 1940, sent to France gen. Tokarzewski's report from January 1st.²⁰ He wrote to gen. Sosnkowski that :

The Government and Main Command of ZWZ have to have their centers in the country. You should establish here the commandment of your ZWZ and subordinate to this body the whole activity in the country. (...) Construct this command along with Expository of the Government (...) with Civil Commissioner who, in my opinion, should be a member of this Government.

Similar opinions were placed in another report of col. Rowecki from January 20th. In this report he expressed his opinions about the necessity of creation of the Council of National Defense.

These reports, together with reports mentioned above (from 8th and 9th of January) were received by Polish authorities at the beginning of February 1940. But it was after organizational changes made in ZWZ in "Instruction No 2" and there was no atmosphere to go further. It was expressed in the letter from gen. Sosnkowski to gen. Tokarzewski from February 16th. ZWZ Commander stated there :

²⁰ AK I, pp. 89–92

the problem of nomination of political commissioner for the whole country and deputy of ZWZ Commander for the whole country can be resolved in the next step, when such a Commissioner becomes a member of the cabinet. But I'm stating clearly that Commissioner would not be located by the ZWZ Commander²¹

Although gen. Sosnkowski didn't exclude that idea suggested from the country would be implemented, however, he also stated that it could happen in unclear future. On the other hand, gen. Sosnkowski didn't react for the information, that col. Rowecki regulated the functioning of the Białystok Region, which was located in the Soviet occupation commandment. In this way *via facti* ZWZ Commander accepted that the power of German occupation commander was wider than it was described in "Instruction No 2".

Soon col. Rowecki in the same way had taken the command over the whole organization. Gen. Tokarzewski who was nominated for the position of the Soviet occupation commander left Warsaw in the middle of February, and subjected himself to col. Rowecki. Col. Rowecki sent information about it to gen. Sosnkowski on February 28th.²²

This situation was indirectly accepted by gen. Sosnkowski in his "Instruction No 4 for Mr Rakoń" from May 11th 1940²³. He stated there that :

We don't have information about Mr Stolarski [gen. Tokarzewski] and his work and for that reason I'm subjecting to you the next decisions about Region No 2 [Lwów]. For the same reasons I'm subjecting to you Region No 3 [Białystok].

In this way, after more than half a year when the instruction destroying central commandment for the military organization had been issued, gen. Sosnkowski came to *status quo ante*.

²¹ AK I, pp. 135–136.

²² AK I, pp. 137–139.

²³ AK I, pp. 240–243.

It was not done in straight and clear way – it was probably too hard for authorities in France. But shortly after the nomination of col. Rowecki for the general (which happened on May 3rd 1940) he also was accepted as commander for all ZWZ activities in the country. We also can't exclude the situation that it was easier for gen. Sosnkowski, who was also in hard political position in France, to accept this situation as a result of the real evolution in the country, and not to force it against opinions of gen. Sikorski and other members of cabinet.

Finally, we can assume that on the beginning of May 1940 ZWZ Commander accepted the fact that operating in Warsaw ZWZ Commander for German occupation was also responsible for the functioning of the organization in all Soviet occupied territories.

In the meanwhile Polish authorities made next decisions which were to regulate relations between military and civil organization in the country, and relations between country and government. We will review them in the next chapter – here let us only shortly say that basing on these decisions ZWZ became in fact the most important center of conspiracy in the occupied country.

On June 15th 1940 gen. Sosnkowski sent next instruction for gen. Rowecki²⁴. The merit of this instruction is not so important for us. It is important that Sosnkowski named Rowecki as a "Deputy of Main Commander for Country". We will not review the circumstances of this decision – it was in the context of campaign in France where the Allies (including Polish army) were in hard position. In fact, in such a way Sosnkowski accepted Rowecki and Tokarzewski's postulates from the beginning of the year.

But this decision had not been accepted by gen. Sikorski yet. It happened on June 18th 1940 in famous "Libourne dépêche"²⁵. Both generals informed gen. Rowecki that he

²⁴ AK I pp. 258–259

²⁵ AK I, P. 259

is a fully authorized deputy of ZWZ Main Commander for the whole of the country with rights for making all decisions in case of losing communication with government.

It was an extremely far reaching authorization for gen. Rowecki. In consequence on June 30th 1940, gen. Sosnkowski, with acceptance of gen. Sikorski, sent next decision with another very important stipulations :

Supreme Commander looking on the real circumstances on my motion accepted the necessity of establishing Main Commandment in Poland and nominated gen. Rakoń as ZWZ Main Commander. I, as a deputy of Supreme Commander, would be responsible for general independence attempts²⁶.

There is no sense to comment on these June decisions. All ideas concerning organization of military conspiracy made yet in September – October 1939 among people working with gen. Tokarzewski, were finally confirmed by the authorities in France. But at this moment gen. Tokarzewski was in Soviet prison. He was arrested during his journey to Lwów to fulfill orders, which were not accepted by him²⁷.

²⁶ AK I, pp. 262–264

²⁷ After signing polish – soviet pact in 1941 gen. Karaszewicz-Tokarzewski was released and started his service in gen. Anders Polish Army in Soviet Union.

CHAPTER 4

FORMATION OF THE CIVIL CONSPIRACY

In parallel to formation of the military part of SZP gen. Tokarzewski started with the formation of the civil part. Yet before the capitulation of Warsaw he discussed this question with Zygmunt Zaremba from PPS, Leon Nowodworski from SN and Mieczysław Michałowicz from SD¹. He suggested to them creating the political body composed of M. Niedziałkowski from PPS, Maciej Rataj from SL and L. Nowodworski from SN. All three of them were very influential, commonly accepted and widely popular as politicians. It was also Tokarzewski's aim to develop this planned body².

In Tokarzewski's discussion with Niedziałkowski the general expressed opinion that

the only equity solution is a principle, that the Council would absorb each existing before the war and established then political group – even Sanacja – if they accept ideological basis and aims defined uniquely by PPS, SN, SD and PSL”³.

In the beginning of October 1939 gen. Tokarzewski continued his talks with various political leaders and groups

¹ M. Karaszewicz-Tokarzewski, *op.cit*, p.24.

² *Ibidem*, see also Z. Zaremba, *Wojna i konspiracja*, London 1957, p. 81

³ M. Karaszewicz-Tokarzewski, *op.cit*, p.24.

: Maciej Rataj from SL, Józef Chaciński from SP, Kazimierz Stamirowski from one of Sanacja groups, representatives of Polish Red Cross, teachers' unions, trade unions, scouts (Związek Harcerstwa Polskiego) and youth peasants organization "Siew", and others⁴.

Probably on October 7th 1939 in Radość near Warsaw Tokarzewski met with M. Niedziałkowski, Z. Zaremba and Stefan Korboński from SL⁵. At this meeting he presented the principles of planned organization of SZP and its civil part.

Three days later, on October 10th 1939, at the next meeting with L. Nowodworski, M. Niedziałkowski, Z. Zaremba, Kazimierz Pużak (from PPS), M. Rataj, S. Korboński and M. Michałowicz he presented more precise project⁶. The day before, on October 9th 1939, he discussed this project with S. Starzyński, M. Niedziałkowski and S. Rowecki⁷.

At both meetings politicians accepted principles of a unique underground organization of the state and declared that their parties would cooperate within such a structure. They agreed that the Council (*Rada Główna Obrony Narodowej*) should be enlarged by the other serious groups and accepted that M. Niedziałkowski would become the Main Civil Commissioner of SZP and L. Nowodworski would be his deputy. Finally, they decided to prepare "General Declaration of the Country" and the Statute for the organization of the administrative authorities and social foundations of the Country in conspiracy⁸.

Although these steps gave big hope for quick development of the civil part of SZP, next week's events destroyed it.

⁴ K. Pluta-Czachowski, *Faza organizacyjna SZP*, p. 8–9.

⁵ There was also present col. S. Rowecki. M. Karaszewicz-Tokarzewski, *op.cit.*, p.22; S. Korboński, *op.cit.*, p. 25.

⁶ S. Korboński, *op.cit.*, p. 25; K. Pluta-Czachowski, *Faza organizacyjna SZP*, p. 9.

⁷ K. Pluta-Czachowski, *Faza organizacyjna SZP*, p. 8–9.

⁸ K. Pluta-Czachowski, *Faza organizacyjna SZP*, p. 9–10.

First knock came from SN. New underground authorities of this party expressed that L. Nowodworski was not authorized to represent this party in SZP. They also declared that it is impossible to participate in SZP initiatives as long as SD was in the same structures. Gen. Tokarzewski had to accept this declaration⁹.

Another knock came from France in November 1939. The first emissary from the Government J. Szymański, didn't communicate with either gen. Tokarzewski or other SZP leaders¹⁰. Szymański discussed with other politicians – Norbert Barlicki from PPS, Stanisław Mierzwa from SL, Franciszek Kwieciński from SP, Aleksander Dębski from SN and R. Świętochowski – all in opposition not only to Tokarzewski's initiative. They were also in opposition to the authorities of their parties which cooperated with SZP.

However, as long as Niedziałkowski and Rataj worked with Tokarzewski, it was impossible to call SZP as a secret *Sanacja* initiative. But when they were arrested by Germans in the end of 1939 and in the beginning of 1940, the civil part of SZP was practically paralyzed. It was also far easier to attack SZP as a façade of *Sanacja* activity.

For that reason in the end of 1940 R. Świętochowski made some progress in activating Front Morges politicians¹¹. His Political Bureau organized the Central Committee for Independence Organizations (*Centralny Komitet Organizacji Niepodległościowych* – CKON) which was planned as an alternative for SZP's RGON. CKON was based on some influential prewar politicians close to Front Morges. There were also some serious political groups like Stronnictwo Pracy (SP) and youth peasant organization "Raclawice" (prewar

⁹ J. J. Terej, *Rzeczywistość i polityka. Ze studiów nad dziejami najnowszymi Narodowej Demokracji*. Warszawa 1971 p. 128; See also mentioned : M. Karaszewicz-Tokarzewski, *op.cit.*, p. 33.

¹⁰ See more about it in : E. Duraczyński, *Kontrowersje i konflikty*. p. 119–123.

¹¹ E. Duraczyński, *op. cit.*, p. 115–116.

"Siew"). In this way in the end of 1939 in the Government's eyes it was an important alternative to gen. Tokarzewski's initiative.

Till the end of 1939 gen. Tokarzewski appointed some Commissioners in central provinces and also initiated establishing political committees in main cities. There also started preparations to form underground administrative structures in SZP. For these reasons it was impossible for the Government to neglect those attempts in the future.

As we remember "Instruction No 1 for All Trust worthies" was the first governmental attempt to organize civil conspiracy in the country. But on January 9th 1940 gen. Sosnkowski expressed at the KSK meeting, that there was no hope for Country's initiative for creation civil structures¹². Because of that he stated that the Government should prepare necessary attempts. The mission for establishing the network of political commissioners was vested to prof. Stanisław Kot.

Through the next weeks in France and in Warsaw continued discussions about prof. Kot's ideas. In reaction to suggestions from the Government gen. Tokarzewski prepared a modified concept of the Council of National Defense (*Rada Obrony Narodowej* – RON)¹³. There were also suggestions of nominating Civil Commissioner by the Deputy of ZWZ Main Commander in the Country. But at this time there was not even a single Commandment of ZWZ in the Country.

In the end of January 1940 Tokarzewski tried to establish RON with representatives of PPS, SL and SN¹⁴. But after the meeting on February 7th 1940 it was clear that SN would not accept RON in planned position¹⁵.

That lack of success of this next initiative of Gen. Tokarzewski influenced importantly the future. Polish authorities in

¹² IS, PRM k – 79, *KSK Protocol from January 9th, 1940*.

¹³ AK I, pp. 87–88 – there are described principles of the planned Council.

¹⁴ *Ibidem*, pp. 85–87.

¹⁵ *Ibidem*, pp. 162–169 – there are protocols from PKP meetings.

France generally recognized situation that political parties in the Country are unable to determine forms of their activity without initiative from abroad. Only after some months the Government would get back to the serious relation with underground centers in Poland.

On February 27th 1940¹⁶ next session of ZWZ, SN, PPS and SL representatives took place. They all decided to establish "behind ZWZ" a Political Coordinating Committee (*Polityczny Komitet Porozumiewawczy – PKP*). This body was created to give ZWZ political support. On the other hand, it was a temporary body for political cooperation between parties till the moment of creating just political representation. Thanks to this agreement PKP had soon become a real political representation of the main political forces in the Country.

However, in the beginning of March 1940 defining PKP as a committee "behind ZWZ" was recognized in France, as the next proof that military circles (in fact *Sanacja*) were dominating over politicians. It was also seen as another proof of weakness of political parties. In consequence the authorities in France didn't accept at this moment PKP as its partner in the Country.

At the same time prof. Kot prepared a document about "principles of the organization in the Country" (*Podstawy organizacyjne pracyw Kraju*)¹⁷. He planned to establish the office of Governmental Delegates as representatives of the Cabinet.

Delegates nominated after agreement with political parties by the Prime Minister were to be the most important governmental structure in the occupied Country. Kot planned the nomination of three Main Delegates : for General Government, for territories acquired by Germans and ter-

¹⁶ Ibidem.

¹⁷ IS, PRM-25 – *Principles of organization of the activity in the Country*.

ritories acquired by Soviets. In the next levels there should be delegates for provinces, and counties, and main cities.

Main Delegates were to be responsible for : the cooperation with political organizations and parties, with ZWZ, executing all Government's decisions, directing all institutions dependent to the Government, sustaining permanent communication with the Government and sending information in both sides, supporting all social and charity actions, issuing directives to the society in case of proper relations to the occupants. They were to help parties in establishing a common political committee, and cooperate with such a body.

The project was rather far from the real situation in the Country. This was why almost all underground centers strongly criticized it.

Col. Rowecki in his *dépêche* from March 12th 1940 underlined that "*the number and regions of delegates should be the same like structures of ZWZ*"¹⁸. In his opinion the simplest solution would be

to nominate a Delegate for each province, which is parallel to ZWZ circuits. In our hard conditions just a Circuit Commander needs the most permanent cooperation with a territorial delegate".

He also suggested that the "*basic question*" was the formation of RON

as a permanent foundation for ZWZ. All needs of ZWZ should play basic role in RON's activity and proper regulation ought to protect it.

Concerning Delegate he noticed that equivalent positions of Delegate and Commander could create possible source of future conflicts between them. Because just the Commander was "*responsible for all preparations*" to the fight for inde-

¹⁸ AK I, pp. 169-173, *Report No 10 from March 12th, 1940.*

pendence, it would be obvious that the Delegate was to be dependent to military commander.

There was, however, quite a different opinion from PKP¹⁹. Parties commonly underlined that Kot's project didn't perceive their role.

The instruction states that delegates were representing the Government in the Country and executing its directives while RON was giving to delegates only opinions. In consequence the whole authority in the Country would stay only in delegates' hands. (...). There are no stipulations in the instruction, that RON's opinions are obligatory for delegates. As a result there is no sense of the existence of RON, because ZWZ doesn't need its opinions in military questions and the same is with delegates in political questions.

They also noticed that delegates would work without the Government's control "*because it is too far away*" and any control inside the Country. In conclusion parties expressed that RON:

- a) should be the source of obligatory information and opinions for the Government,
- b) should receive directives from the Government for the Country,
- c) working together with the delegate from the Government should have the right to decide about all questions vested to delegates,
- d) both structures – RON and delegates – should operate for the whole Country.

The similar criticism of prof. Kot's project came also from the Chief of Staff of Supreme Commander in France, Col. Aleksander Kędzior²⁰. As a supporter of complete dependence of political aims to military aims during the war, he

¹⁹ AK I, pp. 162–169, *The PKP answer in case of instruction from March 13th, 1940.*

²⁰ IS, PRM – 25. Col. Kędzior project.

stated that the Delegate should be nominated without any agreement from the parties. In his opinion Delegates should strictly cooperate with the military commander. The same opinion was expressed by gen. J. Haller and gen. M. Kukiel,²¹ and all three of them were among strong and close gen. Sikorski's cooperators.

However, this wide criticism didn't influence on the Government's decisions. On April 16th 1940 after a series of meetings and consultations KSK accepted two resolutions. They both created the model of the underground structures in the Country and principles of cooperation between different parts of it. The most important consequence – for the whole period of war – was the final decision that underground construction would be composed of three separate pillars : military organization – delegates – parties committee.

The first resolution described the principles of cooperation between the Delegates and military organization ZWZ²². In stipulations 4th and 5th non political character of ZWZ was underlined. On the one hand, ZWZ was not authorized to conduct political work inside the organization, excluding patriotic education activity ,and on the other hand the organization was free from the political influences on strictly military activity.

In the next regulation the delegates were obliged to support ZWZ by influencing on various political centers and on all other military organizations active in conspiracy, for uniting them into one army in conspiracy.

In case of unexpected questions delegates could give to ZWZ commanders obligatory political directives. In all other situations delegates could order such directives only with political committee. It was also the task of delegates

²¹ Ibidem, see opinions made by gen. M. Kukiel from April 19th, 1940 and gen. J. Haller from April 26th, 1940.

²² IS, PRM K – 102, *Council of Ministers protocol from May 8th, 1940.*

to control ZWZ's budget and confirm the death penalties issued by the underground military courts.

In quite a common opinion of historians the resolution gave to delegates some advantages in relations with ZWZ. In my opinion it was not true. First of all, there was no precise description of ZWZ's activity in the field of "educative action" and which character had "organizational – military" and "technical – military" activity. This description was very wide in peace time. In conspiracy almost all activity of ZWZ could be interpreted in one of these concepts. Also situations which authorized delegates to issue political directives were limited and generally dependent to common opinion of usually divided political parties. As we will see in the future it was rather impossible to realize that hypothetical advantage by the delegates. We also have to remember about two important questions here.

The first was that in the middle of April 1940 nobody knew who would become delegates, and in the Government's eyes it was too risky to vest too much authority to the unknown politicians.

The second was that at the same time ZWZ was quite a well organized structure with a lot of branches in the central and territorial levels. And there were no structures which could give parallel position to delegates. For this reason military commanders would sustain a real advantage over delegates till the end of underground activity.

The second resolution of the KSK from April 16th 1940 regulated relations between delegates and political parties²³. The KSK underlined the necessity of creation of common representation of the parties and that stipulation was formally directed against PKP. On the other hand, the Government declared that the composition, organization and the areas of activity of such a body, would be determined independently by parties. The Government expected that

²³ AK I, pp. 221–222.

the committee would “coordinate political life in the country, sustain liaison between the Government and the country, and decide about political, social and economical questions”. In the field of “political questions” delegates should be a liaison between the Government and the country. Specially delegates should inform about the Government aims and activities, and send instructions to the parties, present to the Government opinions and expectations from the parties. Delegates were also obliged to cooperate with central and provincial committees of the parties or with single parties in “all political questions”.

The stipulations of both resolutions made an important tension even among strong Sikorski’s supporters. Gen. Kukiel and gen. Haller opposed to the “capitulation of the Government for the military and civil anarchy”. This was the reason why yet on April 26th and May 8th the Government accepted some modifications of the resolutions²⁴.

Specially it was clearly declared that all relations between parties in the country and the Government should be realized through the delegates. There was also eliminated stipulation that delegates were not conducting the parties, and a new stipulation that parties were obliged to support delegates in establishing executive structures was added.

It was obvious that the Government’s aim was to strengthen delegates’ position *vis-à-vis* political parties. But the fundamental problem was that parties established their secret structures in the beginning of 1940 and throughout next month developed them. On the other hand, offices of delegates stayed empty till the end of 1940. In fact there was no chance for executing the Government’s aims.

It is important to say, that the April resolutions were practically first and the last Government attempt for independent regulation of conspiracy structures. Then we will

²⁴ IS, PRM K – 102, Council of Ministers protocols from April 26th, 1940 and May 8th, 1940.

rather see, that the Government accepted the actual evolution of these structures in the country.

But the most important result of these decisions was the confirmation of the existence of two separate and autonomous structures – military and civil. While in military part there was only one center – ZWZ, in civil part there were two centers – delegates and committee representing political parties.

There were not clearly determined relations inside the civil part and between civil and military parts of conspiracy. There was also no clear distinction between civil and military questions in the context of preparations to the general uprising against the occupants. It was also not clear which would be the final structures of military organization (central commandment in France or in the country, one, two or six regional commandments in the occupied territories) and civil structures (how many main delegates, how many regional committees of the parties, how many “central directorates” of the parties) and how differently military and civil structures would cooperate among themselves.

Such a situation naturally had to create competition between various centers of conspiracy. It was obvious that in these unclear formal regulations *fait accompli* would create real solutions.

For the PKP parties it was clear that although the Government formally opposed to this body, on the other hand, however it would not make next steps – specially in nominating delegates – without their consent²⁵. But in fact, there was no perspective for fast unique decision of this committee. As a result, parties didn't achieve an agreement with candidates for delegates till the end of 1940.

²⁵ PKP parties recognized that Świętochowski's center has not final acceptance from the government basing on the lack of nomination Delegate from there.

For ZWZ it was unacceptable because for actual military preparations to the uprising (in the perspective of victorious Allies' campaign in the West as it was expected) it was necessary to have support from organized civil structures. This is why till the middle of 1940 gen. Rowecki suggested various provisory solutions²⁶ addressed to the Government and to the PKP parties. But there was no positive reply from neither of the sides.

However, Rowecki decided in March/April 1940 to start with the organization of civil administration for common preparations to uprising. He nominated Ludwik Muzyczka for the Chief of Coordination (*Szef Koordynacji*)²⁷, and although in the end of April 1940 PKP didn't accept his first project basing on the idea of militarized administration²⁸, finally in May 1940 PKP accepted Muzyczka's position and modified the project of temporary administration²⁹.

Muzyczka was to be dependent to the ZWZ Commander. However, all his most important decisions, including personal nominations, were to be accepted by the PKP. Such a solution gave the satisfaction and control for the PKP parties, and was accepted by Rowecki. Thanks to this agreement the process of reconstruction of the administration in conspiracy started just in the May 1940.

²⁶ AK I, pp. 183–185 – *Report No13 from March 30th, 1940.*

²⁷ K. Pluta-Czachowski, *Faza organizacyjna ZWZ*, p. 66.

²⁸ L. Muzyczka, *Podstawy organizacyjne centralnego ośrodka produkcji konspiracyjnej w Sztacie Komendy Głównej ZWZ/AK w okresie okupacji*. p. 2. This relation is a part of materials of Ludwik Muzyczka from the period of war and materials written by him after the war. They are all in the disposition of prof. Stanisław Salmonowicz, who was L. Muzyczka's nephew. All these materials are – for the needs of this publication – called : Archives of Ludwik Muzyczka (further ALM).

²⁹ K.Pluta-Czachowski, *Faza organizacyjna ZWZ*, p. 67; L. Muzyczka, *Wspomnienie o Generale Grocie*, ALM.

In the most important question – nominating of Main Delegates in the Country – in the end of April 1940 the Government decided to take a new initiative. On April 27th 1940 a very close cooperator of gen. Sikorski – Col. Jan Skorobohaty – Jakubowski (“Vogel”) – was nominated in Paris as a temporary Delegate³⁰. It was his task to reach the country, where he was obliged to work as a Government representative till the nomination of Main Delegates. He was authorized to cooperate with PKP (which was a kind of formal acceptance for this body from the Government) and was to complete this committee with the Stronnictwo Pracy recognized as a very close to gen. Sikorski. However, the most important task for “Vogel” was to press on the PKP parties for presenting to the Government widely accepted candidates for delegates.

“Vogel” during his journey to Poland met in Belgrade with some emissaries from the country³¹ and this gave him more awareness about the situation there. However, when he reached Kraków on June 10th and then Warsaw on June 16th, the general situation completely changed. When he left Paris, the French campaign had already started and it was not clear what could happen. But when he reached the country the collapse of the Allies, and of the Polish Government and army, had been completed.

³⁰ IS, PRMKol. 25/12, *Protocol and instruction for Jan Jakubowski, Government's Delegate to the Country, Angers May 25th, 1940.*

³¹ *Najnowsze Dzieje Polski*, Warszawa 1966 T. X, *Protocols from Belgrade Conference.*

PART II.

**EVOLUTION OF THE POLISH
UNDERGROUND STATE STRUCTURES
1941–1943**

CHAPTER 5

FORMATION OF THE COUNTRY'S POLITICAL REPRESENTATION

The formal status of the Political Coordinating Committee (PKP) was not decided by the government in 1940. The Committee, which was created as a body „by ZWZ”, in the second part of 1940 became quite independent. The Committee played important role during the procedure of nominating the Warsaw's Main Governmental Delegate. In fact it was a formal recognition of this body from the Government. In this way one of the April Government regulations concerning homeland conspiracy was fulfilled.

Basing on that regulation the Committee was to be an advisory political body to the Delegate and his organizational support. However, the complications with the nomination of the first Delegate, C. Ratajski, resulted in great distance towards him from two PKP member parties – PPS and PSL. Both parties didn't accept a Delegate nominated for Poznań either but first of all they couldn't agree with the partition of country's civil conspiracy on three separate zones.

While gen. Sikorski in his *dépêche* to C. Ratajski from January the 14th 1941 stated, that he, „*expect that patriotism would stay over personal questions*”¹, both parties were extremely upset. PPS in its reply to the Prime Minister from

¹ AK I, pp. 402–403.

February the 12th 1941², “*emphasized the inappropriateness of all the President’s remarks on patriotic feelings, especially expressed in emigration, towards the organizations active in the Country.*” Similarly, in the *dépêche* from the 5th January 1941³ SL underlined that, “*treating the party loyalty as a vice reminds of the former times when such arguments were used to keep the society quiet.*”

If the contents of two January *dépêches* are compared, it is easy to spot significant difference in their tones. The SL’s one seems to be much milder than the one by PPS. This resulted from the fact that at that time SL had begun reorientation of its policy.

The close cooperation between PPS and SL that had been started by Niedziałkowski and Rataj resulted in common work of the parties throughout 1940. It was also of great importance that both parties had worked out a common program. Z. Zaremba from PPS and Z. Miłkowski from SL had created so called “The Program of People’s Poland” (*Program Polski Ludowej*)⁴, which was supposed to be the foundation of the cooperation or even unification of two parties⁵.

The alliance was to strengthen them against their political opponents. However, each of the parties had different ones. For PPS, it was SN, the national formation with its military organization National Military Organization (*Narodowa Organizacja Wojskowa* – NOW). Whereas for SL it was *Sanacja*, identified by the party with ZWZ⁶. Thus, since PPS perceived ZWZ as its second most important ally against the national formation, the cooperation between PPS and

² AK I, pp. 446–447.

³ AK I, pp. 436–437.

⁴ A. Friszke, *Ku programowi czwórporozumienia*, *Więź*, nr 11–12, Warszawa 1983 p.158.

⁵ S. Korboński, *W imieniu Rzeczypospolitej*, p.56.

⁶ A. Friszke, *O kształt niepodległej*, Warszawa 1989, p.431.

SL had become doubtful. It was finally terminated in March 1941, when SL representatives refused to take part in the publishing of the above mentioned "The Program for People's Poland."⁷ In fact it meant breaking up the cooperation and the beginning of SL's gradual domination in the civil structures of the Underground State.

The SL structures in the Country were directed that way by London HQ with Stanisław Mikołajczyk⁸. The Country authorities of SL were literally bombarded with *dépêches* from London, which obliged them to start cooperation with Delegate Ratajski⁹. However, the young members had already noticed that such a tactics was inefficient. Ratajski was still the Delegate who despite the opposition from PPS and SL was consequently building up his office. PKP was *de facto* dominated by SP representative F. Kwieciński, who was weakening any actions against ZWZ leaders. SL understood that if such a situation was to last longer they would eventually be beyond the structures of PUS.

The first step taken towards the realization of the new strategy was the exchange of SL's representative in PKP. In April 1941 Stefan Korboński, who had an excellent relationship with ZWZ authorities, was replaced by Józef Grudziński¹⁰. In May 1941 during an argument in PKP over the article about Piłsudski that was published by ZWZ¹¹,

⁷ Z. Zaremba, *op.cit.*, p. 166 – the SL representative Niećko said about growing anxiety within SL, or even accusations that the leaders of the party had been dominated and subordinated to PPS.

⁸ E. Duraczyński, *Kontrowersje*, p. 395– „The country leadership had eventually comprehended the point of Mikołajczyk's policy: through the cooperation with Sikorski to the position of the main political power within the structures of the government.”

⁹ A. Friszke, *O kształt...*, p. 431.

¹⁰ *Ibidem*, p. 432. J. Grudziński along with J. Niećko made undeniable leadership of SL.

¹¹ *Ibidem*.

SL openly declared the end of the cooperation with PPS accusing it of disloyalty.

At the same time, on the 1st June 1941, Józef Grudziński stated during the PKP session that his party was ready to cooperate with the Governmental Delegate, C. Ratajski¹². It wasn't long before the effects of this change were seen. Jan Skorobohaty-Jakubowski, Delegate's deputy, was replaced by SL's candidate professor Jan Piekalkiewicz¹³. Consequently, other SL members were nominated for the posts in the Delegate's office¹⁴.

Parallel, SL had strengthened its position in PKP. Firstly, it happened because PPS lost its position having withdrawn from PKP as the protest against the July agreement between the Polish Government and the Soviet one. Its place was taken by Polish Socialists (PS), a small group of dissidents from PPS. The PS representatives, firstly Adam Próchnik and then Wincenty Markowski, were strongly supporting SL in almost all matters.

However, at least till the end of 1941 SL didn't manage to dominate PKP. Both SN and the representative of SP, F. Kwieciński, were a counterbalance for the new center-left alliance. This situation reminded in a way the one in 1940, however, there was a significant difference. There were no personal issues to be solved, thus there was no need to oppose the Delegate. On the contrary, since SL had its deputy at the Delegates office, who started to dominated over Ratajski, the struggle concerned gaining the best positions for the future.

¹² A. Friszke, *Ku programowi...*, p.161.

¹³ IS, MSW t.10, k.54, *Dépêche from the September 18th 1941*– nomination with the date the August 27th 1941.

¹⁴ These hadn't been the main positions in the central apparatus yet, which were still occupied, however, they were significant positions in e.g. The Presidium Bureau. Additionally, there were the nominations of District Delegates in Lublin and Cracow, and soon afterwards in Kielce. Gradually, further more significant nominations took place.

The opportunity to fulfill these ambitions appeared at the beginning of 1942¹⁵. In the middle of January 1942 F. Kwieciński was arrested, and his place in PKP was taken by Z. Felczak, representing the left wing of SP. This meant establishing strong center-left alliance of SL-PS-SP in PKP. The alliance decided on the political direction of the Underground State in 1942. *De facto* it meant the dominance of SL, which had taken the advantage of the situation to build up its position in the structures of PUS.

It was already in 1941 that on SL's initiative PKP had started a long – lasting argument with the authorities of ZWZ. The core of the argument was the mutual relation between military and civil pillars of the underground. The incomplete solutions of April 1941 were sufficient only as long as on the one hand there was a relative balance in PKP, and on the other the Delegate's office was too weak to compete with ZWZ. In the second half of 1941 both C. Ratajski and SL decided that the relation with ZWZ requires more precise regulation, as well as establishing firm legal basis for the functioning of the civil pillar.

The first clash had its place already in July 1941, when the Governmental Delegate introduced the project of a decree on the office of the Governmental Delegate in the Country¹⁶. What was important, the document¹⁷ almost completely neglected any questions concerning the position of the agree-

¹⁵ More about the Policy of SL between 1941 and 1942: R. Buczek, *Stronnictwo Ludowe 1939–1945*, London 1975; J. R. Szaflik, *Początki konspiracyjnego ruchu ludowego*, Warszawa 1973; A. Wojtas, *Działalność polityczna ludowców w okresie II wojny światowej*, vol. I, Warszawa 1979.

¹⁶ The information about it was sent to London by general Rowecki in the dispatch No 71 from the July 31st 1941, Document from former Archive of the Ministry of Internal Affairs 686/2, p.1 – now in Institute of National Remembrance in Warsaw.

¹⁷ *Ibidem*, pp.1–3. More about the solutions suggested by Ratajski in the next chapter.

ment between the parties. The conclusion was that the whole executive power was to be concentrated in the office of the Governmental Delegate.

Surprisingly, all the postulates of SL and PPS concerning the strong position and the agreement between the parties had been forgotten. SL, however, decided that strong position in the Delegate's office makes the fight for the position in PKP pointless. It seems that SP was reasoning in similar way. Hence, since PPS had already left PKP and SP was distanced towards the project, the view represented by Ratajski and SL was dominant in PKP. Yet, the Delegate didn't seem to be particularly committed to his own proposition because at the beginning of October 1941 he presented a new project, the decree on marshal law¹⁸. The document developed the issues connected with the Delegate's prerogatives as well as the relationship between him and the head of ZWZ (called now the *Commander of Military Forces in the Country – Komendant Sił Zbrojnych w Kraju*)¹⁹.

What was an interesting and significant novelty that appeared in the project, was the regulation concerning the establishing of the Council of National Unity (*Rada Jedności Narodowej – RJN*). This name seems to have been used officially for the first time. It was decided that the Council would consist of 9–15 members appointed by the Council of Ministers after its members had been appointed by PKP. RJN was to appoint the head, deputy and secretary from amongst its members. Its tasks were to put forward issuing temporary directives by the Delegate, giving opinions on the matters presented by the Delegate or the Commander of Military Forces, as well as presenting projects, remarks and motions in all the matters of the Delegate's competence. The

¹⁸ *Dépêche from the October 10th 1941* and pp.3–8, the project of the decree. Document from former Archive of the Ministry of Internal Affairs 774/13, p. 2 – now in Institute of National Remembrance in Warsaw.

¹⁹ More about these suggestions in the next chapter.

Delegate and the Commander could take part in sessions of RJN whenever they wished to.

The Council was to pass the set of rules for itself, and to start its activity openly along with the Governmental Delegate. Its future was to be decided by the President²⁰.

In the justification²¹ that was enclosed to the project the issues concerning RJN had significant part²². It was emphasized that RJN was to be treated as the political representation of the Country, which was a broad platform for the cooperation between the Delegate and the society.

RJN was perceived as a controlling factor for the Delegate and the Commander, although it wasn't directly stated in the project. That might have been how the difference of opinions between the Delegate, who created the project, and the parties, which understood the need of their precise positioning in the structures of PUS, had shown.

As opposed to the first one, the new project received a lot of interest as well as criticism. The first to react was gen. Rowecki, who in his letter from the 15th November 1941 negated the fact that he had agreed on any part of the project²³. He also negated the fact that the military factor in the Country had been deprived of its powers, as well as the proposition of granting the Delegate with the competences of the Minister of Military Affairs. Rowecki was right to perceive it as the possibility of creating harmful dualism in military structures.

²⁰ Document from former Archive of the Ministry of Internal Affairs 774/13, pp. 3-8 – now in Institute of National Remembrance in Warsaw.

²¹ Ibidem, pp. 8-21.

²² Ibidem, pp. 15-17.

²³ *Dépêche No C 414 from the November 15th 1941*. Document from former Archive of the Ministry of Internal Affairs 696/6, p.33 – now in Institute of National Remembrance in Warsaw.

In November and December 1941 Rowecki presented to C. Ratajski his suggestions of changes in the decree²⁴. He developed them in his letter from the 3rd January 1942²⁵, which he sent to the Supreme Commander.

Unlike a year before, Rowecki's opinions were seriously taken into consideration in England. Since numerous critical opinions on the project were presented by the governmental experts²⁶ and by PPS, which was no longer a part of PKP²⁷, the version worked out in London bore significant differences compared to the genuine proposal²⁸.

Anyway, on the 13th January 1942 Ratajski himself sent the version of the project that was significantly altered. It is worth mentioning that relatively scarce regulations concerning RJN weren't argued about. The proposals from the first project were questioned by neither the Delegate nor gen. Rowecki or the parties. It was only PPS that mentioned the necessity of significant strengthening of the position as well as competences of RJN.

Basing on the suggestions on the 30th July 1942 the Council of Ministers accepted the project of the Decree *on the temporary organization of the authority structures on the area of the Commonwealth of Poland*²⁹. The Decree became valid after being signed by the President on the 1st September 1942³⁰.

According to the decree RJN was to be, "*an advisory and consultative body of the Governmental Delegate.*" (art.12 par. 2)

²⁴ Ibidem, 774/12, p. 66, C. Ratajski sent them to England along with his remarks.

²⁵ Document from former Archive of the Ministry of Internal Affairs 6 686/3, pp. 11–15 – now in Institute of National Remembrance in Warsaw. More about it in the next chapter.

²⁶ Ibidem, 774/3, pp. 41–64.

²⁷ Ibidem, 774/13, pp. 20–21.

²⁸ Ibidem, pp. 28–32.

²⁹ IS, MSW, t. 10, k. 150.

³⁰ AK II, pp. 302–306.

RJN was to have the right of issuing opinions, "*concerning the issues submitted by the Delegate on its sessions*", and to present the Delegate with motions, opinions, and remarks in all the matters belonging to his competence (art.13 par.1) The Delegate was obliged to take, "*the opinions of RJN before issuing directives concerning the rights or duties of citizens*" (art.13 par.2), RJN was to choose its head, the deputy, as well as the secretary (art.14 par.1) and pass its regulations (art.15 par.1). In addition, the Governmental Delegate, ministers and the Commander of Armed Forces, could participate in its sessions, without the right to vote (art.13 par.3).

Although, the regulations of the Decree concerned in general the transitory period (i.e. the period between the liberation of the Polish territories from the occupation and the arrival of Polish authorities from the exile) it was not a problem, at least theoretically, when it came to the agreement between the parties. It resulted from the fact that the RJN prerogatives were general, and besides, the art.17 par. 2 authorized it to make temporary regulations for the period of conspiracy. Despite that, the formal status of PKP hadn't been decided, and RJN hadn't been established. The question is why?

At the time of passing the Decree there was a change on the position of the Delegate. The question of Ratajski's dismissal had already been present in 1941, yet it was in 1942 that not only PPS considered it a problem. SL, aiming at the strengthening of its position, took an active part³¹.

Although Ratajski had turned himself at the Prime Minister's disposal much earlier, the latter one wasn't prompt to take the decision of the dismissal. It was taken,

³¹ IS, MSW t.10, k.122, *Dépêche from the February 12th 1942, "Accepting the dismissal of Wartski is a matter of significance because of his working methods, exposing the whole Delegate's office."* It is worth mentioning that during the work of Ratajski there were relatively few leaks in the Delegate's office. After Piekalkiewicz took over there were several serious arrests, including the Delegate himself.

however, the moment the Prime Minister started to care for the presence of PPS in PKP and the Delegate's Office. It depended on the dismissal of Ratajski.

The decision was made parallel to the intense pressure from London concerning the return of PPS to PKP. Ratajski was dismissed on the 5th August 1942, yet due to the complications concerning the sending of *dépêches* the newly nominated Delegate took his office on the 17th September 1942³². The nomination meant that SL had reached the peak of its influential position i.e. the position of the Delegate combined with the dominance in PKP. However, the party was aiming at making the position of the Delegate even stronger in the relation to the authorities in London as well as the Commander of Home Army³³. These objectives were to be achieved on the basis of a project called "*The Statute of the Governmental Delegate's Office*"³⁴.

PKP was supposed to support the Delegate against the authorities in London. However, the situation inside the PKP structures had changed significantly at that time. After a lengthy argument³⁵, Z. Felczak, representing SP in PKP, was replaced by Józef Kwasiborski. The new representative of SP was absolutely independent from SL and unwilling to support the ambitions of either the party or the Delegate. At the same time the position of Polish Socialists had weakened significantly. Moreover, Polish authorities from London demanded removing them from the PKP structures³⁶.

³² IS, MSW, t.12, k. 18: 19.

³³ A. Friszke, *O kształt...*, p. 45, more about it in the next chapter.

³⁴ More about it in the chapter concerning the status of the Governmental Delegate.

³⁵ The problem is discussed by A. Friszke, *Sprawa kryzysu w Stronnictwie Pracy w 1942*, Przegląd Historyczny nr 1, Warszawa 1987.

³⁶ More about it E. Duraczyński, *W sprawie usunięcia Polskich Socjalistów z Politycznego Komitetu Porozumiewawczego*, [w:] *Najnowsze dzieje Polski. Materiały i studia z okresu II wojny światowej*, vol.VI, Warszawa 1962.

Although it was only in March 1943 that PPS – WRN had formally become the part of PKP again, the position of PS on the turn of 1942 and 1943 was undoubtedly so weak that it couldn't in any way support the policies of SL and the new Governmental Delegate.

The fact that PKP had been treated by SL as the organization realizing its aims, at least since 1942, led to the creation of two in a way alternative political bodies.

It was still in autumn 1941 that the Main Commander of ZWZ, gen. S. Rowecki, established informal Consensus Comity (*Komitet Porozumiewawczy*) of the parties in military organization³⁷. It was somehow associated with the primal idea of PKP, which was created as a part of ZWZ. Representatives of the four parties belonging to PKP, before PPS left it, took part in the work of the Committee. And so SL was represented by Stanisław Osiecki, PPS by Kazimierz Pużak, SP by Stanisław Kauzik, and SN by Zygmunt Kozicki and Stanisław Jasiukowicz.

Gen. Rowecki's intention was to create a platform that would enable the making of the decision to merge important military formations of the parties, mainly SL and SN. One can assume that for both Rowecki and the party leaders it was a more convenient forum than PKP to ease tensions as well as work out the real political agreement of the main centres of the Underground Poland. Despite the fact that it was informal, the body undoubtedly played an important role in returning balance and harmony to the political life of the Underground State. From this perspective the initiative of ZWZ Commander cannot be underestimated³⁸.

The initiative of Social Self-defense Organization (*Spółeczna Organizacja Samoobrony – SOS*) was of great significance too. It came to life in the middle of October 1942 as the result

³⁷ A. Friszke, *O kształt...*, pp. 442–443.

³⁸ The Committee concluded its work in the spring of 1943, which was at the moment when the „equation” of the position of PKP members took place.

of the decision made by several conspiracy groups of different size and importance, as well as political orientations³⁹. There were left wing and center-left ones: Stronnictwo Demokratyczne, Union of Polish Syndicalists (*Związek Syndykalistów Polskich*), Party of National Impulse (*Stronnictwo Zrywu Narodowego*); the center ones : Union for the Republic Restoration (*Związek Odbudowy Rzeczypospolitej*), "Raławice", "Unia", Polish Freedom Union (*Polski Związek Wolności*); the right wing ones: Front of the Poland's Resurgence (*Front Odrodzenia Polski*), „Pobudka”, Camp of Fighting Poland (*Obóz Polski Walczącej*).

Such a broad political spectrum was cooperating more and more closely not only to coordinate the actions of self-defense and fight against the occupant. SOS had soon become the platform for less significant organizations to claim their right to participate in making most important decisions concerning the Underground State. Their mutual aim was to break over the hegemony of so called "great four", i.e. the PKP formations, and their monopoly in relations with the authorities.

The aim would eventually be accomplished by SOS, when at the beginning of 1944 RJN had started its existence. A few organizations became the members of the Council then. However, at the start of 1943 it wasn't so sure, since PKP was determined to protect its monopoly. The first exception to the rule was including a representative of SOS in so called the Main Commission of the Civil Fight (*Główna Komisja Walki Cywilnej*). The Commission, called also "small PKP", was the advisory body of the Executive of Civil Fight (*Kierownictwo Walki Cywilnej – KWC*) and then the Executive of Underground Fight (*Kierownictwo Walki Podziemnej – KWP*). Allowing the SOS representative to PKP in mid 1943 was

³⁹ A. Friszke, *O kształt...*, pp. 455–459.

the first sign of giving up the exclusive position of the great four⁴⁰.

The functioning of Political Committee at ZWZ as well as the creation of SOS had influenced the events of 1942/43. The activities of the Governmental Delegate, J. Piekalkiewicz, needed strong support of at least PKP to be successful. However, at that time due to the events that have already been mentioned, he could only count on SL. It was of no significance, though, since the aims of SL in the Country were completely different than the Prime Minister's, gen. Sikorski's priorities⁴¹.

After the period of unstable policy towards the Country, since the second half of 1941, Sikorski gradually and more decisively had been aiming at the thorough integration of the centres in the Country. It was clearly visible the moment he got involved in the issue of the representation of SP and PPS in PKP. He presented his opinion in the *dépêche* to the Delegate from the 4th February 1943⁴², in which he was writing :

I'm stating firmly that it has always been my objective to consolidate the internal political relationships in the Country. Nobody was holding any authorization to treat this matter otherwise. I do comprehend national unity thoroughly and literally. The present political decomposing disagrees with my intentions.(...) Loyal and matter-of-fact cooperation of all the most significant political centres, especially the parties and the Delegate, is my biggest wish. (...) Numerous loyal political groups beyond PKP should be used to perform certain activities concerning the state.

⁴⁰ More about SOS in S. Korboński's *Polskie...*, pp. 77–82.

⁴¹ Piekalkiewicz found it difficult to find common opinions even with the vice Prime Minister from SL, S. Mikołajczyk– see the next chapter.

⁴² AK II, pp. 410–412.

These statements of the Prime Minister, obliging both the Delegate and PKP parties to introduce new philosophy into their actions, were parallel with arresting the Delegate, J. Piekalkiewicz, on the 19th February 1943. Replacing him with Jan Stanisław Jankowski⁴³ had changed significantly the balance of power in the civil pillar of PUS. It finished the period of SL's hegemony in the Delegate's Office, and along with the return of socialists to PKP structures it created new balance. It was also to change entirely the character of relationship between the Governmental Delegate and the Chief Commander of Home Army. Such a situation made it possible for the ideas expressed by Sikorski in his *dépêche* to come true.

However, it must be mentioned at this point, that it was three and a half years before Sikorski clearly stated his intentions. The time after October 1939 had been defined by the Prime Minister's hesitance and the lack of decision. It was at least since the autumn of 1941 that he hadn't been able to admit that the strong underground structures were of great importance not only for Poland, but most importantly, for his personal position. Since the autumn 1941 gen. Sikorski had started to comprehend this dependence and was gradually strengthening the Country structures. The first period lacked precise legal regulations concerning the relationship between the pillars of the Underground State. This led not only to chaos in competences, but also to lots of unnecessary political arguments, in which Sikorski took part. That meant that he was losing his authority. Thus, he was so decisive to claim in the *dépêche* his will to build up the national unity, and on the other hand, he repudiated the ones who were trying to involve him in any political arguments concerning the shape of the underground structures.

⁴³ He was the Delegate's Deputy and took the duties automatically. The nomination took place later.

As far as I'm concerned, gen. Sikorski was responsible to great extent for the fact that the construction of strong and unified underground structures couldn't start in autumn 1939 or during 1940. Yet, it was due to the leaders of great four that the crisis in the civil pillar had lasted so long. They had been acting according to their particular interests for long time. Their main aim being the best position of power after the war. It was only at the beginning of 1943 that the opinion that independence of Poland depended on the cooperation of the main political powers had become common, and the will to seek compromise replaced the previous policy.

The first session of PKP in which K. Pużak, a representative of PPS – WRN participated, was most probably held on the 21st March 1943⁴⁴. At the same time it was the last session of the body called the Political Consensus Committee. Since that time the name the Country Political Representation (*Krajowa Reprezentacja Polityczna – KRP*) had been used and, “*this operation wasn't only about a formal change.*”⁴⁵

The return of PPS had undoubtedly risen the level of representation of the body. The “Great Four” (*Gruba Czwórka*) based on the agreement of most significant Polish political organizations. It showed e.g. in numbers of their conspiracy structures⁴⁶. In this situation the definition of PKP, which

⁴⁴ General Rowecki was writing in the *dépêche* from the March 27th 1943 that PS, “*left PKP. WRN is introducing its representative*” AK II, p 486. The PKP meetings were held on the March 14th and the March 21st 1943 (see E. Duraczyński, *Próby konsolidacji podziemia związanego z Rzadem Emigracyjnym w I połowie 1943 roku. Materiały i Studia z Najnowszej Historii Polski*, vol. 3, Warszawa 1965, pp. 130–131), and next as usual every week, on the March 28th 1943. It would mean that K. Pużak probably took part in the PKP meeting on the March 21st 1943.

⁴⁵ E. Duraczyński, *Próby konsolidacji*, p. 131.

⁴⁶ There is no mistake to state that all the four parties together had around 300.000 and 400.000 members.

originated from the period when it was to function at ZWZ, was highly inadequate with its real potential and significance. The terms used had important social meaning, especially in the context of the increasing activity of communist organizations. Finally, it was important to show that steps had been taken towards the setup of RJN. At that time it was impossible to establish RJN due to the lack of agreement concerning program.

Nevertheless, the decision about the transformation of PKP into KRP should be appreciated and perceived as a significant progress in building up national unity, which was awaited by Prime Minister, Sikorski.

It was probably at the same session⁴⁷ of PKP – KRP that K. Pużak announced, that he would make an attempt to form a common program of the “four”, basing on the declaration of the Government from 1942⁴⁸. This time the work on the document was really efficient, and even SN didn’t oppose. The document created between April and July was accepted at the session of KRP on the 15th August 1943⁴⁹.

“The Declaration of Agreement Between the Four Factions of Political Representation” (Deklaracja Porozumienia Czterech Stronnictw Reprezentacji Politycznej)⁵⁰ was a mutual commitment of signatories to “cooperate with each other at least until the moment of announcing the elections of the constitutional executive” after the war. They were to cooperate within KRP

⁴⁷ K. Pużak recalled that it was the first meeting he had taken part in, so taking into consideration previous information (footnote 44) it can be assumed that it was on the March 21st 1943. See A. Friszke, *O kształt...*, pp. 478–479.

⁴⁸ Ibidem.

⁴⁹ Archive of the New Files further called here as : AAN 199/I, vol. I, c. 25–26. Most of the documents from this Archives used in this work formerly were located in Central Archive of Central Committee of the Polish communist party. After 1990 after liquidation of this party and in consequence of its archive, all these documents were sent to the AAN.

⁵⁰ AK III, pp. 55–57.

transformed into RJN (and in the future into The Council of the Commonwealth – *Rada Rzeczpospolitej*) and the Delegate's Office.

The parties addressed their will of cooperation also towards their emigration structures. The declaration formed both "*aims for the war time*" as well as "*the aims for the peace time*", along with the minimal directives concerning the socio-economic matters which were to be taken into consideration by the "four" in the post-war reality.

Obviously, the document didn't finally expose the program basis of the four. It was rather a statement that there was a common origin giving hope that soon a more precise program would be formulated. Taking into consideration the fact how much these groups differed not only before the war but even before regaining the independence, such an agreement was unprecedented. More significantly, it wasn't the final stage, but actually the beginning of the process, which was to lead towards the common program of the Underground State. Thus August Declaration should not be undervalued.

It is believed that the 15th August was the day since which PKP had started its functioning. It wasn't like that formally. However, factually this date can be considered as the real borderline, the beginning of activity of political representation of the Underground Poland basing on wider foundations. In its members' declaration KRP was to be a temporary stage. Its main objective was to lead towards the establishment of RJN. The objective had been achieved during the next months of 1943.

CHAPTER 6

THE EVOLUTION OF THE ADMINISTRATIVE STRUCTURES IN CONSPIRACY

At the beginning of 1941 the commander of ZWZ presented to C. Ratajski postulates of the army addressed at the administration, and expressed the wish that the administration would undertake the work in most significant for the army areas before the end of 1941¹. At the same time gen. Rowecki declared that,

the army doesn't want to interfere in the internal issues of the administration, and its only postulate is the appointment of military departments that would work at the Delegates' Offices at all levels, and would work out demands of the army and present them to the Delegates.²

Ratajski and Rowecki got on well with each other at that time. The Delegate's opinions on ZWZ and its Commander differed from the ones held by most politicians³. One must remember that it was the time of fierce smear campaign directed at gen. Rowecki and ZWZ, which started in emi-

¹ J. Michalewski, *Relacja emisariusza*. In collection of the Historical Institute of the Polish Academy of Sciences in Warsaw. pp. 80–82.

² Ibidem, p. 82.

³ AK I, pp.422–423, *The Governmental Delegate's announcement from the January 18th 1941*; also J. Michalewski, op.cit., p.27.

gration, but was transferred to the Country⁴. Although the situation was soon to change⁵, at that very moment the consequences of the Delegate's attitude were far-reaching.

Ratajski didn't decide to include L. Muzyczka in his team. Neither did he overtake the organizational apparatus of The Coordination Bureau (*Biuro Koordynacji*), which had been organized by the latter one. In December 1940, though, he overtook the apparatus created by the temporary Delegate Skorobohaty, with Jerzy Michalewski as its General Secretary. In the January of 1941 he appointed the first directors of Departments⁶. The following nominations took place in the first half of 1941⁷. At the same time Ratajski overtook also the part of the personnel and possessions of The Coordination Bureau⁸.

The talks between gen. Rowecki and C. Ratajski, held at the beginning of 1941, were shadowed by one more serious argument. The PKP factions demanded that,

the administration is to be established according to the party key. Each candidate for any more significant position is to be checked politically by PKP, approved by it, and get three deputies presented by other parties.⁹

In a way, it was the continuation of the conflict concerning ZWZ. It confirmed the agreement about the elimination from the work in the PUS structures of any people holding

⁴ This campaign is discussed more broadly by E. Duraczyński, *Kontrowersje...*, pp. 288–318.

⁵ See *Dispatch of the Supreme Commander No 2926 from the September 3rd 1941*, in: A. K. Kunnert, *W 45 rocznicę powstania wojska w konspiracji*, Kierunki, Warsaw 1986 no 46.

⁶ J. Michalewski, op. cit. pp. 31–35.

⁷ Ibidem.

⁸ From the team of L. Muzyczka e.g. J. S. Jankowski and B. Rutkowski joined the Delegate's Office.

⁹ L. Muzyczka, *Podstawy organizacyjne*. pp. 6–7.

positions in the state structures before the war. Suggested procedure could stop any organizational activities when previous experience and the lack of agreement between the parties concerning personal issues are taken into consideration.

Hence, *"when numerous propositions of mending the situation in both PKP and the Delegate's office turned out to be futile"*, L. Muzyczka, *"not wanting to be morally responsible for it"*¹⁰, with the approval of gen. Rowecki, forwarded, *"his resignation from the position of the Chief Coordinator in writing in March 1941"*¹¹.

Following this decision he joined the army again. The ZWZ Commander hoped that Muzyczka's resignation would influence the change of the attitude of C. Ratajski and PKP, and that's why he was still carrying on the talks with the Governmental Delegate. The fiasco of his attempts led to, *"announcing in the middle of 1941 that the army cannot be waiting passively and will be forced to begin on its own the preparation of work necessary to protect the stages"*¹².

Parallel, in the staff of ZWZ HQ the work on the plan of general uprising had been completed. It had become the basis of any organizational activities undertaken in ZWZ since February 1941. Because of this, gen. Rowecki was determined to work out some *modus vivendi* with the Governmental Delegate. The failure caused the reaction that showed in the decision on starting the organizational work in different ways.

The criteria concerning nominations on the positions in the underground administration turned out to be the most significant cause of breaking up the cooperation between the Delegate and ZWZ. PKP factions along with the Delegate, whether he was willing to or not, were in favor of so called

¹⁰ Ibidem, p. 7

¹¹ Ibidem

¹² J. Michalewski, op. cit. p. 84.

party key. On the other hand, the army favored the criterion of professionalism.

The opinions that the approach of ZWZ was consciously cunning are not rare. Those, *“professionals whose involvement in the underground administration was supported by ZWZ mostly originated from the pre-war state administration”*¹³. Some of them did originate from the pre-war administration. However, the political structure of the administration before the war was in no way homogenous. It should be stated, that many professionals held positions before the May 1926, which made it difficult to include them in post-May structures. All in all, the future was to show, that the civilian pillar treated this problem like an object.

After the resignation from the position of the Chief Coordinator, L. Muzyczka got an order from gen. Rowecki, *“to find the way to organize the substitute administration serving the current and future needs of the army without depriving the Delegate of the possibility to create civil administration”*¹⁴.

After many months of attempting to compromise on the questions of recreating the administration in conspiracy the decision was made to undertake organizational works within the structures of ZWZ.

The thesis that it was a conscious activity leading from the start towards the creation of competing political administrative apparatus cannot be taken seriously. If it had been true, gen. Rowecki wouldn't have been waiting for over a year to act this way. Especially that the Governmental Delegate was finally nominated. If gen. Rowecki and the authorities of ZWZ had aimed at using the administration for particular aims, undoubtedly they would have taken the advantage of the period of complete chaos in the civilian pillar in mid 1940.

¹³ J. J. Terej, *Na rozstajach...*, p. 197.

¹⁴ L. Muzyczka, op. cit. p. 7.

At the same time, giving order to L. Muzyczka gen. Rowecki clearly pointed out, that the Delegate was not to be deprived of the possibility to create the apparatus. There was no attempt to create the alternative administration. L. Muzyczka was building up the administration basing on the regulations of the 1939 bill on marshal law.¹⁵ The regulations, *“allowed the HQ of ZWZ to hold a strong argument in the struggle for the position in the public life in conspiracy”*¹⁶.

Such an opinion, formulated from the position that was not much in favor of ZWZ, narrowed the case to merely a political disagreement. But it wasn't just that. Even without the establishing of administration ZWZ had an advantage over all the other conspiracy centres in the Country. It just had no need to reach for any cunning means. *“The quoted regulation gave firm arguments to anyone willing to act in conspiracy in accord with the legal regulations of the Commonwealth, and basing on the law wanted to recreate the foundations of the state in the underground”*¹⁷.

Another doubtful question was the problem, *“whether the authorizations meant by law for military authorities were to be used by organizations like ZWZ”*¹⁸. This problem, however, had already been solved at the beginning of 1940, when the *“No 2 Instruction for Citizen Rakon”* stated that, *“ZWZ is a part of the Armed Forces of the Republic, which through the*

¹⁵ It is mentioned in chapter 1.

¹⁶ E. Duraczyński, *Stosunki w kierownictwie podziemia londyńskiego (1939–1943)*, Warszawa 1966, p. 51. J. Paśnik, *Status prawny Delegata Rządu na Kraj*, Warszawa 1991, p. 49, analyzing this regulation of the bill on Marshall law (art. 4 par. 2), is suggesting that the legislator didn't assume that the civil administration wouldn't function on the whole territory of the state. Thus, the interpretation of the regulation by ZWZ was an abuse. This view, however, has no justification.

¹⁷ G. Górski, *Administracja Polskiego Państwa Podziemnego*, pp. 74–75.

¹⁸ E. Duraczyński, *Stosunki w kierownictwie podziemia londyńskiego*. Warszawa 1966, p. 51.

Main Commander was under the Supreme Commander"¹⁹. Thus, ZWZ had all the rights and duties of military authorities, and as the one and only military organization had the legal attributes of the one. Service in ZWZ meant fulfilling constitutional duties.

As the Chief Coordinator Muzyczka formulated the rules of, *"cooperation of the military authorities with the surrogate civil administration"* at the end of 1940. In mid January 1941, after they had been accepted by gen. Rowecki, they were sent to England.²⁰

According to the rules for the cooperation with the three – instance administration, *"military bureaus were to be established at the central level to cooperate with the chiefs of departments of internal affairs, justice, labor and health, treasury, industry and commerce, agriculture, communication and telecommunication"*²¹. Military Divisions (*Wydziały Wojskowe*) were to cooperate with the District Delegates and their apparatus in provinces, in counties these were to be Military Departments.

The posts were to be held by the officers in service or reserve. In any case they were to be, "professionals in a given matter." In accord to the regulations of the bill on marshal law L. Muzyczka assumed that the mentioned above military structures would undertake the activities of non-existent civilian ones, while they would represent the military matters at the levels where the civilian apparatus had already been reestablished.

In the basic preserved document concerning the organization of the militarized administration The General Instruction for the Military Divisions (*"Instrukcja Ogólna dla*

¹⁹ AK I, pp. 78–80.

²⁰ AK I, pp. 396–397, *Attachment to the Report No 46 from January 11th 1941.*

²¹ *Ibidem.*

W(działów) W(ojskowych)”) which was dated to the end of 1941²² it was stated that,

When the Subsidiary Administration is not active in the field, it is the duty of Military Divisions to complete the work. In such a case Military Divisions do all the work on their own. The moment the Subsidiary Administration starts working Military Divisions transfer any work to it, at the same time representing the military matters towards it”²³.

One must remember that the regulations of the bill on marshal law obliged to perform all the activities of civil authorities. Whereas, in the instruction the realization of work expected in the demands of Armed Forces was clearly stated. The thesis that Militarized Administration was created to serve particular political aims cannot be taken seriously in the clear light of the instruction. How was it possible to hide in a strictly secret instruction²⁴ real intentions and aims that were to be realized by the very people for whom they were to be hidden!

The mentioned instruction proves the real intentions of the ZWZ authorities. This document disqualifies all the opinions according to which the apparatus set up by ZWZ–AK,” *is a classical example of real intentions of ZWZ politicians, camouflaged with innocently looking demand about the need of preparing terrain for the general uprising*”²⁵, and additionally that, *“the establishment of this administration is one of the signs of AK aiming at the actual supremacy in all aspects of conspiracy”*²⁶.

²² ALM, The Instruction along with all the annexes

²³ Ibidem.

²⁴ ALM, a letter for the instruction of „Jeż”– Stanisław Miłkowski from the December 28th 1941.

²⁵ E. Duraczyński, *Kontrowersje i konflikty*, p. 101.

²⁶ J. J. Terej, *Na rozstajach dróg. Ze studiów nad modelem i obliczem Armii Krajowej*. Warszawa 1978, p. 192.

If such opinions were to be true, then the actions of gen. Rowecki from the beginning of 1940 to mid 1941 would seem to be completely illogical. This was the period which allowed undertaking independent actions. The activities of ZWZ authorities at that time show the concern about the state of preparations for the planned general uprising.

The structure managed by L. Muzyczka as its Chief was called the leadership of Military Bureaus. However, it was more often called colloquially "Teczka" (The File).

It was created basing on the organizational structure of the Coordination Bureau²⁷ and the 8th Division of the Staff of ZWZ HQ in Warsaw.²⁸ In mid 1941 the first Military Bureaus and at the same time Military Divisions were being established at the level of provinces on these foundations.²⁹

By the end of 1941 nine bureaus had started to work. These were the Military Bureaus of :

Internal Affairs,
Justice,
Finances and Treasury,
Labour, Social Security and Health,
Agriculture,
Supplies,
Communication,
Telecommunication,
Industry and Commerce.

In 1942 the Bureaus of Agriculture and Supplies were merged. In mid 1943 the Bureau of Technical Services was established.³⁰

²⁷ L. Muzyczka, op. cit. pp. 3–4.

²⁸ K. Pluta-Czachowski, *Faza organizacyjna ZWZ*, pp. 26–29.

²⁹ We can find this information in the files of the trial against L. Muzyczka after WWII organized by communistic regime (now in Institute of National Remembrance in Warsaw).

³⁰ ALM, Files of the Bureau of Technical Service.

Within the commandment there were three independent organizational pillars:

Military Bureaus,

The Military Administration of New Territories, and

The Military Corp of Security Services.

Muzyczka was directly dependent on the Main Commander of ZWZ. It was only after arresting gen. Rowecki and the decision on the merger that the new AK Commander, gen. Tadeusz Komorowski subordinated L. Muzyczka to the Chief of the Staff, gen. Tadeusz Pełczyński³¹.

Muzyczka had two deputies (nominated by gen. Rowecki on his motion) Stanisław Miłkowski „Jeż” and Witold Gokił „Ryszard”³². At the end of 1942 S. Miłkowski was dismissed and sent to work in the 1st Division of the Staff of Home Army HQ³³. He was replaced with Jerzy Michalewski “Jerzy”³⁴.

The first deputy was to coordinate and supervise the Bureaus of : Internal Affairs, Justice, Labour, Social Security and Health, as well as Finances and Treasury. The other one had similar duties concerning the Bureaus of : Industry and Commerce, Communication, Telecommunication, and Agriculture and Supplies³⁵.

Without any deeper and more detailed deliberations it has to be stated that in less than two years of its existence the structure had reached impressive size³⁶. The change in political atmosphere at the beginning of 1943 made it possible to start the talks with the Governmental Delegate and to prepare the merger of Military and Subsidiary Administrations.

³¹ AAN 203/I, f. 2, ch. 36. Order No 975 from September 10th 1943.

³² L. Muzyczka, *op. cit.*

³³ See footnote 29.

³⁴ After leaving the Delegate's Office he was working shortly in the I Division of the KG AK Staff.

³⁵ L. Muzyczka, *op. cit.* p. 10.

³⁶ This topic is more broadly presented in *Administracja* by G. Górski.

At the beginning of 1941 it was decided in England that there was the need to change the April Resolution, which regulated the relationship between the Governmental Delegate and ZWZ. As a result of a discussion³⁷ the decision was made that apart from controlling the budget of ZWZ, the Delegate would also supervise, *“if the military organization doesn’t take any political actions”*³⁸. Additionally, the Delegate acquired the right to present, *“to the Main Commander of ZWZ his opinion concerning the nominations of the superior Commands of ZWZ, including the level of the District one, as well as opinions concerning the people in ZWZ whose position and staying in the organization is politically doubtful according to the resolution of the Factions”*³⁹. The Governmental Delegate was also to receive, *“periodical information on the organizational state and activities of ZWZ”*⁴⁰.

These solutions could have given the Delegate significant opportunity to interfere in the work of ZWZ, and become the basis for advantage over the organization. However, it was practically excluded by their authors themselves. KSK stated that, *“the range and the way of controlling will be agreed on by both the Delegate and the Main Commander of ZWZ in the Country, taking into consideration the duty to obey the rules of conspiracy and safety of the military organization”*⁴¹. It was obvious, that gen. Rowecki wouldn’t allow any political structures to interfere in the personal issues of ZWZ. The decisions didn’t change then the position of C. Ratajski towards ZWZ.

Starting to establish the substitute administration the Delegate didn’t have the formal and legal foundations of

³⁷ IS, Kol. 17/1, v. 17. KSK protocol from February 19th 1941, and IS, Kol. 17/1, v. 18, KSK protocol from February 21st 1941.

³⁸ AK I, pp. 508–511.

³⁹ Ibidem.

⁴⁰ Ibidem.

⁴¹ Ibidem.

his functioning regulated. The organizational effort was an extremely difficult task in such conditions. The decisions made in the autumn of 1940 between L. Muzyczka, J. Skorobohaty-Jakubowski and Stanisław Kauzik, were to be the basis for the reestablishment of administration. The fact that the two out of the three mentioned people were the closest cooperators of C. Ratajski had significant influence. However, the fact that the rules concerning the organization of the state in the wartime, including the ones concerning the Civilian Commissary, were still valid was a big problem since the Commonwealth authorities didn't refer to them in any document.

Thus, the Delegate took the steps in order to change the existing actual state. In July 1941 C. Ratajski summoned the project of the decree on the position of the Governmental Delegate⁴². It was suggested, that the Delegate should be nominated to perform his authority over the area freed from the occupation until the President and the Government returned (par.1). The Delegate and his two deputies were to be nominated by the President on the motion of the Council of Ministers (par.2) The Delegate was to liquidate the occupation, its results, and to take charge of and reestablish the public administration. He was to have numerous joined competences of the Prime Minister, the Council of Ministers and Ministers (par.3) as well as the right to pass temporary directives. He could also establish the Bureau, which was to be his office.

The project was accompanied with the justification⁴³, explaining the motifs of particular solutions. In a way the project filled the existing gap. Although particular solutions might have been doubtful, all in all it was the step in the

⁴² *Report No 71 from July 31st 1941* (document from former Archive of the Ministry of Internal Affairs 686/2, p. 1 – now in Institute of National Remembrance in Warsaw). There is also project of the decree.

⁴³ *Ibidem*, pp. 4–7.

right direction. What was most significant, it didn't contain any decisions that could have been disapproved of by gen. Rowecki. This could mean the support of ZWZ.

At the beginning of October 1941 the Delegate sent yet another document – the project of the Decree on marshal law⁴⁴, in which it was suggested that the Delegate should act as the Minister for the territories freed from the occupation (par.1). He was to start his work at the time either set by the Council of Ministers (par.2.1), or agreed on by the Delegate and RJN and the Commander of ZWZ (art.2.2). The competences of the Delegate had been narrowed. His right to use the competences of the Prime Minister, the Council of Ministers and Ministers was limited (art.3.2). Additionally, all his directives regarding military activities required the countersignature of the Chief of the Armed Forces.

In the project's broad justification⁴⁵ the necessity to set the legal basis for the functioning of the Delegate was emphasized. It was to be based on the current Constitution and other regulations. The need to repeal the regulations of the decree concerning the functioning and competences of Civil Commissaries was raised at the same time. PPS had some reservations about the project which was politically supported by the PKP factions. It emphasized mainly the need to regulate the position of the agreement between the factions, as well as the strengthening of the body's competences⁴⁶.

In the justification of both projects the Delegate stated, that after taking his position he should have the competences of the Minister of Military Affairs. If we take into the consideration the fact that the Decree was to be valid only after regaining the freedom it shouldn't have been a problem. However, the Delegate made an attempt to put the Depart-

⁴⁴ Document from former Archive of the Ministry of Internal Affairs 774/13, pp. 2–8 – now in Institute of National Remembrance in Warsaw.

⁴⁵ Ibidem, pp. 8–21.

⁴⁶ AAN 202/I – 30, cc. 152–153.

ment of Military Affairs in motion⁴⁷, and suggested having the support of ZWZ. In this situation gen. Rowecki decided that it was necessary to take a firm stand. On 15th November 1941 he sent⁴⁸ his opinion, in which he stated that,

The project of the decree on marshal law that has been sent by the Main Governmental Delegate was not consulted with me. The actual text was delivered to me and sent to London at exactly the same time, thus I wasn't able to express any remarks concerning it.[...] The project doesn't sufficiently take into consideration the need or conditions of preparation and carrying out the military uprising. While the civil pillar representing the government is equipped with any necessary prerogatives, the military one represented by the Supreme Commander doesn't have sufficient ones. Without them the preparation of the uprising as well as recreation of the military forces would constantly encounter numerous obstacles. Equipping the Delegate with the competences of the Minister of Military Affairs would lead to the duality as far as orders are concerned (the Supreme Commander and the Minister of Military Affairs in London and the Minister-Delegate as the Minister of Military Affairs in the Country) and to the possibility of issuing orders opposing the intentions of the Commander without the possibility of consulting in the conditions of conspiracy in the Country.

General Rowecki perceived the Delegate's actions as the sign of aiming at gaining the control over and influence on,

⁴⁷ Ratajski's ambitions concerning this issue were encouraged by the members of SN. They hoped that general Jan Wroczyński, strongly connected with the national faction (he had been creating its paramilitary formation called Pogotowie Patriotów Polskich in 1915) would become the head of the Department.

⁴⁸ *Depeche No C 414 from November 15th 1941*. Document from former Archive of the Ministry of Internal Affairs 686/6, p. 33 – now in Institute of National Remembrance in Warsaw.

*“political factions on the internal life and matters of the army”*⁴⁹. That’s why he strongly opposed the Delegate’s suggestions concerning it.

Unfortunately, this problem dominated the whole issue. Instead of focusing on the solutions that would settle the basis of his functioning, which seemed to be the priority at that time, the Delegate concentrated on the secondary issue. The conflict didn’t increase his popularity in the factions, especially SN, or the authorities in London but also arose the distrust of military factors. All in all, the whole matter brought more harm than benefit to the civil pillar. The conflict started at the time when gen. Sikorski had a different view on the country matters. It can be even said, that he got immune towards slander concerning ZWZ. There was no chance then to force the decisions, which half a year earlier would have probably been accepted without any problems.

Gen. Rowecki’s position made the Delegate modify the project. On 13th January 1942⁵⁰ he sent the suggestions referring to gen. Rowecki’s suggestions from 3rd January 1942⁵¹. Rowecki stated that the decree should contain the regulations that would concern excluding the matters of foreign and military affairs from the Delegate’s competence, as well as the automatic overtaking his prerogatives by the Prime Minister, and likewise the prerogatives of the ZWZ Commander by the Supreme Commander, the moment they came back to the country. Last but not least, it should contain setting the competences towards the Delegate from the Supreme Commander, and for the time of his absence in

⁴⁹ AK II, p. 250. *Organizational Report No 118*.

⁵⁰ Document from former Archive of the Ministry of Internal Affairs 774/13, pp. 28–32 – now in Institute of National Remembrance in Warsaw.

⁵¹ *Report No 104 from January 3rd 1942* – Document from former Archive of the Ministry of Internal Affairs 686/3, pp. 11–15 – now in Institute of National Remembrance in Warsaw.

the country from the Commander of Armed Forces in the Country.

The Delegate suggested that he should be provided with the prerogatives of the Prime Minister, the Council of Ministers and Ministers, excluding foreign and military affairs. He also accepted the solution according to which the Supreme Commander, and temporarily during his absence the Commander of Armed Forces in the Country, was to have the same prerogatives towards the Delegates he had towards the government – excluding the right to make demands concerning the personal changes of the operation territory, as well as appointments for the government and self-government positions. He still accepted the fact that the competences of the Minister of Military Affairs (during his absence) were to be held by the deputy of the Commander of Armed Forces in the country from the moment the Delegate started his work overtly. That would mean that their relationship would be analogical to the one between the Minister of Military Affairs and the Prime Minister, and at the same time the Commander of Armed Forces was to have the prerogatives towards his deputy that were analogical to the ones that the Supreme Commander had towards the Minister of Military Affairs. Finally, he suggested that in matters exclusive for the Council of Ministers or the Minister of Military Affairs he could pass directives after consulting the Deputy of The Commander of Armed Forces (par.5)

After the conflict, a relatively coherent project of regulations was eventually formulated. It fairly clearly described mutual relationship between the civil and military pillars. Unfortunately, the suggestions didn't refer to the period of conspiracy but some unclear future. At the same time the most urgent matters, i.e. the status of the Delegate as well as the mutual relationship between the main underground structures during conspiracy, remained unsolved.

The project of regulations had been finally prepared in London on the basis of the materials delivered from the

Country and the research of various political and governmental structures. In the effect, the above mentioned Decree on the temporary organization of authorities on the territory of the Commonwealth was created.⁵²

According to the decree its regulations regarded so called transitory period (art.1 par.1 and art. 2 par.1) It was the time between the end of the occupation of the whole Polish territory or its part, and the return of the authorities or at least the authorized Minister. From this perspective, the regulations of the decree were of no significance for the period of conspiracy. They had become, however, the point of reference for the Delegate, who was using them analogically during the occupation.⁵³

In accord with the suggestions sent from the Country, the Delegate was to act like a Minister of the Polish government (art.1 par.2). Simultaneously, two successors were to be nominated in case, "*the Office of the Delegate was vacant*" (art.3). Opposing to the still formally valid rule that during the conspiracy there were three active Main Governmental Delegates, only one Minister – Delegate was to be appointed. He was to hold the office until the Prime Minister or the authorized Minister came back to Poland. The moment he started acting openly, the Minister – Delegate was to hold the whole administrative authority over the gradually freed territories with the exclusion of foreign affairs (art.5 par.1). Thus, he was authorized to pass temporary directives in any case the Prime Minister, the Council of Ministers or any of the Ministers were authorized as well (art.6 par.1). The Delegate's Bureau was to be the Minister – Delegate's organ (art.10)

The Commander of Armed Forces, nominated by the Supreme Commander and directly subordinated, was to be in

⁵² AK II, pp. 302–306.

⁵³ The regulations of the decree, as will be shown further, were used during the work on the Statute of the Governmental Delegate's Office.

charge of the military matters. He had the right to, “*present the Delegate with the motions in any matters directly associated with war activities as well as the ones connected with the defense of the state, and desiderates concerning the passing of directives and orders in these matters.*” (art.11 par. 1 and 2)

In the ending remarks it was stated that, “*the scope of the Delegate’s activities and the activities of RJN, as well as their relation towards the military organization during the time between the nomination of the Delegate and the overt overtaking of the authority by him, is regulated by the resolution and decision of the government as well as regulations and instructions based on them*” (art.17 par.2) It was to be the basis of the regulations concerning the functioning of the underground administration.

On the break of August and September 1942 Ratajski was dismissed from the position of the Main Governmental Delegate for the GG territories. Professor Jan Piekalkiewicz was nominated, “*the Main Delegate for the territories of the Commonwealth for the time before the President’s decree on the temporary organization of the authorities comes into effect*”⁵⁴.

Two particularly interesting matters are worth mentioning at this point. Formally, C. Ratajski was still remaining the Main Governmental Delegate for the GG. However, at least since April 1942, he had been the only Main Governmental Delegate and held the real authority over the whole country.⁵⁵ The government didn’t formally announced this change. It was only when J. Piekalkiewicz was nominated that the old formula was given up. The new Delegate was nominated to act countrywide.

However, in the nominating d  p  che sent to J. Piekalkiewicz it was emphasized that the function he had been appointed for was temporary. He was to act until the regulations of the September decree became valid. This con-

⁵⁴ AAN 202/I, vo;2, c. 29. Depeche No 67 from August 5th 1942.

⁵⁵ See more about it in next chapters.

firmed the fact that the creators of the September regulations were not aiming at settling the current legal and organizational issues. Thus, the most urgent problems of the functioning of conspiracy structures had remained unsolved.

As a result of the distortion of the nominating *dépêche* and expecting the next one⁵⁶ J. Piekalkiewicz took his position on 17th September 1942⁵⁷. Before that, at the end of August 1942, he had received a letter from the Vice Prime Minister, Stanisław Mikołajczyk⁵⁸. It was in a way a set of political dispositions addressed to the nominee. However, one might have the impression that they were not addressed by the Vice Prime Minister to the Delegate, but by the party leader to his party colleague.

Pointing at the most significant, in his view, problems of the Delegate, he summoned him to cooperate with PKP in working out the position concerning the mutual relationship with the Home Army Commander. According to S. Mikołajczyk it was a good moment to do it since,

the decree on the organization of military authorities has been changed[...], and on this basis 9 [the Main Commander of Home Army] may only pass to 10 [the Governmental Delegate] motions concerning military matters, and not the ones obliging him. He himself was subordinated to 11 [the Supreme Commander]. It creates the situation, in which he acts as the Staff with the army in the field, whereas the administration is the part of the Ministry of Military Affairs, which creates the need of establishing the Ministry's Department within the Delegate's Office, [...] the issue should be discussed with 9 and decided upon at 3 (PKP), and the resolution ought to be sent⁵⁹.

⁵⁶ AAN 202/I, vol. 11a, *Depeches No 117 and 118*.

⁵⁷ AAN 202/I, vol. 52, ch. 8. An Instruction from C. Ratajski to Departments Directors.

⁵⁸ AAN 202/I, vol. 11a, "Stem" (Stanisław Mikołajczyk) letter to "Juliański" (Jan Piekalkiewicz) from August 28th 1942.

⁵⁹ Ibidem.

In the situation when the status of the Delegate hadn't been regulated, and the issue concerning the Minister – Delegate had been at the standstill, one might have supposed that these issues would be of main interest for S. Mikołajczak, responsible for the civilian work in the Country.

However, the problem which he had created determined the activities of the Delegate for the several months to come. Thus, the regulations concerning the formal functioning of the civil pillar had again been delayed. Moreover, J. Piekalkiewicz, against the will of S. Mikołajczyk and without consulting gen. Rowecki, made his coworkers prepare a new Statute of the Delegate's Office. The vice Prime Minister's suggestions were to be included in it.

The initiative to create the statute was the right one. However, the matter had become of secondary significance again, since Piekalkiewicz made another attempt to create the basis for the establishment of the Department of Military Affairs, which was to be subordinated to him and supervise the military organization. Obviously, this led to another serious conflict with gen. Rowecki. The statute, prepared at the end of October 1942, was passed by PKP in the middle of November 1942, and then sent to England⁶⁰.

It did include the decision that the Department of Military Affairs was to function within the Governmental Delegate's Bureau, however, at the end of November 1942⁶¹ the Minister of National Defense (Minister Obrony Narodowej – MON) gen. M.Kukiel, nominated gen. Rowecki as his Delegate in the Country. Parallel, the scope of gen. Rowecki's competences was determined, e.g. *"the representation of the matters of military forces in the Country to the Delegate, managing the mobilization, and administering all the resources necessary for the*

⁶⁰ AAN 199/I, PKP protocol from November 15th 1942.

⁶¹ *Depeche from November 28th 1942.* Document from former Archive of the Ministry of Internal Affairs. *Home Army HQ Materials* – now in Institute of National Remembrance in Warsaw.

organization and carrying out of the uprising”⁶². Moreover, the Delegate of MON was to administer the budget of AK. The Department, whose structure was to be consulted with the Delegate, was excluded from the Delegate’s Bureau and directly subordinated to the Commander of Home Army (AK).

In this way the regulations of the April 1940 resolution, which caused so many unnecessary conflicts were *de facto* made void. The new ones were actually referring to the ideas expressed in the address of gen. Tokarzewski and gen. Rowecki from 1939/40.

Defining the status of the Delegate in conspiracy and, what is connected, the status of the executive apparatus organized by him, was still to be done. The attempt to make the existing state of affairs formal, by accepting the Statute of the Delegate’s Office, didn’t solve the problem. The Statute hadn’t been approved by the Minister of Internal Affairs in London. Actually, the resolution of PKP made on 15 November 1942 was the basis of its formal validity. Yet, the regulation was valid only towards its signatories and the Delegate’s Office. The formal issues made it invalid for other subjects, especially AK and its Militarized Administration.

“The Statute of the Governmental Delegate’s Office for the times of conspiracy”⁶³ described the Delegate as, “*the highest representative of the Government in the Country*”, whose, “*main task*”, was to, “*cooperate with the Commander of Armed Forces in order to bring out and unify all the efforts of the Nation aiming at the freeing Poland from the occupation*”. The Delegate’s tasks included keeping in touch with the Polish Government, fulfilling its orders, and collecting the data about the occupation in the country. Moreover, he was to cooperate with political factions in issuing instructions and directives concerning the attitudes of the society. It was emphasized that the Delegate was responsible for the prepa-

⁶² Ibidem.

⁶³ AAN 202/I, vol. 1, cc. 16–17.

rations of the Country for so called transitory period. This especially meant the preparation of state officers for their functions, setting the foundations of the administrative apparatus, and the projects of legal regulations for this period. The Delegate's Bureau was to serve as his organ.

The status also described, at least theoretically, the relationship between the Delegate and the organization of Armed Forces. Motions and desiderates of Armed Forces, the issues gen. Rowecki was anxious about, were to be executed by the head of the Military Affairs Department in the Delegate's Bureau. It was assumed that the head was to be nominated by the Delegate after consulting the Commander of Armed Forces in the Country.

The Delegate was also to influence, *"political, social and professional organizations, so that they could assist the organization of Armed Forces. The Delegate uses all the available means to subordinate military organizations in the country to one centre, namely the Commander of the Armed Forces in the Country"*. At the end it was stated that the Delegate would grant the Commander of Armed Forces the current political directives. In more significant cases the directives were to be issued after the consultations with RJN.

It is clearly visible that the suggested regulations were in accord with the philosophy of April resolution, if not even more far-fetching. Both Piekalkiewicz and SL agreed that the situation was right to subordinate the underground army to them. However, it is worth mentioning that at that time such solutions could in no way have been understood or accepted by the authorities in London. Thus they are merely the confirmation of the existence of some political philosophy.

The regulations regarding the relationship between the Delegate and RJN had also been included in the Statute. According to them the Delegate was obliged to present opinions and resolutions of RJN to the authorities. What is more, he was to take political, economic and social decisions along with RJN. RJN got the right to present its opinions concern-

ing the budget of the Delegate's Office to the Government. Since these suggestions significantly strengthened the position of political representation, one may assume that it was the price the Delegate was to pay for the strengthening of his position at the expense of AK.

The lack of clear legal regulations led to a series of negative consequences of both the Delegate's and his organizational apparatus activities. It was most visible when it came to appointing the District Governmental Delegates. The post was to reflect the post of the pre-war *Wojewoda*. Thus they were to be supervised by the Minister of Internal Affairs, and the decisions concerning their appointment should have been made in London. In reality, the decision had been made that they would be supervised by the Delegate and the Department of Internal Affairs in his Bureau.

Since the beginning of his work Ratajski had consulted the candidates with PKP, and then made nominations presenting them to the Government for the approval⁶⁴. The authorities, however, approved only the first nominations in the mid 1941⁶⁵. Later, after numerous yet futile reminders concerning the approvals of the nominations (including the ones made by the Delegate in Poznań)⁶⁶ C. Ratajski nominated the Delegates himself. It was only S. Mikołajczak who, in the document from 28th August 1942, demanded that the new Delegate presented the nominated District Delegates and their deputies for the approval⁶⁷. Yet, J. Piekalkiewicz

⁶⁴ AAN 202/I, vol. 6, c. 7 and c. 21. *Depeche from February 28th 1942 and from July 13th 1942*. See also AK II, pp. 162–163.

⁶⁵ AAN 202/I, vol. 11, cc. 209–210 and 212–213.

⁶⁶ Before he was arrested A. Bniński had appointed the District Delegates in Toruń, Łódź, Katowice and Ciechanów. In the *dépêche* from the 9th Dec. Ratajski asked for the approval of the Delegates' nominations he had made for Lwów and Kielce, and the deputies in Lwów, Cracow, Kielce, Lublin and Wilno, AK II, p. 163.

⁶⁷ He was urging the Delegate in the *dépêche* from the December 29th 1942, AAN 202/I, vol. 2, c. 47.

didn't take a stance on the demand and like his predecessor made the nominations himself. Moreover, it was stated that the nominations were to be consulted with RJN. J. Piekalkiewicz had turned to the authorities twice to receive the confirmation of this statement⁶⁸. He didn't receive any reply, though, and in practice the regulations included in the Status were used.

The decisions of the Government taken in 1942 could in no way satisfy any centre in the Country. This situation was annoying for the Commander of AK, the Delegate and PKP factions⁶⁹. At the same time it had caused tensions in the relationship between the civil and military pillars until J. Piekalkiewicz was arrested. In February 1943⁷⁰, although the official nomination took place at the end of April⁷¹, the post was taken by J. S. Jankowski. It ended the conflict and created a new perspective for the solution of unclear questions. It was shown in the project of changes in the September decree⁷², which was prepared after the cooperation with PKP and presented by the Delegate on 10th September 1943.

The most important alteration referred to extending the validity of the decree to the period of occupation. It also provided for the establishing of so called Ruling Commission (*Komisja Rządząca*), consisting of the vice Prime Minister and three vice Ministers. The commission was to hold the

⁶⁸ AAN 202/I, vol. 6, c. 33 *Depeche No 159 from November 25th 1942* and vol. 7, c. 10 *Depeche No 40 from February 8th 1943*.

⁶⁹ PPS-WRN, whose position was presented by J. Piekalkiewicz in the *dépêche* No 156 from the November 16th 1942, was the most critical, AAN 202/I, vol. 6, c. 29.

⁷⁰ He took it acting as the Delegate, since he was the Delegate's deputy. At the meeting of KRP on the April 4th 1943 he was suggested as the candidate for the position of the Governmental Delegate.

⁷¹ The confirmation of the candidates was sent from London in the *dépêche* from the April 21st 1943, AK II, p. 500.

⁷² AAN 202/I, vol. 7, c. 51.

powers of the Council of Ministers and the Prime Minister until their return. The scope of its activities was to include all the matters concerning the liberation as well as the reconstruction of the Country⁷³.

The suggested alterations were thus aiming at the strengthening of the position and competences of the civil pillar in the Country. These assumptions were developed in the next proposition. On 29th December 1943 the project that completed and elaborated on the previous text was sent⁷⁴.

The new solutions were leading towards the further strengthening of the Delegate's position. He was to have the rank of the vice Prime Minister as well as define the range of his successors' duties. Within the authorization and directives of the Council of Ministers he was to perform the function of the Government in the Country, and hold all its constitutional prerogatives. The suggested regulations could, after being accepted finally, clear the issues connected with the status and the functioning of the Delegate during the occupation. They were mostly approved of by the Government and implemented in 1944⁷⁵.

Parallel to the work aiming at the clarification of the legal aspects of the Delegate's functioning, there was the process of building up the structures of the underground administration. In the middle of December 1940 C. Ratajski overtook the apparatus organized by the temporary Delegate. In fact, it was Jerzy Michalewski nominated for the post of the General Secretary of the Delegate's Office who became the head of this structure. His main assignment was to create the central apparatus of the Delegate's Office⁷⁶.

⁷³ *Depeche* 2550/1472, Document from former Archive of the Ministry of Internal Affairs, now in Institute of National Remembrance in Warsaw.

⁷⁴ Document from former Archive of the Ministry of Internal Affairs – 686/5, pp. 653–658 – now in Institute of National Remembrance in Warsaw.

⁷⁵ See more about it in the next chapter.

⁷⁶ J. Michalewski, *op. cit.* p. 61.

In January and February 1941 the first nominations were made by the Heads of Departments. The following ones had place during the first half of 1941⁷⁷. At this time the following Departments started their work:

Internal Affairs,
Press and Information,
Education,
the Repair of the war damages,
Industry and Commerce,
Post and Telegraph,
Labor and Social Work;

soon afterwards:

Agriculture,
Communication,
Justice,
Treasury, and
Reconstruction⁷⁸.

By the end of 1941 almost all the departments had been active, yet obviously not all of them were of equal significance. The cooperation between Delegate Ratajski and SL was of great importance for the functioning and the development of the apparatus. It showed in numerous nominations made by Ratajski, especially in the territorial structures⁷⁹.

It must be stated that the nominations made for the Central Poland didn't reflect the real influence of particular factions and evidently favored SL⁸⁰. The factual influence of the parties was better visible in nominations made for the terri-

⁷⁷ Ibidem, pp. 31–35.

⁷⁸ Ibidem.

⁷⁹ AAN 202/I, vol. 11, cc. 209–210 and 212–213.

⁸⁰ The members of SL took the position of Delegates in Lublin and Cracow, and soon afterwards in Kielce, Lwów and Łódź.

tories incorporated to the Reich.⁸¹ By the end of 1941, with the exception of several areas in the Eastern outskirts of the Country, other provinces had had their District Delegates. However, “the fact that the Delegate had been nominated in the District or county didn’t mean that the administrative apparatus was complete. The cases were prolonged because each nomination for the more profound position had to be consulted at the central political level, which required time and harmonious cooperation between the factions”⁸². At the same time, “the majority of District Delegates had chosen Warsaw as their place of residence from where they managed their areas”⁸³. Such a solution didn’t help in the development of the organizational apparatus. Unlike at the central level, where at the beginning of 1942 the majority of the Departments were organized, in the field hardly anything was happening.

The unsolved issue of the status and the nomination for the position of the Delegate’s Deputy had been of great significance for some time. When C. Ratajski took his position colonel Skorobohaty, the former temporary Delegate, became in fact his deputy. However, at the beginning of 1941 he was transferred to ZWZ⁸⁴. According to the suggestion of gen. Sosnkowski colonel Skorobohaty was appointed by the ZWZ Commander, “as the ZWZ liaison to the Delegate”⁸⁵. Yet, at the same time he acted as the Delegate’s deputy. In mid 1941 the position was taken by professor J. Piekalkiewicz. It had place, although there was no consensus in PKP⁸⁶. The state was ap-

⁸¹ In Silesia and Pomerania the positions of Delegates were taken by the members of SP, whereas in Łódź, Ciechanów and Poznań by the members of national faction.

⁸² J. Michalewski, *op. cit.* p. 84.

⁸³ Ibidem, p. 85.

⁸⁴ IS, PRM – 47, L. dz. 389, c. 41. *Depeche of “Godziemba” to “Rakoń” from February 6th 1942.*

⁸⁵ Ibidem.

⁸⁶ AK II, pp. 18–19.

proved of by the Government at the end of August 1941⁸⁷. After this nomination colonel Skorobohaty acted merely as the liaison between the Commander of ZWZ and the Delegate⁸⁸.

The issue concerning the deputy once again became current the moment J. Piekalkiewicz took the post. On 28th August 1942 S. Mikołajczak informed⁸⁹ that he was expecting the presentation of the nominations that PKP had previously made opinions about. Yet, before the order of S. Mikołajczak reached J. Piekalkiewicz the latter one had already nominated his temporary deputy⁹⁰, most probably Stanisław R. Dangel⁹¹. Nominated at the beginning of October 1942 the deputy was, however, arrested at the end of the month, which made the issue current again.

On 15th November 1942 Piekalkiewicz presented to PKP the issue of marking out candidates for deputies⁹². Fulfilling the suggestion of Mikołajczak he also started the talks with PPS, which at that time was excluded from PKP. In the middle of January the party announced that they have their own candidate, however, refused to reveal his name⁹³. Facing the lack of progress in the process of nomination by the Government Piekalkiewicz decided to apply some temporary solution and at the beginning of January 1943 nominated J. S. Jankowski⁹⁴ as his temporary deputy. This situation had lasted until Piekalkiewicz was arrested.

⁸⁷ AK II, p. 51.

⁸⁸ AAN 202/I, vol. 11a.

⁸⁹ AAN 202/I, vol. 2, *Depeche No 128 of "Stem" from December 12th 1942*.

⁹⁰ AAN 202/I, vol. 6, *Depeche No 129 from October 14th 1942*.

⁹¹ A. K. Kunert, *Słownik biograficzny konspiracji warszawskiej*, vol. 2, Warszawa 1988 we can find such suggestion in S. R. Dangel CV.

⁹² AAN 199/I, *PKP protocol from November 15th 1942*.

⁹³ AAN 202/I, vol. 7, *Depeche No 23 from January 18th 1943* – here is pseudonym "Okrzejewski", which was denomination of Antoni Pajdak.

⁹⁴ AAN 202/I, vol. 7, *Depeche No 11 from April 9th 1942*.

Similar problems were connected with the question of territorial range of the Delegate's activities. Formally, the moment J. Piekalkiewicz was nominated the old rule from 1940, stating that there were to be three Main Governmental Delegates, was annulled. The actual situation had already been different for some time. The arrestments that had place in Poznań in the second half of 1941 practically broke the structures in this area and eliminated the Main Delegate Bniński⁹⁵. At the beginning of 1942 the last structures maintaining the continuity of the Main Delegate's Office ceased to exist in Poznań⁹⁶. However, just after the arresting of Bniński C. Ratajski had *de facto* overtaken the power over the territories incorporated into the Reich. Since the Government presented no initiative to appoint the Main Delegate, C. Ratajski cooperating with representatives of SL and SP, took the authority in the west.

The nomination of Leon Mikołajczak for the position of the Delegate in Poznań was the formal expression of this situation⁹⁷. The passage from the letter of gen. Sikorski from January 1941⁹⁸ gave the basis for such a solution. It stated that, "*When necessary the Warsaw Delegate will be authorized to make decisions concerning the whole territory of Poland*"⁹⁹. The decision, which was immediately reported to the Government by Ratajski, didn't cause any reaction. The conclusion must have been then, that it had been accepted that the Main Delegate in Warsaw was to take responsibility for the whole Country.

Previously, since the Germans had taken control over the eastern territories of Poland, there was no point creating the separate Delegate's Office there. Anyway, the Government

⁹⁵ E. Serwański, *Wielkopolska w cieniu swastyki*, Warszawa 1970, pp. 305–306.

⁹⁶ Ibidem, pp. 307–309.

⁹⁷ AK II, pp. 162–162.

⁹⁸ AK I, pp. 402–403.

⁹⁹ Ibidem.

didn't make any serious attempts to regulate this matter throughout 1941. One might assume that in such a rather particular way the Government gave up the idea of dividing the Country into several Main Delegate's Offices.

The organizational apparatus of Militarized Administration had become a proverbial thorn in the side for the civil centres. It was threatened with the increasing criticism of PKP factions, although the progress in the forming of "Teczka" (The File) led to the more intense work in the civil pillar. However, it was "Teczka" that became one of the main problems in the relationship between the civil and military pillars during the time when J. Piekalkiewicz was the Delegate and the attacks on AK got stronger in 1942/43. Numerous opinions or even slanders addressing the AK authorities have been functioning up to present times¹⁰⁰.

For the political centers the existence of "Teczka" had been one of the most significant problems. That's why they were insisting that the Government caused its eradication. At the same time they expected AK to subordinate structures to the Delegate's Office. They were also pointing at the necessity of legal regulations concerning disputable issues of the cooperation and the distribution of competences between the military and civil pillars.

On the 19th April 1942 PKP passed resolution meeting these expectations,

SSS [one of the code names of AK – the author's remark] all the time includes unmilitary issues into its activities, which creates the danger of duality of governmental issues in the Country both now and in the future, disorients the society and annoys political spheres. PKP appeals to the Government for establishing the strict regulations of the competences of

¹⁰⁰ Such opinions were presented mainly by the people connected with SL (e.g. the memoirs of A. Bień and Niećko) and national factions. When it comes to historians, such biased opinions have been formulated in almost all the studies published in Poland since the 1980s.

both the Delegate's Office and SSS, as well as setting basic rights and the range of activities of the Delegate's Office. Dealing with these matters, in the opinion of PKP, should be the priority¹⁰¹.

These intense reminders had their result. One of the main assignments of the emissary, Jerzy Lerski ("Jur"), who was sent to the Country, was to lead to the decision about the merger. Before going to the country he got an announcement from the Supreme Commander,

[..] I demand that the HQ of AK unconditionally transfers so called Teczka, namely planned civil administration in all territories, to the Delegate's Office to avoid the unnecessary and costly duality of the underground network¹⁰².

In March 1943, after his arrival to the Country, the emissary presented the expectations of gen. Sikorski to gen. Rowecki. The Commander of AK informed him, however, that the matter had been practically settled, since at that time the consultations concerning the issue of the merger between the two structures had already been in progress¹⁰³. Many positive situations that had place at the beginning of 1943 had influenced on gen. Rowecki's decision.

The new atmosphere was created by several factors such as the progress in the organization of the Delegate's pillar, more and more visible political consolidation of the underground, crystallization of mutual program platform, as well as the progress in the merging of various military organizations with AK. The pressure from gen. Sikorski was also a significant factor in starting the talks aiming at the

¹⁰¹ AAN 199/I, c. 3.

¹⁰² J. Lerski, *Emisariusz "Jur"*. Warszawa 1988, p. 70.

¹⁰³ Ibidem, p. 101.

consolidation of both administrations, which anyway had become competitive towards each other.

Gen. Rowecki's decision didn't cause enthusiastic reactions in "Teczka". L. Muzyczka¹⁰⁴ and especially W. Gokieli¹⁰⁵ had most doubts about it. Many negative opinions concerning the consolidation arose in the field, where the differences were the biggest¹⁰⁶. Nevertheless, having taken the decision led to the talks about the consolidations in the middle of February 1943¹⁰⁷. Despite numerous differences in opinions the agreement was reached relatively fast. The mentioned above statement of gen. Rowecki to the emissary of the Commander in Chief from March 1943 is the confirmation of the fact. Several following months were spent on negotiations, which specified the details concerning the whole process.

During the negotiations the report on the organizational conditions of "Teczka" was prepared for the management of the Delegate's Office. The document created as a result of this work is extremely important and interesting. It shows in the objective way the organizational potential of the Militarized Administration. "The remarks on the subsidiary military administration"¹⁰⁸ were started with the discussion and questioning the legal basis for the functioning of "Teczka". Next the development of "Teczka" was described:

¹⁰⁴ J. Michalewski, op. cit. p. 84.

¹⁰⁵ ALM, *A letter of "Ryszard" (Witold Gokieli) to "Benedykt" (Ludwik Muzyczka) from April 1943.*

¹⁰⁶ ALM, *A letter of "51" (Jerzy Neugebauer, chief of Wydział Wojskowy in Lwów Region) to "Benedykt" from October 11th 1943.*

¹⁰⁷ AAN 202/I, vol.1, cc. 139–145, „Uwagi o administracji zastępczej” – the information that in the middle of February 1943 L. Rutkowski and L. Muzyczka had a meeting, without any success though.

¹⁰⁸ Ibidem.

Historically the Military Civilian Administration (W.A.C.) had been organized before the Temporary Civilian Administration (T.A.C.). Many professional elements suitable according to the current political criteria for the managerial positions in the administration were appointed to W.A.C., thus making it more difficult to organize T.A.C. It often happened that the authorities of T.A.C. turned with the offer of taking positions in it to the people who had already been involved in the work of W.A.C. [...] The organizational rules of T.A.C. should be agreed upon with the military authorities so that the organizational structure of T.A.C. authorities could fulfill the needs of the army during the uprising [...] W.A.C. is broader than T.A.C., e.g. some of the districts have up to 100 people in W.A.C., whereas in T.A.C. they consist of merely several members. Many Districts of T.A.C. have just begun the organizational stage, while the organization of W.A.C. has been completed. At the level of counties T.A.C. can count on up to 5 people, and W.A.C. around 10. W.A.C. can start work any time. According to the available information this administration consists of professional workers of administration who aren't in any way disgraced. [...] There should [...] be only one conclusion: W.A.C. is to be transferred with all its achievements to the Governmental Delegate. A special Commission to deal with this matter should be established.

Many assessments included in the report were arguable, however generally the document lacked the stereotypical accusations concerning "Teczka". The document presents in a relatively objective way the existing real potential of both administrations. Arresting gen. Rowecki had undoubtedly influenced the decisions concerning the consolidation. Some time had to pass before his successor, T. Komorowski, so far not really familiar with the issue was acquainted with it. On the 1st August 1943¹⁰⁹ the AK Commander signed the order on the rules and ways of

¹⁰⁹ AK III, pp. 197–201.

consolidation¹¹⁰. It described in detail the rules and the process of consolidation, and the whole document had been consulted with the Delegate.

The process of consolidation was to have two stages. In the first one, central and field units were to be consolidated in pillars: the Bureau of Internal Affairs, the Bureau of Justice, the Bureau of Labor and Social Service, the Bureau of Treasury, the Bureau of Agriculture and Supplies. The order from the 1st August included decisions concerning the consolidation of these structures. In the second stage the Bureau of Industry and Commerce, Communication and Telecommunication were to be consolidated. However, the rules were different in their case. The details were discussed at the beginning of 1944, after the first stage had been completed.

The formal-legal character of the consolidation was specified in the order from the 1st August. It was stated there that, *"the network of the state or economic administration organized by either the Executive apparatus of the Delegate or by the one of PZP [code name of AK— the author's remark] is to be consolidated by and subordinated to the Delegate"*. Thus the consolidation wasn't about the simple transfer and subordinating the units of "Teczka" to the units of the Delegate's Office. It was also about the formal solution of the questions concerning the Delegate's competences for the establishing of the underground state apparatus. In fact, the Delegate hadn't had formal basis for that. The formula of subordinating both administrations and merging them into one organizational network provided him with the one. It resulted from the fact that the legality of the structures of "Teczka" in no way could have been denied.

From this perspective, the act of consolidation itself was of fundamental significance for the civil pillar not only because the great potential, when it comes to people and pos-

¹¹⁰ Ibidem.

sessions, was acquired but also because the legalization of the Subsidiary Administration was the main effect of the operation.

It was still stated that, *"the Governmental Delegate ensures PKP that during the conspiracy period Subsidiary Administration (A.Z.) will do preliminary work concerning the needs of the army and war, basing on the remarks and demands forwarded to the suitable authorities of A.Z. by the Military Bureaus in June 1941"*. Further it was stated that the Delegate would provide AK with, *"full availability of A.Z. apparatus directly before the uprising and during it. That means that A.Z. will treat military actions as its priority. During the gradual progress of gaining the legal authority by the agendas of the Polish state, both civil and military, the relationship between them will base on the rules of the State"*¹¹¹.

The way of consolidation was also determined. It was to start at the level of counties and then districts. After the consolidation the chief of WW was to inform his subordinate about the order on the consolidation and about the fact they were to be released from the army duties for the time of their work in A.Z. structures.

At the District Delegate's Office there was to be established the post of "Military Representative", *"to represent towards AZ the military issues on the area of a District (Territory)"*. The RW and WW chiefs were to take in AZ the posts of professional Deputies of Delegates in counties and Districts as well as the chiefs of their Bureaus. In case when the Delegate's position was vacant they were to act as the Delegates. It was decided that the whole teams of workers would be overtaken and when there were corresponding units in both administrations, the criterion of professionalism was to be conclusive.

The transition of Military Bureaus, after finishing the work in the field was to be the final phase of the first stage of

¹¹¹ Ibidem.

the consolidation. The assigned employees were to establish the Military Bureaus to cooperate in the realization of the demands forwarded by the army in the suitable Departments. After the consolidation the Chiefs of former Military Bureaus were to take the posts of the professional Deputies of the Directors, while the staff of BW was to strengthen the remaining units of departments. To avoid possible problems it was decided that the officers of "Teczka" couldn't be, "before 4 months have passed."

The order that specified the details of the consolidation on the level of counties was released at the beginning of October 1943¹¹². The first stage of the consolidation was completed at the beginning of 1944. In the spring of 1944 gen. Komorowski informed in the *Organizational dispatch No 240*¹¹³, that the first stage of the consolidation had been completed, "*entirely at the level of the HQ, as well as in almost all the Districts*". Assessing the process he emphasized that, "*we submit to A.K. an immense personal and organizational input*"¹¹⁴. He also informed that the second stage of the consolidation had been started.

The units dealing with communication, telecommunication, and the war industry were to be consolidated in this phase within Military Bureaus and subordinated to the Chiefs of the Bureaus. The Delegate was to have the right to raise demands and suggestions to the Bureaus concerning the needs of civil economy. The consolidation of industry units turned out to be the most complex one. The Department of Industry and Commerce was to overtake from the Bureau of Industry and Commerce all the matters that weren't connected with the war industry.

¹¹² ALM, The dispatch from the September 28th 1943 concerning the merger of the Military Department with the County Delegates' Offices.

¹¹³ AK III, pp. 297–352. *Organizational Report No 240*.

¹¹⁴ L. Muzyczka, *Podstawy...*, pp. 9–10.

There is no way to state how the second stage of the consolidation proceeded. It is known that the Department of Industry and Commerce had been consolidated with the Bureau after the collapse of the Warsaw Uprising¹¹⁵, as well as, that before the consolidation the Departments of Communication and Telecommunication were in touch with the military units. Since the first stage was completed in general in spring 1944, one might assume that the rules of the second stage were settled then.

After the completion of the consolidation the Chiefs of Military Bureaus were still managing the work of the three Bureaus, as well as the Bureau of Technical Service, which was established in the second half of 1943. The Military Administration of New Territories and The Military Corp of Security Service were working under the leadership of the Chief of Bureaus. In such a state these structures lasted out till the outbreak of the Warsaw Uprising.

¹¹⁵ AAN 202/XVII, vol. 2, cc. 93–97.

CHAPTER 7

FORMATION OF THE UNDERGROUND JUSTICE

Reestablishing the structure of justice was an extremely significant issue for the functioning of PUS. This problem didn't concern merely the question of the security of underground structures. It was also important to rebuild its structures the way they could reflect fully the pre-war organization of the state justice and make them capable of enforcing basic duties of citizens towards their state.

Thus, still in October 1939 general Tokarzewski initiated the talks with the representatives of legal professions in Warsaw¹. At the same time the leadership of Judicial Service was being organized in the 1st Division within the structures of the staff of the Main Commandment of SZP². It was to perform legal activities concerning crimes committed by both military and civil individuals, as well as passing opinions on legal issues³. It is likely that by the end of 1939 some adjudication panels had been established at the level of the

¹ W. Sieroszewski, *Przyczynek do historii Wojskowych Sądów Specjalnych*, Warszawa 1974. In collection of Archive of former Military Historical Institute in Warsaw (III/50/56).

² K. Pluta-Czachowski, *Faza organizacyjna SZP*, p. 36.

³ A. K. Kunnert, *Wojskowe Sądownictwo Specjalne ZWZ – AK 1940–1944*, Więź, Warszawa 1981 No 2, p. 109.

Main Commandment of SZP⁴, and the preliminary idea of the structure of judiciary organs had been prepared.

The effects of the work of the SZP staff were presented to the Polish authorities by the emissary from Warsaw, J. F. Szymański⁵, who arrived at Paris on 23rd January 1940. At the beginning of February 1940 in response to the demands from the Country general Sosnkowski prepared a document which was supposed to be the foundation for the functioning of so called *kangaroo* courts⁶. It consisted of four point-order, which were the basis for the ZWZ commanders,

1. to provide the protection of the organization by getting rid of surely spotted spies and provokers
2. the courts composed of judges present in the country,
3. pass sentences with due diligence on the basis of undisputable facts and evidence; establish one judiciary instance at the HQ for the occupation,
4. death sentence must be confirmed by the occupation Command and the political representation."

The directives of RP authorities, like the ones concerning other matters, were not welcomed with enthusiasm in the country. It was colonel Rowecki who expressed doubts in his dispatch from the 7th March 1940⁷. He seemed offended by the supposition that the structures supervised by him passed death sentences too eagerly. He also considered the limitation of the number of panels as the a danger from the perspective of the conditions of the functioning of the organization. He suggested that such courts should function at Commands of Regions and Districts.

⁴ K. Pluta-Czachowski, *Faza organizacyjna SZP*, pp. 62– 62. See also T. Strzembosz, *Oddziały szturmowe...*, p. 26.

⁵ AK I, p. 31 and 136.

⁶ AK I, pp. 136–137.

⁷ AK I, pp. 152–153.

Neither was he enthusiastic about the demand to confirm death sentences by the political representation. In this case, however, the Commonwealth authorities approached the needs of the country in a matter-of-fact way and, unlike in other cases, didn't search any hidden agenda.

It could be anticipated from the statement included in the *"No 3 Instruction for Citizen Rakon"* from the beginning of April 1940 that, *"the issue of the decentralization of the courts in areas or district will be reconsidered once again"*⁸.

At the same time the first text of the KSK resolution concerning the appointment of Special military courts, called *Sady Kapturowe*, was ready⁹. However, the above mentioned announcement seems to suggest that the accepted solutions were relating to the suggestions of general Sosnkowski from the beginning of February. It was only the text "on the issue of special military courts in the Country" approved by KSK on the 16th April 1940 that could be satisfactory for colonel Rowecki.¹⁰

This resolution granted the right to try persecutors, traitors, spies, and provokers and to pass death sentences on them. This right was granted to "special courts" – called *Kapturowe*:

- a) at the commands of occupation, regions, and districts of ZWZ for crimes committed in military organizations
- b) at the District Delegates and the Main Governmental Delegate for crimes committed by individuals not being members of military organizations and the members of occupants' apparatus; military court is to perform these functions in the places where the Delegate's offices don't exist.

Sentences passed by these courts were to be confirmed by Governmental Delegates of the suitable instance. The

⁸ AK I, p. 189.

⁹ Ibidem.

¹⁰ AK I, p. 220.

resolution allowed the freedom of creating courts within the structures of political factions. They were to pass sentences, *"in cases concerning their own members"*.

The resolution assumed relatively broad decentralization of special court system. It made it possible to build the underground judiciary system of broad range. It is worth mentioning, that in case of this system the Government accepted unconditionally the rule according to which military courts were to overtake the competences of *"delegate"* courts if the latter ones were not established. Even though in case of underground administration there was adequate legal basis, the Government didn't accept such a rule. It was then not the problem of *"legal inability"* but rather the lack of will to accept such a solution.

The above mentioned resolution granted the formal possibility of starting underground court system, yet it determined in extremely general way both substantive law, and procedures. There may have been used the regulations of military crime code and military crime code of procedures, yet for obvious reasons neither of them was adequate for the conditions of conspiracy. Hence, in May 1940 the RP authorities endorsed *"The Code of special military courts of ZWZ"* along with the *"The regulations of substantive law"*¹¹. Both documents will be discussed more deeply since they both had profound meaning for the development of the underground judiciary system.

The initial paragraphs in a way repeated the regulations of the April resolution. It was stated then that the courts, *"are established to try and pass sentences in cases of crimes such as treason, espionage, denunciation, and inhuman persecution as well as harmful treatment of Polish society."* These crimes, committed by members of ZWZ (*"even after they have left the organization"*) were to be examined by courts at the Commands of Occupation, Regions, and Districts of ZWZ. If they

¹¹ AK I, pp. 229–234.

were committed by other Polish citizens, as well as by occupants or foreigners, they were to be examined by courts at the Governmental Delegate's Office. If they were not established, the duty was to be overtaken by courts at ZWZ.

The basis for examination was the presence of a criminal at a court's territory even if the crime itself had been committed beyond the territory of the court. A special military court was to consist of a prosecutor, examining magistrate and adjudicating court. An adjudicating court was to consist of the chairman and two judges. The Commander of Occupation, Region or District was supposed to perform the function of the chairman. It was also his duty to nominate two permanent Judges of the Adjudicating Court: one unprofessional and another a professional judge (in the first place of the Military Court). If there were no such, barristers or people having legal education were allowed to perform this role. Similar rules were to be applied in case of a prosecutor and examining magistrate.

The following decisions described the rules of the investigation. It was to be initiated by the examining magistrate ordered by the suitable ZWZ Commander, Governmental Delegate or prosecutor. The order was passed as a result of, *"official or private notification about the crime that was in the competence of a special military court, commonly known facts, or in the consequence of an event resulting from the crime."*

Investigation, which was to last no longer than 7 days, was supposed to be strictly confidential and in default, and its results were to be immediately submitted to the prosecutor. He was to decide to either sent back the documents for completion, or to make out an act of indictment and pass it to the chairman. The latter one was setting the date and venue of the trial, as well as summoning witnesses and conducting the evidence suggested by the prosecutor. In exceptional situations the expert witness's opinion was to be accepted.

Next, the rules of the trial conduct were stated. They were to be confidential, and each of them was not to last longer

than 3 hours. Apart from the adjudicating court, also the prosecutor and defense counsel, and in some cases the defendant himself, were to take part in a trial. This could happen only on the directive of the chairman, *“only in favorable circumstances”*, and *“only when the defendant could be secured for justice, when it is likely to get from him certain significant information, and exclusively if it doesn’t endanger the safety of the Court or the organization.”*

The chairman was conducting the trial, whereas a professional judge referred the case. Next the witnesses were questioned, the evidence was analyzed, and finally the prosecutor, defense counsel and defendant, if present, were given the right to speak.

After the trial was finished the confidential council was held. There having analyzed the evidence, the panel was adjudicating with the majority of votes about the defendant’s guilt. The verdict could only be guilty or innocent, and was to include short conclusion. Afterwards, the sentence was announced.

The sentence was sent along with the documents of the case firstly to the chairman and next to a Delegate to be approved. The approved sentence was ultimate and in force, and no legal means could undermine it.

These were the basic solutions setting the procedures of special military courts. Another document established substantive law regulations.

Thus the treason was defined as divulging,

to other individual a secret of ZWZ or a secret of the Polish State concerning the defense of the state or its armed forces.

Espionage was described as providing,

the Government of another country with information, news, documents or any other objects concerning the existence or activities of ZWZ, Polish Armed Forces, organization and business of Polish societies, associations, institutions and au-

thorities, which might be useful for another country against ZWZ, the State or Polish society.”

The crime of provocation was the activity of someone, who

with the approval of the authority of another state or of his own initiative, without any order coming from a Polish organization, encourages or incites to activities [...] against another state, in order to divulge them.

Denunciation was defined as the activity of a Polish citizen,

who before the government of another state accuses of or directs prosecution for the crime against this state.

Finally, it was stated that,

the one who in inhuman way, against the natural sense of justice persecutes or harms Polish society with an activity or resolution, commits the crime of inhuman persecution or harming Polish society.

Guilty of these crimes were to receive death sentence.

The above presented documents were to create a certain foundation for the functioning of the underground judiciary system. And actually, at least when the military pillar is taken into consideration, a serious development of the judiciary apparatus associated with ZWZ had place in effect.

Nevertheless, in practice it turned out that some of the solutions required serious modification. It was stated in the project of *“The Statute of Special Military Courts”* passed by general Rowecki at the end of November 1941¹².

¹² AK II, pp. 149–150, *The Dispatch No 88 from the November 20th 1941*. The project of the Statute, as an annex No 1 to the *Dispatch No 88* was sent on the November 26th 1941 – AK II, pp. 151–153. Both documents reached London at the end of January 1942.

The project with some minor alterations was accepted by the Commonwealth authorities at the end of August 1942¹³. The Statute was the basis for the functioning of the special courts till the end of the occupation period.

First of all, the official name of underground courts was changed. *Sądy Kapturowe* not only had negative historic connotation, but also were set up by various underground organizations in order to perform criminal acts. It influenced on the dignity of the judiciary system of PUS, hence the decision was made to use the name Military Special Courts. Other alterations, however not numerous, were of great significance.

While the 1940 document granted the basis for charging ZWZ members (so the subject was defined here), in the new version in paragraph 1 it was stated that, "*the courts are competent in all cases concerning directly the safety of Armed Forces in the Country.*" Suggested changes resulted from the fact that the military organization was more and more endangered with the activities of the occupation apparatus, but also was associated with, "*the constant increase of the rate of criminal activities and informing.*"¹⁴

Poor organization of special courts within the civil pillar was also a great problem. The new statute abolished the exclusive alternative of either capital punishment or innocent verdict, which was stated in the previous regulation. Paragraph 6 allowed the possibility of suspending the trial, if "*the defendant was declared guilty of committing a crime, which according to the court deserved only imprisonment.*" Paragraph 9 allowed to reopen a trial in case of legally valid sentence:

- a) to the disadvantage of the defendant when it turns out that the ruling was made as a result of a false testimony of a witness, interpreter, counterfeiting a document or

¹³ AK II, p.151, The Commander-in-Chief approved the Statute on the September 3rd 1942, and general Rowecki received it a week later.

¹⁴ Such a term was used by general Rowecki in his letter.

- evidence, or a crime, also when after the sentence new facts or evidence against the defendant are revealed that the court has been unfamiliar with so far,
- b) in favour of the defendant when facts or evidence proving the defendant's innocence are revealed that the court has been unfamiliar with are revealed, or the defendant was sentenced for the more serious crime than the one he had actually committed.

In this case, according to paragraph 10, the motion to reopen a case could be passed by the prosecutor or defendant's family in defendant's favour, and to the defendant's disadvantage by a prosecutor only. A sentence in the reopened case could be taken by a court in the reduced panel (par 1).

Eventually, it was stated that suspended proceedings according to par.6 could be resumed any time, "*new facts or evidence, whether in favour of the defendant or not, were revealed.*"

When general Rowecki was presenting the project of the new statute the judiciary apparatus within ZWZ had already been significantly developed. It has been mentioned that still when SZP was acting the organization of first adjudicating panels had been initiated. At the beginning of 1941 at the Staff of the Main Command of ZWZ the leadership of Judiciary Service was established. It was formally within the structures of Division I¹⁵. Colonel Konrad Józef Zielinski ("Karola") was nominated its Chief, and his deputies were captain Lucjan Milewski ("Baczyński") nominated in February 1941, and colonel Witold Szulborski ("Mora") nominated in March 1941¹⁶.

The leadership was responsible for the development of special courts at ZWZ. They also participated in planning the alterations of its functioning. However, the most important thing was the development of special courts

¹⁵ A. K. Kunnert, *op. cit.* p. 111.

¹⁶ M. Ney-Krwawicz, *Komenda Główna Armii Krajowej*, Warszawa 1990, p. 81.

at ZWZ Command. It seems that in 1944 the network of Military Special Courts covered the whole country¹⁷. The Warsaw Uprising had become the practical exam for the underground judiciary system. It was then that seven special courts, which played a significant role in keeping order in the city, were set in motion in the boroughs of Warsaw¹⁸.

Simultaneously, though with much less grand scale, the activity of Special Courts at the Governmental Delegate Office was developing. They had the same basis as the ones at ZWZ, namely the government decisions from April and May of 1940. However, for a long time underground judiciary system of civil pillar had not been established.

Generally it is assumed that L. Nowodworski¹⁹, who had been the Director of Justice Department since the beginning of 1941, was responsible for this situation²⁰. Such opinions, however, are based merely on the information acquired from one of the politicians who didn't support Nowodworski²¹. Under his leadership the development of the Department was not very impressive either. Such a situation lasted till his death in December 1941.

Yet, the situation didn't change when the department was taken by new Director Feliks Zadrowski. It might be assumed then that the attitude of subsequent Chiefs of the Department was of no significance. As far as I am concerned,

¹⁷ The courts were established at the Commands of : the District and Region of Warsaw, the Regions of Polesie (but it was located in Warsaw), Lublin, Silesia, Cracow, Districts Białostocki, Lwowski, as well as probably the Regions of Łódź, Kielce, Pomerania and Wilno.

¹⁸ W. Sieroszewski, *op. cit.* pp. 99–101.

¹⁹ L. Gondek, *Polskie cywilne sądownictwo podziemne 1942–1944. (Zarys genezy i struktury). Studia Historyczne*, Kraków 1984 No 4, p. 645.

²⁰ J. Michalewski, *op. cit.* pp. 31–35.

²¹ S. Korboński, *W imieniu Rzeczypospolitej*, Paris 1964, pp. 114–115.

the main reason for the lack of the development was caused by the opinion that in period till the half of 1942 the network of courts at ZWZ was sufficient enough. Especially that death sentences passed by these courts had to be authorized by delegates.

In my opinion, setting up courts at the Delegates' Office was the result of some more general tendency associated with Jan Piekalkiewicz. It is likely that the decision of establishing "delegate courts" was influenced by the increasing repressive measures towards the people taking part in the extermination of the Jews²².

Anyway, it was probably at the beginning of January 1943 that Special Courts²³ in Warsaw²⁴ and Cracow²⁵ started to work. However, it must be stated that although these courts started their work so late a broad network of several courts of this kind was established relatively quickly²⁶.

The Statute of Military Special Courts that has been discussed above didn't apply to the "delegate" courts. Yet, there was also the need of making the alterations in 1940 April-May decisions of the Government. It seems that in the

²² See more about it in : L. Gondek, *op. cit.*, pp. 647–648.

²³ Sometimes the term Civil Special Court (Cywilny Sąd Specjalny) was used. However, it doesn't have any basis in the documents and any logical foundation either.

²⁴ L. Gondek, *op. cit.*, p. 647–648.

²⁵ T. Seweryn, *Polskie sądownictwo podziemne*, Przegląd Lekarski, Warszawa 1966 No 1, p. 9.

²⁶ IS, Kol.25/11, the report of Stefan Korboński concerning the social resistance of Kierownictwo Walki Podziemnej. On the basis of this document one may state that such courts were established for : Warsaw, the province of Warsaw with a section in Płock, łódzkie (in Warsaw and Piotrków), lubelskie (with branches in Zamość and Biała Podlaska), krakowskie (with branches also in Krosno, Miechów, and Tarnów) and kieleckie (with branches in Radom and Częstochowa).

second half of 1943²⁷ a project of the President's decree on Special Courts was prepared²⁸.

The main point of the decree didn't concern the broadening competences of the courts or making them more precise. The decree said about, "*The Commissions recognizing cases about the acts contradictory to the dignity of a Polish citizen, which required immediate condemnation.*" (par.1) These Commissions could pass the sentence of, "*infamy (losing ones dignity) and in less grave cases reprimand or admonition.*" (par.2)

The Commissions were commonly known as "The Judging Commissions of the Underground Struggle" (*Komisje Sądzące Walki Podziemnej*)²⁹ and became an important completion of the underground judiciary system. The above mentioned alterations in the procedure at Military Special Courts introduced in 1941 resulted from the need to charge defendants guilty of various crimes excluding either the capital punishment or innocent verdict. In case of individuals in no way associated with a military organization the range of offences was much wider, and so was the necessity for the flexible reactions on numerous aspects of moral decay and

²⁷ The remaining organizational reports of the Justice Department from the period between the October 1st 1942 and the June 31st 1943 don't mention the fact of working out on the project of the decree on the special courts among the achievements of this section. If such a document had been worked out, it would have been surely mentioned in the report due to its significance. It is rather impossible that such a project could have been created before the October 1st 1942. The thesis about the second half of the year is also supported by the fact that such project could have been created as the effect of experience gained by the courts that had already been working.

²⁸ AAN 202/I, vol. 1, c. 99.

²⁹ Such a name in the above mentioned report by Korboński. Another name, The Judging Commissions of the Civil Struggle (*Komisje Sądzące Walki Cywilnej*), was also used (especially in the literature). However, at that time KWC had already been absorbed by KWP and described rather as the structures of "social resistance". Hence, the correct name of the Commissions results from the name of *Kierownictwo Walki Podziemnej*.

criminal activity. It wasn't necessary to involve underground courts in all cases, which was complicated concerning the procedures, and moreover because of the possible exposure.

Judging Commissions were less formal and charging with lighter punishment. This logical solution provided big efficiency. Although the decree was not accepted and neither was any other document concerning this matter, the Commissions actually worked and played a significant role in the underground judiciary system³⁰.

The project of "The Citizen Morality Code" (*Kodeks Moralności Obywatelskiej*)³¹, which was probably prepared at the same time, was complementary for the previous one. Even though, like the decree, it wasn't officially sanctioned by the authorities, it was a legally binding document defining categories of crimes in everyday work of delegate Courts and Commissions.

High Treason (of the Polish State and Nation) under the jurisdiction of the Courts was charged with capital punishment. Other three categories of crimes were under the jurisdiction of Commissions. And so:

- a) the crimes against Polish Nation were charged with the loss of public, citizen, honorable rights, and the right to perform a profession
- b) the crimes against citizen morality were charged with the exclusion from the Polish society
- c) the crimes against citizen dignity were charged with public stigmatization

It was important that in proceedings before the Commissions the roles of prosecutor, examining magistrate as well as defense counsel were played by so called spokesman of the prosecution. It was justified with the need to guarantee efficiency and confidence of Commission's activities.

³⁰ It can be concluded from the mentioned report by Korboński that in February 1944 there were several dozens of district and county Commissions.

³¹ AAN 202/IV, vol. 1, cc. 100–104.

Generally speaking, such was the structure, rules of functioning and the basis for passing sentences in the underground system of justice. Without going into detail about the range of activities, efficiency or the influence of underground courts³², it must be stated that they were an extremely significant part of PUS.

Their existence and growing significance of their sentences made the Underground State look more real. It was reflected in one of the most important functions of the State being performed by them, namely controlling the citizens' obedience towards certain legal rules.

³² The attempts to summarize were made by two authors : L. Gondek, *Polska karząca 1939–1945*, Warszawa 1988 and P. M. Lisiewicz, *W imieniu Polski Podziemnej*, Warszawa 1988.

CHAPTER 8

UNION FOR ARMED STRUGGLE (ZWZ) – HOME ARMY (AK) 1941–1943

At the end of 1940 ZWZ was the only part of PUS whose structure had already been legally determined. Thanks to that underground military stem was developing intensively and at the beginning of 1941 it undoubtedly was one the most significant as well as developed element of the Underground State.

After the defeat of France the sabotage activity was limited, however at the same time, *"intensive organizational, conceptual, training and intelligence work was carried on.[...] The final structural forms of ZWZ, links and the levels of area head quarters and frame battle command were established. The central centre of command namely HQ, its Staff, services and organizational – command teams were formed in both personal and organizational sense"*¹.

The time between 1941 and 1943 was then the period when this structure undertook large scale preparations for the general uprising. It was the main objective of ZWZ and the main point of its existence, to which almost all the activities of the military organization management were subordinate.

Nevertheless, it was also at this time that several facts bearing significance for the position of ZWZ within PUS had

¹ J. J. Terej, *Na rozstajach ...* pp. 151–152.

place. The first half of 1941 was marked with the accusations against ZWZ that were made in England.

And again it was minister Kot, who was most involved and presented numerous reservations towards the personal staffing of some posts in the ZWZ Staff². It has already been stated in this work that this period of political struggle was ended with the attempt to strengthen the position of the Delegate in relation to ZWZ. However, also this “approach” didn’t bring any real formal or legal changes, and in this way was actually strengthening the Main Commander of ZWZ.

The outbreak of German-Soviet war, and as its result the signature of Polish-Soviet treaty led to a fierce political crisis at the highest levels of Polish authorities. Although general Sosnkowski presented highly critical attitude towards the Supreme Commander and the Prime Minister, and could be seen as the main protector of ZWZ in France and England (which resulted in him retiring from the current military and political activities), general Rowecki proved loyal towards general Sikorski. This in result, as it seems, caused a fundamental change in the Prime Minister’s attitude towards ZWZ.

There were also some other circumstances. Minister Kot was no longer able to influence the opinions on ZWZ after having taken the position of the Polish Ambassador in the USSR. It was also obvious that the role of ZWZ as a significant operational factor was increasing after the breakout of German-Soviet war. Strong ZWZ, active in anti-German diversion could be general Sikorski’s asset in the relationship with both the Soviets and the allies. So he didn’t hesitate to present the complete change in his attitude. On the 3rd September 1941 the Commander-in-Chief signed Order No 2926. Due to its significance I will quote the whole of it³.

² This period was described more broadly by mentioned E. Duraczyński, *Kontrowersje...*, pp. 288–317.

³ The text of the document was published in the weekly magazine „*Kierunki*” (nr 46 from 1984, edited in Warsaw) by A. K. Kunnert. It was in the

1. Currently the Military Organization in the Country, which I consider as the main part of the forces I am in command, is the most important factor in the future struggle for the independence of Poland [bolded by the author]
2. In order to make the army organized in the Country become the factor of power in the suitable moment, military organizational work must unite all the efforts made for this purpose in the Country. It is the most urgent assignment.
3. The results in this field achieved by the ZWZ Commander are significant, yet there are still some separated or operating military groups in the Country. All the effort must be made to subordinate them to the ZWZ Commander. The Governmental Delegate is to provide the Commander with assistance by influencing any political organizations establishing or supporting separate military groups. Subsidizing any other organizations but ZWZ by any Government centres and political factions is highly unacceptable.
4. Passing this directive I must be sure that no work of political character is carried out in ZWZ. The reports of Governmental Delegate and ZWZ Commander that I have received prove that ZWZ Commander fully comprehends and obeys this basic rule of any army.

I presume that there is no need to ponder upon this order further on. It is unambiguous in its statements and fundamentally different from what had been happening in the

archives of MSW (The Ministry of Internal Affairs) however, one might ponder why it hadn't been quoted in any communist study. Duraczyński and Terej mentioned it, very generally though. It might have been so because the legal character of ZWZ as the part of Polish armed forces could have been clearly concluded from this order. It was also because the contents of the order were in opposition to the interpretation of political relationship in the Underground State imposed by these authors. Nevertheless, it is difficult to comprehend why this super important document had been passed over in the source publications and studies published in emigration.

relationships between the Supreme Commander and ZWZ for almost two years. The order didn't introduce any new legal solution, but confirmed only the decision accepted still in January 1940 stating that ZWZ was the part of Polish Armed Forces.

However, the way it was articulated as well as the context showed explicitly psychological breakthrough. It was setting a completely new position of both ZWZ and its Commander in the country relations. The following events were to confirm that it wasn't merely formal insignificant statement, but the expression of a completely new approach towards the military issues in the Country. It was formally expressed in the next order of general Sikorski. On the 14th February 1942 he signed a short document⁴:

Following my order L2926 from the 3rd September 1941

1. I abolish for the internal use the name ZWZ. All the soldiers of active military service in the Country make Home Army subordinate to the General as its commander.
2. The General's post is called the Commander of Home Army.

This change was undoubtedly directed at strengthening the position of general Rowecki as well as the organization he was the leader of.

The new name of the underground army was to emphasize its popular character. Like the name of the leader's position, the new term was to be closer to the regular terms used in the Polish Army.

It must be added, however, that since September 1941 general Rowecki had been using the term the Commander of Armed Forces in the Country. All these formal operations seem to have been connected with poor effects of merging campaign led by ZWZ-AK.

⁴ AK II, p. 199.

Despite unambiguous and firm orders of the Supreme Commander many conspiracy organizations, for various, reasons refused to be subordinate to the command of ZWZ-AK. The fact that two most important, beside ZWZ-AK, underground organizations were among them Peasants Guard – Peasants Battalions (*Staż Chłopska – Bataliony Chłopskie*) and mentioned National Military Organization (*Narodowa Organizacja Wojskowa*) – was extremely painful. These were the formations of two political parties being the basis of the civilian institutions of PUS, which made the situation even more acute.

Regarding this situation that in clear way was undermining the Supreme Commander's authority general Sikorski signed, *"the last of principle and constituting documents concerning the shape of (military) organization"* on the 15th August 1942⁵. He ordered in it :⁶

1. I subordinate all the military organizations existing in the Country, which aim at the cooperation in the struggle against the enemy, or subsidiary military service, to the Commander of the Home Army.
2. Depending on the character of the organization the Commander of the Home Army:
 - a) will either order full or partial incorporation of the organization to the Home Army,
 - b) or will leave their previous character defining the degree of subordination[...],
3. The Commander of the Home Army will provide these organizations with all the help and means necessary to fulfill the tasks they have been given.
4. Soldiers of the Home Army may be the members of the organizations not subordinate to the HA only after receiving a special permission of the Commander of the Home Army.

⁵ J. J. Terej, op. cit. p. 186.

⁶ AK II, pp. 295–296.

5. Military Organizations evading the subordination to the Commander of the Home Army will not be recognized by the Polish authorities. Home Army soldiers are forbidden to be members of such organizations.
6. The Home Army soldiers who despite the prohibition will stay the members to the military organizations not recognized by the Commander of the Home Army will be brought to justice before the court.
7. The Commander of the Home Army will receive any necessary assistance from the Governmental Delegate in all cases concerning the execution of this order.

Three above mentioned orders were received by general Rowecki in significant moments.

The first, September one, when the period of argument with the Delegate over the shape of the decree on marshal law started⁷.

The February one, when the argument was finished and in a way it was admitting that general Rowecki was right.

Eventually, the third one, in August, when the period of a fierce argument between general Rowecki and professor Piekalkiewicz, connected with the idea of subordinating the military organization to the Department within the Delegate's Office, was about to begin. The argument, after which general Rowecki was parallel subordinate delegate of the Ministry of National Defense directly to London, had the positive outcome for the Commander of the Home Army and made his position stronger.

It is worth mentioning that at the same time general Sikorski made numerous significant gestures towards the military organization. On the 10th February 1942 after returning from Russia, where he conferred among the others with general Tokarzewski, he wrote,

⁷ I was writing about it in the two first chapters of this part.

[..] I've stated with a great joy that you've achieved amazing results at your work, General, that you are doing in tragic conditions indeed. You set the military activities in the Country the right direction, aiming at the unification of the entirety of military activities for the reestablishing Armed Forces"⁸.

It is hard to find a better proof of changing the attitude of the Supreme Commander. It also seems that if Sikorski and Tokarzewski had been able to talk earlier, the fate of Polish Underground State would have been entirely different.

On the 15th May 1942 general Rowecki was honoured with the Virtuti Military Cross⁹, on the 19th August 1942 his coworkers were advanced to the rank of generals¹⁰, and on the 16th November 1942 general Sikorski wrote,

I am expressing to the General and His soldiers my appreciation of their devoted and extremely dangerous work towards the enemy.

Finally, on the 21st November 1942, general Sikorski wrote, *"The President of Poland asked me to pass to the General and the subordinate soldiers his cordial greetings and appreciation for their outstandingly devoted and hard service for the motherland"*¹¹.

These gestures too, and maybe most of all, were a solid foundation for the development of ZWZ-AK activities between 1941 and 1943. It was the period of an extremely intensive extension of ZWZ-AK structures both at the central, but above all, at the local levels. The effect was the creation of an impressive centre of conspiracy in the Country.

⁸ AK II, p. 198.

⁹ AK II, p. 222.

¹⁰ AK II, p. 237.

¹¹ AK II, p. 356.

Since it was ZWZ-AK that had become an actual backbone of the underground state, independently of the development of the governmental civil structures as well as other organizations.

I wish to present two other issues which significantly influenced the works undertaken during this period.

The first of them were the preparations for the general uprising. It was the fundamental objective set by general Rowecki in all the structures he was in charge of. The order to initiate work on the plan was issued by Rowecki when he was still the chief of the staff of SZP¹². They had become more intensive since May 1940, i.e. the moment when major Marian Drobik became the head of the operational division of the III Department of the ZWZ Staff in Warsaw¹³. It was major Drobik who along with colonel Albrecht and general Rowecki worked out the project of the, "war-uprising concept of the Country" (*koncepcja wojenno – powstańcza Kraju*), the document which outlined, "the military role and tasks of the Country till the end of the war"¹⁴.

The document that was formulated and endorsed between July and September 1940¹⁵ had become the initial point and the basis for any subsequent operational work. The above mentioned team was the main author of the "Operational dispatch No 54" signed by general Rowecki on the 1st February 1941¹⁶.

It was the first formulated in the Country plan of the general armed resistance – general uprising. It reached London just after the outbreak of the Soviet-German war, which repudiated a number of fundamental operational concepts. However, the assignments for the staff units, area struc-

¹² K. Pluta-Czachowski, *Faza organizacyjna SZP*, pp. 27– 28.

¹³ K. Pluta-Czachowski, *Faza organizacyjna ZWZ*, pp. 23–24.

¹⁴ *Ibidem*, p. 185.

¹⁵ *Ibidem*.

¹⁶ PSZ III, pp. 172–183.

tures and civil administration resulting from the plan didn't change a lot, and had been the basis for the organization activities for many months.

New strategic situation made it necessary to change the main assumptions of the plan of the general uprising. These works were led by major Stanisław Tatar, who since May 1941 had replaced major Drobik. Apart from him major Janusz Bokszzanin, an outstanding staff officer, played a significant part. However, it was general Rowecki, who supervised the whole of the work and was the most involved one. "*Operational Report No 154*"¹⁷, signed on the 8th September 1942, was the effect of their work. Unlike in the previous one, in this report numerous suggestions presented by the Staff of the Supreme Commander were used.

These two documents as well as the consequences resulting from them directed the whole work of ZWZ-AK between 1941 and 1943.

The second issue I'd like to mention here is the development of the current struggle pillars in ZWZ-AK. In 1940 The Retaliation Union (*Związek Odwetu*) was such a structure. It focused on sabotage and diversion activities. After the outbreak of the Soviet – German war on its basis "*Wachlarz*" (*A Fan*), the organization that performed diversion activities mainly on the routes leading to the eastern front, was established. On the other hand, at the beginning of 1943 the management of Diversion came into existence. All the AK units carrying on current struggle were subordinated to it.

Finally, at the beginning of 1943 the Directory of Conspiracy Struggle (*Kierownictwo Walki Konspiracyjnej – KWK*) was created, which after a quick merger with the Directory of Civil Struggle (*Kierownictwo Walki Cywilnej – KWC*) created the foundation for the Directory of the Underground Struggle (*Kierownictwo Walki Podziemnej – KWP*). KWP was

¹⁷ AK II, pp. 328–329. This document reached London in February 1943.

the allocated, managing the entire active struggle against occupant, underground structure.

This complicated process of the structure changes was followed by the intensive, especially in 1943, rise in the number of diversion group as well as their quality, and also regular units of guerilla kind. Each month the number of diversion and battle actions was rising too. In 1943 AK had already been an actual army in conspiracy.

Part III.

POLISH UNDERGROUND STATE IN 1944

CHAPTER 9

FORMATION OF THE COUNCIL OF THE NATIONAL UNITY (RJN)

While 1943 was beginning marked with numerous significant arguments between the main centers of PUS, the situation in the following year was completely different. Passionate political conflicts were finished, and the questions concerning the ultimate regulation of the formal aspects of functioning of particular structures were almost solved.

Raising the agreement of main political factions to the level of so called the Country Political Representation (KRP) as well as accepting the first common program document, August Declaration, were the events of crucial meaning. However, the Council of National Unity hadn't been formed, although, as I have mentioned, there were formal grounds to do so. Why was it like that?

It seems that the desire of more precise description of common for the parties of so called great four program basis was the main reason. Taking far-reaching obligation in "the August Declaration" concerning mutual cooperation all the parties, especially SN, wanted a guarantee that the agreed program would be a real compromise. Since the work on the program was not particularly rapid it was hindered in a significant way the establishing of RJN.

The issue of including groups being beyond KRP to RJN was another matter¹. In this case it was hard for the four to set the rules for the future RJN completion. Anyway, this question had never been finally settled. Even after the formal establishment of RJN, it was continuously the subject of discussions.

As far as I am concerned, it was the lack of a distinct outside impulse, whether the pressure of the Polish authorities or some significant events in the Country, that was the obstacle in the formal establishing of RJN. It seems to be confirmed by the fact that the final decision on the transformation of KRP into RJN was made at the moment when in December 1943 the Soviet troops entered the Polish territory, and the communist PPR set up so called Country National Council (*Krajowa Rada Narodowa – KRN*) usurping the right to represent opinion of the Country².

It happened when in December 1943 KRP tried to work out the organizational rules of RJN. Although the state of talks didn't seem to prognosticate a quick concluding of the undertaking, the above mentioned impulse from the outside caused an almost immediate reaction.

During the following KRP meetings, at the end of 1943, the shape of the future RJN was discussed. On the 1st December 1943 the question of including other groups in RJN was under discussion³. It was settled that, "*The Four should make the majority, however in no way should RJN be limited to the four.*"

¹ A similar opinion was expressed by A. Friszke, *O kształt Niepodległej*, Warszawa 1989, p.493.

² Also A. Friszke, *op.cit.* presents a similar opinion. After the war this moment was emphasized, not without some rightness by the historians connected with the communist factions.

³ AAN 199/I, cc. 40–41.

At the next meeting on the 9th December 1943⁴ it was confirmed by the statement that,

it isn't desirable to limit the Council (Rada) to the four factions because this would create a monopoly for the authority in Poland. The broadening of the Council will relieve the centres beyond the Four, especially that other factions are also taking part in the struggle against the occupant and the commune.

At the same meeting it was accepted that the future Council would consist of 15 to 18 members appointed by the Governmental Delegate on the KRP motion, and its Main Commission (*Komisja Główna*) of 5 to 6 people. The Head of the Council, his two deputies as well as the secretary, were to be included in the Commission automatically.

Finally, at the meeting on the 20th December 1943 KRP⁵ accepted the project of changes in the Decree from September 1942 on the temporary organization of authorities on the territory of Poland⁶. The suggested changes were related mainly to the position of the Governmental Delegate⁷, and the ones concerning RJN were few.

RJN was supposed to be Delegate's opinion making and advisory organ (art. 12 par.1) and the Delegate was obliged to ask for its opinion, "*before passing a resolution on the rights and duties of citizens*" (art.12 par. 3).

⁴ Ibidem, c. 44

⁵ No minute from the meeting was retained, yet the Project of changes in the decree appeared as a annex to the meeting on that day (AAN 199/1, c. 46–51), as well as in the protocol from the meeting on the January 8th 1944 there is a remark about the meeting of KRP on the December 20th 1943 (AAN 199/2, k. 1–40).

⁶ AAN 199/I, cc. 46–51.

⁷ I mentioned it in chapter 8 – *the dépêche of general Tadeusz Bór – Komorowski from the December 23rd 1943.*

It was also stated that in cases of emergency, *"instead of the opinion of RJN the Delegate can demand the opinion of its Head"* (art.12 par.4) It was assumed that, *"The Main Commission will be legally performing all the statutory rights and duties of the full Council during the conspiracy period."* (art.13 par.2)

It is worth mentioning that at the meeting on the 10th September 1943 KRP accepted⁸ the project of the decree on the Council of the Republic (*Rada Rzeczypospolitej*)⁹. The Council of the Republic was to be a legislative body combining the competences of both Sejm and Senat (two Chambers of the Polish Parliament), functioning from the liberation of the Country to the first assembly of the new parliamentary chambers elected in the general voting. (art.1 par.1)

RR was supposed to include all the members of RJN and the emigration National Council (*Rada Narodowa*), as well as 50 people designated by RJN and 20 by the President. (art.4par.1) The marshal, 4 vice marshals, the secretary and his two deputies were to be at the head of the Council. (art.6)

The most important task of RR was to pass elections statute of the Parliament.(art.5 par.1) Performing the usual tasks of the Parliament RR (art.8 and 10) was to keep control over the actions of the Government (art.11) It was anticipated that some of the Constitution regulations would be suspended due to the RR actions. It was assumed that the decree would be valid from the moment of the President's arrival to the Country, and at the same time RJN and RN were to cease their work.(art.12) Although the project didn't receive the legal sanction and had never been valid, it is an interesting example of political concepts worked out by the main centres of the Underground Poland.

The first KRP meeting in 1944 was held on the 8th January¹⁰. A decision was made at it that the next day, on the 9th

⁸ AAN 202/I, vol. 7, c. 51.

⁹ AAN 202/I, vol. 1, cc. 322–323.

¹⁰ AAN 199/2. cc. 1–4.

January, *"The Communicate on the establishing of RJN"* would be passed, which would be signed by the Governmental Delegate. This date is accepted as the day of formal constituting of RJN, although in practice it actually had place some time later.

The above mentioned communicate said that, *"I`m currently announcing that in accord with the decision of the Polish Government RJN has been established in the Country. RJN includes representatives of Polish democratic independence organizations taking actively part in the struggle against the occupant and staying loyal to the present and legal civil and military authorities of the Polish State in London as well as their equivalents in the Country"*¹¹.

Parallel, at the mentioned already meeting, on the 8th January 1944 some decisions were taken that were to lead towards the broadening of the Council. It was settled that KRP would ask clergy, Social Organization of Self-defense (*Spółeczna Organizacja Samoobrony – SOS*) (2–3 candidates), patriotic left-wing organizations, and in "certain conditions" national minorities, to nominate candidates. The parties of the Four were to appoint three candidates each¹².

At the next meeting of KRP¹³ on the 22nd January 1944¹⁴ the issues concerning the first meeting of the Council were discussed. The meeting was to be summoned by the Governmental Delegate and was to be chaired by the senior, while the function of the secretary was to be given to the youngest participant.

¹¹ AAN 199/2, c. 7.

¹² AAN 199/2, cc. 1–4.

¹³ Although in the communicate from the January 9th 1944 it was discussed that KRP ceased to exist, formally by the first official meeting of RJN on the March 15th 1944 it had still been functioning.

¹⁴ AAN 199/2, cc. 16–17.

The election to the Main Commission of the Council was to take place at the meeting. The candidates of the parties were introduced¹⁵, technical issues (of pseudonyms and succession) were discussed too.

After a week, at the next meeting on the 29th January 1944¹⁶, a discussion over the set of rules of the council and the program (with the working name "*The Aims of war*") was initiated. The process of agreeing over the new members of the Council was being continued.

On the 15th February 1944 it was agreed to co-opt a representative of the clergy and the one of "Raclawice" organization, and the suggestion to include a representative of one of the *Sanacja* groups was rejected¹⁷. However, it was the agreement reached over the "*The Rules of RJN*" that was a much more important event of that day.

The Rules were finally passed on the 12th March 1944, and had become the basis for the proceedings of the Council since its first meeting, which was held on the 15th March 1944¹⁸. The set of regulations¹⁹ consisted of five sections: general decisions, the rules of constituting of the Council, regulation of the subject of sessions, the way of conducting the Council meetings, and the duties and rights of its members.

At the beginning of the inaugural meeting of the Council it was settled that the mandates of the Council members and their deputies "are stated" by the Governmental Delegate.

¹⁵ One might assume that the personal suggestions didn't arise any controversies and were reflected in further nominations.

¹⁶ AAN 199/I, cc. 21–22

¹⁷ AAN199/I, cc. 23–24. It was probably the Convent of Independence Organizations (Konwent Organizacji Niepodległościowych) grouping the circles of mild followers of Piłsudski.

¹⁸ AAN 199/I, cc. 30–34.

¹⁹ AAN 199/I, cc. 25–29.

The Council could decide on the expiry of a mandate on the motion of the Delegate, or in case of,

- a) the death of a member,
- b) giving up the mandate,
- c) refusing to take an oath,
- d) taking by the member paid state service [...]
- e) permanent inability to perform his official duties by the member,
- f) gross negligence his official duties by a member,
- g) withdrawing or excluding a member from the social-political group which appointed him to the Council."

The vacancy was to be taken by a member's deputy, if he was "*previously appointed*". The Bureau appointed by the head and supervised by the secretary was to work at the Council. According to the previous agreement the first meeting was to be chaired by the senior appointed by the Delegate, and the youngest of the members, junior, was to be the secretary.

The Chairman, his two deputies as well as the secretary and 1–2 members of the Main Commission, were to be elected with the absolute majority of votes of the present members. The Chairman's right to interpret the set of rules, and the fact that he was voting only in the cases when the votes were divided equally were of great significance.

The first meeting of RJN that was held on the 15th March 1944²⁰ was chaired by one of the leaders of PPS as the senior, Tomasz Arciszewski. It isn't known if all the appointed by parties members took part in the first meeting. Anyway, the following individuals were designated by the parties: by PPS – WRN: Tomasz Arciszewski, Kazimierz Pużak and Zygmunt Zaremba; by SL : Kazimierz Bagiński, Józef Grudziński, and Stanisław Mierzwa ; by SN: Zygmunt Berzowski, Władysław Jaworski, and Józef Milik; and by SP :

²⁰ Studium Polski Podziemne w Londynie, MSW, vol. 15A, p. 200.

Jerzy Braun, Piotr Nowakowski, and Franciszek Urbański²¹. Also the reverend Tadeusz Jachimowski, the main military chaplain of AK, designated by the church authorities participated in the meeting.

Apart from the above mentioned the following people took part in the Council meeting: the AK Commander general Tadeusz Bór-Komorowski and the Governmental Delegate Jan S. Jankowski. The Delegate took part in almost all the following meetings of the Council.

The Presidium of the Council, the Main Commission, was elected at the meeting. It consisted of : Kazimierz Pużak ("Seret") as its head, Władysław Jaworski ("Olza") as its vice-chairman, Franciszek Urbanski ("Rzewuski") as the secretary.

It seems that it was the only meeting of the Council in such a broad composition. Later on as a rule it was the Main Commission that was functioning.

On the 15th March 1944 the Declaration "*What the Polish Nation is fighting for*" was accepted²². It was the document that could be described as the far-reaching extension of the minimal program formulated in August 1943. In the obvious way, even by its title, the declaration was referring to the manifesto "*What we are fighting for*" worked out by the communists.

²¹ Before the outbreak of the Warsaw Uprising several changes in the Council had taken place. In April 1944 Zygmunt Berezowski ("Oleśnicki"), who left to London, was replaced by Józef Hajdukiewicz ("Ozima"). In June 1944, after the death of Józef Milik, his position was taken by Mieczysław Jakubowski ("Ostachowski"). In July 1944 Kazimierz Bagiński was replaced by Józef Niećko. It is not known who replaced Tomasz Arciszewski after he had left to London. Finally, already in September 1944 Władysław Jaworski was replaced by Aleksander Zwierzyński, who at the same time became the vice chairman of RJN.

²² AAN 199/2, cc. 43–49.

It was undoubtedly a great achievement that the factions that not so long before had such varied opinions could work out a common program. Moreover, it wasn't only the set of meaningless declarations, but it contained a number of precise political, economic and social suggestions.

Significant decisions concerning the way of proceeding of the Council were made a month later during the meeting on the 15th April 1944²³. K. Pużak suggested that, *"the work of the Council should be divided between the Commissions which will disburden the presidium as well as involve other members of the Council in work"*.

The Commissions were to be of other character than the ones opinion making that had been created at the Departments²⁴ since November 1943. It was emphasized that the latter ones would consist of the members of the Four, whereas the Council Commissions were to include also members of other groups involved in RJN. Thus it was settled that the Main Commission would deal with foreign affairs, the internal issues, and the ones of security and military character. There were to be established Commissions of: National Economy – comprising the issues of all the economy departments, Education and Culture, and the Self – government ones.

It was decided that they would have the character similar to the regular parliamentary commissions. Eventually, the rules of the functioning and the composition of the Commissions was accepted at the meeting on the 4th May 1944²⁵.

At both the above mentioned meetings the information concerning the negotiations on the cooptation of new members of RJN was given. The partners of these talks were the following organizations: Społeczna Organizacja Samoobrony, Centralny Komitet Ludowy, Front Odrodzenia Polski, the

²³ AAN 199/2, cc. 56–57.

²⁴ I'm writing about them in the next chapter.

²⁵ AAN 199/2, cc. 58–60.

Sanacja organizations, as well as ONR. The problem was still present at the following meetings of the Council. No real progress concerning this issue was made. It resulted either from the lack of agreement within the Council itself or the inability to precise clearly the partners' expectations²⁶.

After the failure of chaotic negotiations, it was settled on the 5th July 1944 that out of the four vacancies one would be granted for the representation of cooperative organizations, the remaining ones to: POZ "Raławice", "Ojczyzna", and Zjednoczenie Demokratyczne²⁷.

As the result of this decision on the 11th July 1944 KG RJN accepted that these people were designated to RJN: by "Raławice" Józef Krasowski, by "Ojczyzna" Jan Jacek Nikisch, and by ZD Eugeniusz Czarnowski²⁸. The last one joined the Main Commission later on.

In this way the process of composing RJN had been finished. Although it lasted quite long and its effect wasn't fully satisfactory, it can be stated that RJN represented a great majority of the society organized in the underground structures.

Apart from the issues concerning its composition, and the analysis of the current political events, KG RJN was dealing with many other questions. The example being the project of K. Pużak from the 4th May 1944 to mark out in the country the successor of the President. Even though initially it didn't receive a warm welcome²⁹, it was eventually accepted and on the 5th July 1944 candidates were suggested³⁰.

²⁶ On the June 16th 1944 it was finally settled that SOS would get 3 places in the Council. However, on the June 21st 1944 the Council was informed that SOS hadn't managed to make a mutual decision on which of its 33 organizations would designate representatives, AAN, 199/2, cc. 57–89 and 91–93.

²⁷ AAN 199/2 cc. 94–96.

²⁸ AAN 199/2, c. 97.

²⁹ AAN 199/2, cc. 57–60.

³⁰ Ibidem, cc. 94–96. The candidacy of T. Arciszewski, who left to London at the end of July, had been accepted.

On the 24th May 1944³¹ a document which was the subject of lengthy work, *"The Aims of war"*³², was accepted. It was another important completion of the program principles of the Underground Poland.

On the 31st May 1944 KG RJN made the division of the staffing of the management of the Commissions³³. According to it a representative of SL was to be the head of the Commission of National Economy, and a representative of PPS was to be his deputy. In the Commission of Self-government these positions were granted for the representatives of SP and SN.

Despite several attempts a plenary meeting of RJN had not been summoned before the Warsaw Uprising began. The end of July meant the period of more intensive work for KG RJN. It resulted from the increasingly more tense political situation.

The outbreak of the Warsaw Uprising had changed the conditions of KG RJN's work. The establishing of the Country Council of Ministers was an important fact, which in a way had weakened the position of the Council. The gradual shifting of decision making to this body could clearly be seen. It had become a rule that the most significant decisions were made by KRM at the presence of the AK Commander and the Chairman of RJN. This process had already been started at the end of July 1944.

Nevertheless, despite all the critical remarks concerning the factions making RJN it must be stated that this body played enormously important role in the structures of the Underground Poland in 1944. Reaching a relatively harmonious cooperation, and creating the common program platform were the facts of great importance. The formal basis of the functioning of RJN were settled independent-

³¹ AAN 199/2, cc. 64–69.

³² AAN 199/2, cc. 70–80.

³³ AAN 199/2, cc. 81–83a.

ly without previously common conflicts. The regulations concerning RJN in the new version of the Decree on the temporary organization of the authorities on the Polish territories from April 1944³⁴ were merely confirming the previously accepted solutions³⁵. Hence, the effort deserves great appreciation.

³⁴ I'm writing more about the decree in the next chapter.

³⁵ It confirms the previous remarks that the actual development of the underground structures was preceding the following legal regulations.

CHAPTER 10

FORMATION OF THE HOMELAND COUNCIL OF MINISTERS AND TEMPORARY GOVERNMENTAL ADMINISTRATION

In the previous part I have written that at the end of December 1943 the next suggestions of changes in the September decree, worked out in the Country, were sent to London¹. They included the proposal of a significant strengthening of the civil authorities in the Country.

The most important of them concerned the changes in the status of the Governmental Delegate's Office. It was suggested that the Delegate should be appointed for the post of the deputy Prime Minister of the Government. (art.1par.2) He was to hold this position until the arrival of the Prime Minister. (art.2 par.1)

The Delegate was to determine in a directive the rights and duties of his three deputies. (art.3) It was expected that the Government would accept the formula that in the Country its functions concerning the struggle with the occupant and the preparations for the liberation as well as rebuilding of the Country were to be performed by the Delegate. (art.4) However, it was the suggestion that the Delegate would have his full authority the moment he was nominated that seemed to be the most important one.(art.5)

¹ Document from former Archive of the Ministry of Internal Affairs – 686/5, pp. 653–658 – now in Institute of National Remembrance in Warsaw.

The forwarded projects of new solutions, if they were accepted, would create a real chance of the final regulation of the formally legal situation of the civil pillar. It was of great significance because it allowed to take advantage of Jan S. Jankowski's lasting over half a year work, which led to the tempering of a number of arguments. During this period Jankowski was regulating, as much as he could, some rules of the underground administration apparatus organization, basing on the existing consensus. There was, however, no guarantee that the positive political atmosphere would be long lasting. Then, the lack of legal regulations would have effected in the resuming of the calmed conflicts.

Facing more and more complex political situation on the territories of Poland, especially the fact of Soviet army entering Polish area, the Government had finally decided to clear up all the issues. The amicable cooperation of all the country factions was an additional commitment.

On the 23rd January 1944 a decision was made, according to which the Governmental Delegate in the Country was nominated the minister, "*with the entrustment of the Governmental Delegate's function in the Country*". At the same time he was to, "*stand in for the Prime Minister in the Country*"².

Due to the complicated international situation both decisions were predated to the 21st April 1943 and the 22nd May 1943. They meant that after over four years of attempts the

² AAN 202/I, vol. 4, c. 12, *The dépêche No 15*. J. Paśnik, *op.cit.* pp. 71–73 is trying to question the position of Jankowski as the deputy Prime Minister pointing out that there were no constitutional basis for establishing such a post. It is not true. According to the Constitution the President, on the motion forwarded by the Prime Minister, could entrust the replacement of the Prime Minister in the certain scope to one of the ministers (e.g. in the cabinet of Sławoj-Składkowski such a position was held by the deputy Prime Minister Kwiatkowski in the issues concerning economic matters). Thus the nomination was the proper one, although it didn't contain, which seems obvious, the term used colloquially i.e. the deputy Prime Minister.

authorities of Poland had ultimately solved the issue of the Governmental Delegate's status in the times of conspiracy. In this case they went even further than it had been suggested by the Commanders of SZP and ZWZ on the turn of 1939 and 1940.

Formally, this way the center was established that had a very strong position in the structure of the constitutional authorities of the state. The nomination of Jankowski created also the formal basis for the final settlement of the executive apparatus formed by the Governmental Delegates. It was expressed in the instruction, which described the rules of functioning of so called Temporary Governmental Administration (*Tymczasowa Administracja Rządowa – TAR*).

It was this term that was the expression of principally new legal situation and explicit reference to the legal state institutions. This new legal state was confirmed with the regulations of the decree from April 1944, which will be presented below.

The Government's decisions made the way for the gradual regulation of all the unclear so far matters. One of them was the status of the Governmental Delegate's deputies. It became even more complicated after nominating the Delegate for the position of the deputy Prime Minister of the Government. The regulations passed by the Delegate in January 1944 along with the regulations of the April decree stated that individuals holding these positions were at the same time the deputies and successors of the Delegate. It didn't, however, settled doubts resulting from the new situation of the Governmental Delegate.

The legal position of the deputies of the Delegate, who was the Minister and Deputy Prime Minister, was still a problem. It was solved just before the outbreak of the Warsaw Uprising. On the 26th July 1944 the Polish Government decided to include in its composition all the three Delegate's

deputies as the Ministers³. Like the Delegate, his deputies became the members of the Council of Ministers.

After the reading of the depeche announcing the nominations, which had place on the 28th July 1944⁴, two days later on the 30th July 1944⁵ the Governmental Delegate-Deputy Prime Minister appointed the Homeland Council of Ministers (*Krajowa Rada Ministrów* – KRM).

Both, the nomination of the deputies for ministers and the appointment of the Homeland Council of Ministers were also predated to the 12th March 1944 and the 3rd May 1944.

As a result of these personal decisions of the Government, still before the Warsaw Uprising, the highest rank state centre had been constituted. It was the part of the Council of Ministers acting in the Country. The uprising had significantly complicated the work of this body, but it was gradually overtaking the initiatives in the matters of the state. It resulted from the systematic increase of the Delegate's, Deputy Prime Minister's, Jan S. Jankowski's, position.

It was during the uprising that the Homeland Council of Ministers made significant decisions, which were expressing the aspirations to make this body a real center of authority in the Underground State. At the Council's meeting on the 20th August it was decided to pass,

the resolution which would disclose the existence of the Homeland Council of Ministers, its relationship towards the Government and describe its character of the only legal constitutional authority in the Country⁶.

³ AAN, 202/I vol. 4, c. 14. *Depeche No 172 from July 26th 1944.*

⁴ *Ibidem.*

⁵ *We władzach Polski Podziemnej. Rozmowa z Adamem Bieniem.* Ład, Warszawa 1988 no 14–15.

⁶ *The protocol from the meeting of KRM from the August 20th 1944, in the autor's archives.*

In the announcement it was stated that,

On the 3rd May 1944 the Homeland Council of Ministers was established by the country Governmental Delegate – the Deputy Prime Minister of the Government, which apart from the Deputy Prime Minister included three ministers of the Country affairs appointed by the President. The Homeland Council of Ministers, up to now working in conspiracy, currently during the uprising is carrying on its activities, making it overt at some fields. At the territories of the Commonwealth it is the only executive civil authority that is constitutional and legal⁷.

On the 30th August 1944 KRM decided that,

1. all the resolutions that according to the valid regulations require the decision of the Council of Ministers, or particular ministers, will require the decision of the Homeland Council of Ministers,
2. all the nominations, which according to the valid regulations are made by the President or the Prime Minister, will be made by the Country Delegate – Deputy Prime Minister, on the motion of the Homeland Council of Ministers, if the regulations require the motion of the Council of Ministers,
3. all the nominations, which according to the valid regulations are made by a minister, will be made by particular ministers of the Country affairs, each in the scope of operation⁸.

The above mentioned decree was signed by the President on the 26th April 1944⁹. According to the suggestions sent from the Country, the regulations of the decree were to be in

⁷ The text of the announcement in the autor's archives.

⁸ *The protocol from the meeting of KRM from the August 30th 1944*, in the autor's archives.

⁹ AK III, pp. 417–20.

effect also during the conspiracy period. It was a significant novelty compared to the decree from 1942.

It finally settled the status of the functioning of the underground institutions and justified their legal character as the temporary organs of the Polish state working in conspiracy. It was the solution, whose necessity had been systematically mentioned by the Country since 1939.

Referring to the already mentioned suggestions of the Country, the decree confirmed the fact that the Governmental Delegate in the rank of a Minister was to be "the deputy of the Prime Minister" in the Country. The successors of the Delegate received the right to stand in for the Delegate, *"also during his work, in the scope marked by him"*.

It was the Delegate's task during the conspiracy time to deal with the matters concerning,

the struggle against the occupant and obey the right conduct of the Nation in the struggle, as well as making all the suitable preparations for the overtaking of the overt authority in the due time.

To fulfill these tasks the Delegate had, *"the rights of the high authorities as far as the whole of the state administration was concerned, except foreign affairs"* He also had the right to pass regulations and repeal the ones introduced by the occupant, as well as to announce the changes in the III part of "Dziennik Ustaw RP".

The Governmental Delegate's Office was still the organ of his work. There were no serious changes in the situation of other subjects, i.e. the Armed Forces and the Council of National Unity¹⁰.

The regulations of the decree had actually sanctioned the factual situation. This state was in the effect of the four-year long evolution of the Underground State structures. However, the decree was settling all the doubtful questions in the

¹⁰ See chapter six.

ultimate way. Its regulations were settling all the formally legal aspects of the functioning of the Underground State, and the status of its parts. It also created the basis for solving all the matters that hadn't been settled directly in it. It was also important that the state established in 1943, due to the change in political atmosphere, became independent from the possible future personal changes. Thus, even though the decree didn't introduce any radical changes, it was a significant event and crowned the evolution of the structures of the Underground State that had lasted for several years.

According to the statute of the Delegate's Office from November 1942 the Delegate's Bureau was to function as, *"the organ of the Delegate's work"*. The rules of its functioning were described in the organizational statute¹¹, which was worked out and introduced on the turn of 1942 and 1943. The tasks of all the Departments of the Bureau were as follows,

1. collecting materials that the Governmental Delegate needs to fulfill his tasks, working them out and preparing projects of his orders and decisions,
2. registering and preparation of the personnel to hold offices and perform public service during and after the liberation of the state from the occupation as well as appointing the functionaries of the temporary state administration in the limits and according to the rules set by the Governmental Delegate,
3. managing the temporary state administration and the supervision over it according to the rules set by the Governmental Delegate,
4. working out and the preparation of projects of the legislative acts of resolutions and directives, which will have to be passed during the transition period after the end of the occupation and putting the legal state in order¹².

¹¹ AAN 202/I, vol. 1, cc. 21–24.

¹² Similarly in the document *„The tasks of the Departments of the Presidium Bureau“* (*„Zadania Departamentów Biura Prezydialnego“*), AAN 202/I, vol. 1, cc. 21–24.

Obviously, these assumptions weren't fully reflected in the actual work done by the particular sections. The works aiming at the preparation of deep reforms of the post-war socio-economic system of Poland, however, were developed on the grand scale.

The following Departments were to function within the Delegate's Bureau:

1. Presidium (most frequently called the Presidium Bureau) (*Prezydialny*),
2. Internal Affairs (*Spraw Wewnętrznych*),
3. Military Affairs (*Spraw Wojskowych*),
4. Treasury (*Skarbu*),
5. Justice (*Sprawiedliwości*),
6. Education and Culture (*Oświaty i Kultury*),
7. Agriculture (*Rolnictwa*),
8. Industry and Commerce (*Przemysłu i Handlu*),
9. Labor and Social Service (*Pracy i Polityki Społecznej*),
10. Communication (*Komunikacji*),
11. Mail and Telegraphs (in other words: Telecommunication) (*Poczt i Telegrafów*)
12. Repair of War Damages (*Likwidacji Skutków Wojny*),
13. Reconstruction and Public Work (*Odbudowy i Robót Publicznych*),
14. Press and Information (*Prasy i Informacji*),

I've already described the circumstances, in which the attempt to set up the Department (shortly Dep.) of Military Affairs within the Delegate's Bureau had been made twice. It hadn't been established though.

The Presidium Bureau was the equivalent of the pre-war Presidium of the Council of Ministers, like the majority of the remaining departments, which were working analogically to the pre-war ministries.

The last three departments' range of activity resulted from the specific tasks connected directly with the war situation. The possibility to establish new departments, not related to the pre-war ones, was stated in the Statute. It said

that for “special purposes” the Delegate could create new divisions of work.

The other regulations of the Statute were regulating in detail the issues concerning the functioning of the Presidium Bureau. Whereas the structure and functioning of other departments were to be described in the separate regulations, namely the directives of the Delegate, setting up a particular Department. In these decisions (or in the statutes) the organizational structure of the departments was introduced.

The question of personal staffing of particular organizational section in the Delegate’s Bureau was solved according to so called the rule of the party key. There were, however, worries that it would lead towards the domination of the departments by particular factions. After the transformation of PKP into Country Political Representation (*Krajowa Reprezentacja Polityczna*) the question of granting each party of the alliance of four the influence on the work of departments became vital.

Relating to this situation, after lengthy discussions, the Delegate issued “The Regulations for the opinion giving Commissions” on the 3rd November¹³. It settled the rules of the functioning of the Commissions. They were to consist of the representatives of the four parties, yet the range of their competences was pretty little. The Delegate didn’t want to agree on the too far reaching authorization of the Commissions, especially because of the conspiracy issues. It was expressed in the paragraph 1 of the Regulation stating that, “professional Commissions” were to be set up at, “the Departments pointed by the Delegate”, and that the experts would be delegated to them. The next paragraph was stating the objective of the Commissions, “*making the factions acquainted with the work of the Departments during the preparation of the work*”. The Commissions were to express their opinions,

¹³ AAN 202/I, vol. 1, c. 33.

1. concerning the issues which will be presented to the Director of the Department and
2. concerning the projects of decrees and directives worked out by the Departments¹⁴.

The members of the Commissions were granted the right to, *"ask questions concerning the work of the Departments"*, and in case of the difference of opinions between the majority of the Commissions' members and the director of the Department, the latter one was to report the case to the Delegate. It was the Delegate who, *"was to settle if and to what extent the Commissions' opinion was to be taken into consideration in the work of the Department"*.

The influence of the Commissions on the work of the departments was then slim. Taking into consideration, however, the conditions and the necessity of working in conspiracy, the ability of factual influence of the factions on the work of the sections of the Delegate's Office was optimal.

The last of the vital issues that was regulated, was the one concerning the range of the Delegate's deputies' work during the conspiracy period. At the beginning of May 1943¹⁵, along with the nomination of Jan S. Jankowski for the Position of the Governmental Delegate for the Country, three of his deputies were nominated:

Adam Bień (*"Walkowicz"*, *"Rybicki"*),
Antoni Pajdak (*Traugutt*, *"Okrzejewski"*), and
Stanisław Jasiukowicz (*"Kuciński"*, *"Opolski"*).

The Delegate's intention was to involve the deputies in some work of the Delegate's Office. As a result he decided to organize regular meetings with the deputies, at which political issues, correspondence with London, and interna-

¹⁴ Ibidem.

¹⁵ AAN 202/I, vol. 3, c. 26. *The dépêche from the May 2nd 1943* (read on the May 7th 1943), in AK III, the same *dépêche* but with the date the April 2nd 1943.

tional issues would be discussed¹⁶. The Delegate was still broadening the range of his deputies' competence making them responsible for the functioning of several departments.

In January 1944 the Delegate issued a directive which regulated the deputies' competences¹⁷. In point 1 of *"The Regulation of the Delegate's deputies' range of activities"* the Delegate was obliged to meet regularly, if possible every week, at conferences where ,

- a) the Delegate presents the issues of significance, before he makes any decision concerning them, to be discussed
- b) as a rule, the Delegate presents for the discussion the issues that are to be introduced to the Council of National Unity,
- c) the Delegate informs about current issues of significance,
- d) he replies any inquiries,
- e) the deputies can present the initiatives of their own.

According to point 2, the Delegate could entrust his deputies with ,

- a) charge over work of particular Departments, Comities, Sections, etc.
- b) hosting delegations and dealing with particular cases¹⁸.

In case of difference in opinions between a deputy and the chief of a department he was in charge of, the Delegate reserved the right for the ultimate solution. *"The Regulation"* was then the confirmation of the previous state, and the ultimate settlement of the deputies' status had place in the April decree in 1944¹⁹.

¹⁶ A. Bień, *Fragmenty wspomnień*. Więź, Warszawa 1984 No 1, pp. 118–119.

¹⁷ AAN 202/I, vol. 1, c. 34.

¹⁸ Ibidem.

¹⁹ J. Paśnik, *Status prawny Delegata Rządu*, pp. 71–73—like in the case of the deputy Prime Minister's position, this author is trying to prove that the nominations of the deputies meant establishing new categories of ministers, thus being unconstitutional. He isn't right about that either. Deputies, whose

The process of the Departments' development varied a lot. Hence the level of organization which they reached in 1944 was various too. For many it was the merger with "Teczka" that strengthened them significantly. The initial point for the establishment of organizational structures of Departments was the structure of the pre-war ministries. It was entirely natural and logical. Obviously, this relation to the pre-war structures depended in each Department on both the personal potential and the amount of assets. The pragmatic questions were important too, as well as the fact that in the conspiracy reality re-establishing all the pre-war units would be pointless. Initially the main task of the Departments was to do the reporting work. It concerned the current situation in a given field of social and economic life. Another important issue was the preparation of legal document abolishing decisions of the occupant. In this case a number of units undertook the work reaching far into the future. The preparation of legal regulations necessary for the planned restructuring of the post-war socio-economic system of Poland was their main objective.

position became identical with the position of the successors, were appointed as ministers without portfolio with special assignment, hence the way it was settled in the constitution. In this case anticipating to take the position of the Government Delegate in the particular order was the special assignment. In the reality of war and conspiracy it was undoubtedly "a special assignment". Besides, other regulations gave them ability to act in the certain scope. From this perspective also the suppositions of Pańnik concerning the position of the Country Council of Ministers are groundless. It is obvious, that in no country there are regulations anticipating the necessity for the government or its part to function in conspiracy, when the country is occupied. At the same time the regulations concerning the organization of the government's or its part's work don't have the constitutional rank. Thus, the fact that in occupied Poland the already working ministers started working within the *collegium* didn't require any additional regulations. It was the natural consequence of the obvious form of work of such a state institution.

This type of work dominated approximately till the end of 1942. At the beginning of 1943 the Supreme Commander of Home Army presented "*The demands of the Armed Forces towards the Temporary Administration*" prepared and brought up-to-date in "*Teczka*"²⁰. As a result of this, and later on of the negotiations and the merging of administration apparatuses, in almost all departments there appeared another important direction concerning work, namely the personal and organizational preparation for the tasks connected with the activities during the planned uprising, as well as the transitory period²¹.

The already discussed Statute of the Delegate's Office²² devoted one of its part to the field apparatus. Like in the case of the central one, the Statute was to fill the gap and, at least for the internal use, create the foundations of work. The Statute described the way of appointing the District Delegates, the rules of their cooperation with the local political organizations and other organizations, and the status of Special Courts at the District Delegates. The rules of the detailed organization of the field apparatus were to be set in a separate regulations.

The regulations as "*The rules settling the organization and assignments of the temporary civilian administration during the occupation period in GG*"²³ were accepted probably at the beginning of 1943. However, before that another document was worked out, "*The rules of the territorial division*"²⁴, which

²⁰ For the first time „The demands” were presented in the middle of 1941. Initially they were rejected by the Delegate Ratajski and only after some time they were accepted to be fulfilled in the Departments.

²¹ More broadly about the organizational structure as well as the staffing of particular Departments in G. Górski, *Administracja Polski Podziemnej*, as well as in the first edition of G. Górski, *Ustrój Polskiego Państwa Podziemnego*.

²² AAN 202/I, vol.1, cc. 16–17.

²³ AAN 202/I, vol. 1, cc. 136–137.

²⁴ AAN 202/I, vol. 1, cc. 101–101a.

was specifying the range and criteria of the establishing of District Delegates' Offices.

According to *"The Rules standardizing the organization and assignments of the temporary civilian administration during the occupation period in GG"* the District Delegate was *"the representative of the Polish Government"* at the area he was in charge of. It was his task to hold the high *"management as far as united administration is concerned with the exception of the military administration, justice, railway, and the post and telegraphs"*²⁵. The territorial range of the District Delegate's Offices was settled too. They were to function on the areas of corresponding districts in GG. Their tasks included,

- a) observing the aspects of social life in the occupation reality and the activity of occupation authorities, and informing superiors about them,
- b) the cooperation with the military authorities in the preparations aiming at the getting rid of the occupant,
- c) making preparations, especially concerning the security and public order, for overtaking the civil power at the area of work the moment the occupation finishes,
- d) performing administrative work in the scope settled in the directive of the superior during the conspiracy period,
- e) influencing the society in order to keep the right attitude during the occupation period."

Unlike the tasks of the central level, the ones of District Delegate's Offices were described precisely. The District Delegate was to be appointed and dismissed by the Government Delegate after the agreement with the political representation. Employees of field Delegate's Offices were excluded from the regulations concerning the civil servants, however, in practice each of them was to take oath of the civil service. The Bureau was to be the executive organ of the Delegate. It had the following Departments:

²⁵ AAN 202/I, vol. 1, cc. 136–137.

- 1) administrative (with the military affairs division),
- 2) security (with the division of information),
- 3) self-government,
- 4) public education,
- 5) propaganda and press,
- 6) social policy and health,
- 7) agriculture (with the supplies and forestry),
- 8) treasury,
- 9) industry and commerce,
- 10) technical (communication and construction).

The chief of the Bureau in the rank of the Delegate's deputy, who at the same time could be the chief of the administration department, was supervised by the Delegate. The Departments were to be under the chiefs appointed by the District Delegate.

At the level of counties similar rules were to be in effect²⁶. County Delegates and their deputies were to be appointed by the District Delegate, approved *"by the head of the personal division of the Governmental Delegate's Office"*.

The county Delegates were to be assisted by 1–2 deputies, and a security and supply clerks. The detailed regulations of the functioning of these Delegate's Offices were described in the separate instruction. The county Delegate was to deal with the issues, *"of his competence either himself or through clerks"* He could have 1–2 deputies who were to be appointed from the clerks. In the point 19 the rules concerning responsibility of the deputies were described. He was to be the County Delegate's,

assistant as far as the organization of the County Delegate's Office was concerned. The deputy is responsible to the County Government Delegate for the organization and functioning of the County Delegate's Office, and the authorities and subordinate offices for communication and the technique of conspiracy work. The deputy controls

²⁶ AAN 202/I, vol. 1, cc. 124–126.

the whole of work of the County Delegate's Office and its organization, and in cases of emergency can make decisions in all cases reserved for the County Delegate[...] informing about it immediately[...]. If the County Deputy is unable to perform his function, he is stood in for by the deputy. If the latter one doesn't do his duties he is stood in for by a security clerk or other clerk appointed by the County Delegate.

The instruction included also the structure of County Delegate's Office. The following offices were to be included:

- 1) security (with the administrative and legal section),
- 2) self-government,
- 3) agriculture and supplies,
- 4) sanitary,
- 5) military,
- 6) technical,
- 7) social service.

The County Delegate was to be a representative of the Polish Government and the head of administration in a county.

At the beginning of 1944 the Governmental Delegate was nominated a minister and deputy Prime Minister. Soon afterwards, on the 31st March 1944, he signed "*The Rules on organization and assignments of the Temporary Governmental Administration during the occupation period*"²⁷. Passed by the Governmental Delegate – Deputy Prime Minister they were, so longed for, legal basis for the functioning of the Delegate's Office apparatus. It was practically at this point that the formally legal status of this apparatus had been ultimately settled.

The regulations described the tasks of the Temporary Government Administration (TAR), the place and position of its organs – the Governmental Delegates in the field

²⁷ AAN 202/II, vol. 1, cc. 28–31.

as well as the rules of the vertical and horizontal links in the apparatus suitable for the existing conditions and the stage of the development of the underground administration.

The regulations introduced new, so far unknown term – the City Governmental Delegate (*Miejski Delegat Rządu*). These Delegates were to work in cities mentioned in the instruction. The organs of TAR, i.e. the District Delegates in II instance, and County and City Delegates in I instance were to ,

- a) influence the society in order to hold the right conduct during the occupation,
- b) observe the aspects of social life during the occupation and the activities of the occupation authorities, and inform about them their superiors,
- c) cooperate with the military authorities in preparations aiming at the getting rid of the occupants,
- d) make preparations for overtaking the civil power after the occupation ends,
- e) perform administration activities suitably to the directives of superiors already in conspiracy.

At the area of their work the Delegates were:

the representatives of the Government Leadership of the whole government administration except the military administration, justice, railway, and the post and telegraphs as well as the cases marked off for the direct competence of the central authorities”.

The territorial range of the District Delegate's Office was to cover the area of province within the borders from 1939, considering changes resulting from the division of the country's territory and including the part of provinces to the Reich, and submitting stanisławowskie and tarnopolskie provinces to the Lwów Delegate.

The new structure was foreseen for the Bureaus of District Delegates. There were to function the Divisions of :

- 1) Administration (with the unit of military affairs),
- 2) Security (with the unit of information),
- 3) Self-government,
- 4) Press and Information,
- 5) Public work,
- 6) Agriculture (with the units of supplies and forestry),
- 7) Social service,
- 8) Public health,
- 9) Elimination,
- 10) Treasury,
- 11) Protection of work,
- 12) Industry and commerce,
- 13) Social resistance.

The units were to be managed by managers, whereas the Bureau by the director, who was at the same time the manager of one of the three first Divisions. The Director of the Bureau was responsible for the organizational development, and was to coordinate the work of Divisions, supervise the state and functioning of the City Bureaus and County Delegate's Offices. He was also to provide the effective functioning of communication and the technique of conspiracy work. Special Courts, not included in the Bureau, were also to work at the District Delegate.

County Delegate was to perform, *"the high command of the general administration, and in the repair of the war damages as well as the press and information"* over the area he was in charge of.

He was also, as the representative of the Government, to set the activity of, *"all the organs of the Temporary Governmental Administration he isn't in charge of, and if they don't have their representation in a county, he deals with the tasks of these divisions as much as he is able to"*.

City Delegates were to be, *"the superiors of the gminy miejskie"*, and at the same time in Cracow, Lwów, Poznań, Łódź, Katowice, Wilno, and Gdynia they were to perform, *"the function of general administration, not excluding the mat-*

ters concerning public security", in other cities they were to perform the functions of general administration excluding the matters of public security.

County Delegates were to work with the assistance of clerks of security, agriculture and supplies, and self-government, and basing on the validity of the District Delegate's decision also other clerks.

The regulations on TAR, except the ones concerning City Delegates, didn't go much further than the previous instructions. The fact that they were issued by the Deputy Prime Minister of the Polish Government was significant in this case.

At the same time the regulations on the rules of appointing for the service in TAR were issued.

District Delegates are appointed by the Governmental Delegate. The County Delegates, the Director of the District Delegate's Bureau and the managers of the divisions of administration, self-government and security in the Bureau and their deputies are appointed by the District Delegates after the approval of the manager of the suitable department in the Governmental Delegate's Office. Other employees are appointed in the decision of the District Delegate on the motion of the manager of a suitable division after hearing the opinion of the director of the Bureau". Dismissing was to happen in a similar way.

The Director of the Department of Internal Affairs was in charge of all the field delegate's offices. Directors of suitable departments were responsible for the work of field units in factual way.

The conspiracy system of the City of Warsaw was defined in different way, which resulted from the pre-war specifics. It was set that during the time of occupation the District Delegate, as the II instance organ, would cumulate the functions of the pre-war Governmental Commissary and the President of the City.

Such were the organizational assumptions concerning the field apparatus of the Government Delegate's Office between 1943 and 1944, which meant at the time when this level was actually starting to function. In practice, of course, there were exceptions from these assumptions, hence there were various possible ways of acting²⁸.

²⁸ See more precise considerations about this problem in G. Górski, *Administracja Polski Podziemnej*.

CHAPTER 11

HOME ARMY (AK)

Undoubtedly, in 1944 Home Army was the most important, the strongest and the best organized centre – structure of the Underground Poland. Within its sections there were approximately 400 thousand soldiers bound with an oath, however, through its armed actions and propaganda it reached the great majority of the Polish society. Considering the conditions it was working in it was an unprecedented phenomenon.

As the consequence of the change in titles there were also the changes in terms of the command sections. And so in February 1942 the HQ of ZWZ became the HQ of AK, and the Chief Commander of ZWZ accepted the title of AK Commander. Parallel, since September 1941, the term Command of Armed Forces in the Country and the Commandant of Armed Forces in the Country had been used, which was to emphasize its formal-legal status.

All the changes didn't bring about any fundamentally practical consequences for the functioning of the organization. General Stefan Rowecki ("Rakoń", "Kalina", "Grot", "Jan", "Tur") had been the Chief Commandant of AK till the day he was arrested on the 30th June 1943.

Immediately, after he had been arrested his deputy, general Tadeusz Komorowski ("Bór", "Lawina", "Znicz") overtook the command. Leopold Okulicki ("Niedźwiadek",

"Termit") appointed on the 1st October 1944 and accepted on the 21st December 1944 was the last Commander of AK.

Still in the autumn of 1940 (in September or October) general Rowecki appointed colonel J. Albrecht as his deputy for the current issues, and general T. Komorowski as his successor ("*in case I have been eliminated*")²⁹. This state was confirmed by general Rowecki in the middle of February 1941³⁰.

It should be mentioned that general Komorowski was at the same time the Commandant of the Western Area of ZWZ/AK, as well as represented general Rowecki in contacts with the Governmental Delegate.

After colonel J. Albrecht had been arrested in July 1941, general Komorowski was formally the only deputy of the AK Commander. There are, however, assumptions for the statement that till general Rowecki was arrested the function of his deputies had been actually performed also by: colonel Tadeusz Pełczyński – the Chief of the staff and current issues deputy, and colonel Stanisław Tatar – the Chief of Operations and the operation issues deputy³¹.

After general Komorowski had overtaken the command of AK, colonel/general Tadeusz Pełczyński ("*Grzegorz*", "*Robak*") became his only deputy. In July 1944 general Leopold Okulicki became the deputy "*in case of being excluded from action*". The function of the Chief of Staff had been performed by colonel J. Albrecht ("*Wojciech*", "*Ksawery*") till July 1941, and later on till the collapse of the Warsaw Uprising by colonel/general T. Pełczyński.

In the autumn 1941 the position of the Chief of Operations had been created, which was taken by colonel

²⁹ Archive of the former Military Historical Institute III/21/198, vol. 1, c. 20. Report No 34 from the end of 1940.

³⁰ AK I, p. 457. Colonel Rowecki depeche from February 16th 1941.

³¹ Such an assumption is expressed by M. Ney-Krwawicz, *Komenda Główna Armii Krajowej*. p. 60.

Stanisław Tatar ("Erazm")³². The Chief of Operations, as the one responsible for the preparations for the general uprising, seems to have been directly subordinated to the Commander of AK, and coordinated the work of Units I and II. Since September 1943 the Chief of Operations acted as the I deputy of the chief of staff, and at the same time quartermaster became the II deputy. It was the reflection of the state in the pre-war Head Staff of the Polish Army, where the two deputies of the Chief of the Staff were responsible for the same Units of the Staff. Also the chief of the V Unit was formally the deputy of the chief of the staff (command and communication issues), and in July 1944 another deputy was appointed for the organizational issues³³.

This development in the command posts on the highest levels of AK resulted, on the one hand from the constant expansion of the KG, but on the other, it was the effect of complicated personal order in the staff.

Till the outbreak of the Warsaw Uprising the KG AK had been significantly expanded for the existing conditions³⁴. Undoubtedly, it had become not only the most important centre of Polish independence conspiracy and the foundation of the underground state. It was also operative centre of command with a very broad organizational structure i.e. the conspiracy army. Despite immensely hard external conditions it dealt extremely efficiently with its tasks. Also the course of the most significant undertaking of AK, namely the action called "Burza" ("The Tempest"), proved that difficulties didn't hamper to undertake effective actions. It was

³² Ibidem.

³³ Ibidem, p. 61.

³⁴ I presented the organizational structure and the staffing of Komenda Główna (HQ) more broadly in the first edition of his work. The broadest description in the already quoted work of Ney-Krwawicz, *Komenda Główna Armii Krajowej*.

only because of the external circumstances that the efforts couldn't have born expected fruit.

Let's once again take a look at the shape of the field structures of ZWZ-AK. The basic unit in the field structure of ZWZ-AK was a district. The areas of districts were generally consistent with the areas of the pre-war provinces. The exceptions to the rule were rare, apart from the submitting Rzeszowszczyzna to the Cracow District, which was the result of the division of Lwów province into parts occupied by the Germans and Soviets. They might have resulted from the concrete operation tasks connected with the preparation for the general uprising.

Districts of ZWZ-AK generally reflected the pre-war Corp Districts. The Commander of District, like the Commander of the Corp District, had the competences of the military administrative authorities of the II instance. It has to be mentioned, that the range of the competences had been broadened significantly in conspiracy, on the expense of the prerogatives of some civilian authorities.

The similar situation concerned the second basic level of ZWZ-AK organization, namely *obwody* (circuits). They more or less reflected the areas of pre-war counties, also there were some minor exceptions here too.

The Commander of a circuit had the functions of the military administrative authorities of the I instance, with broadened the competences. He actually accumulated in his hands the competences of pre-war civilian and military authorities, which were dispersed at this level.

Finally, at the lowest level of the ZWZ-AK structure there was a picket, also often called *Rejon*. As a rule a picket covered the area of 1 to 3 pre-war administrative units.

Apart from this basic organizational structure of ZWZ-AK, which was the conspiracy continuation of the military administrative authorities of Poland, there were other organizational units. Initially, as the initiative of the military authorities in France, region was isolated within ZWZ. It

was an in between level of command and communication between the KG and several subordinate Regions, Districts. In practice the following Commands were isolated: North-East Region (Białostocki), South-East Region (Lwowski), South Region (Krakowski), Warszawski and West.

The Krakowski Region, whose Command was broken up by the arrests in the first half of 1941 hadn't been re-established. The District of Warszawa – Miasto was submitted to Warszawski Region only through the register, so it was limited to the area of the province of Warsaw. West Region included Poznań and Pomerania Circuit, yet its connection with these Commands was rather loose. In practice, the Command of Region had a frame character and was limited to planning and operational activities. Only the Białostocki and Lwowski Region performed the functions close to the assumed ones, and had actually become the real level of command. In both cases, however, they reflected the range of the pre-war Commands of the Corp District.

The existence of regions didn't actually bring any serious consequence for the division of competence in ZWZ-AK, however the establishing of a district inspectorate did. As the middle level between district and circuit, inspectorate grouped from two to four circuits. It overtook some of the tasks of a circuit, connected entirely with the commanding of current fight, and operational and tactical preparations for the general uprising, as well as the military training associated with the tasks. The comparison between the structures of their staffs explains the core difference of the tasks of both levels.

There were the following posts within the Staff of the District Inspectorate:

- District Inspector, who was to take the command of so called the Great Unit (*Wielka Jednostka*) – the division of infantry or cavalry brigade, as the part of reestablishing of the Armed Forces,
- the Inspector's Deputy,

- the Tactics Officer,
- the battle training Officer,
- the Chief of battle communication,
- the deputy for the technical communication,
- Officer for airdrop,
- Officer for sabotage,
- the Chief of offensive intelligence,
- the Chief of legalization section,
- the quartermaster of the reestablished great unit,
- the administration-economy officer, and
- the Officer of sanitary service.

In the staff of the Command of circuit there were the following posts:

- the Commandant of circuit,
- the Commandant's Deputy-Quartermaster,
- the Officer of Arms,
- the administration-economy Officer,
- the Commander of technical communication,
- the Chief of conspiracy communication,
- the Chief of Kedyw,
- the Chief of offensive Intelligence,
- the Chief of counter intelligence, the sabotage Officer,
- the Officer of sanitary service,
- the WSK Commander,
- the Officer for the merger issues,
- the Officer for propaganda,
- a military chaplain, and
- the Chief of Military Department.

Podokręgi, like the District Inspectorate, became the middle link between districts and circuits. However, *podokręgi* were set up in few districts, whereas inspectorates were the organizational units that had been established in practically all districts. On the one hand, *podokręgi* were set up in these districts (*obszary*), in which due to their size it was necessary to make the district staff closer to the circuit one (Podokręg Rzeszów in Cracow Okręg, structures in Warsaw Region,

structures in Pomerania Circuit). Another reason for isolating *podokręgi* was the area specifics (Podokręg Zagłębie in Silesia District, or Podokręg Piotrków Trybunalski in Łódzki Circuit), finally for operational purposes (Podokręg Nowogródek subordinated to the Wilno Circuit).

Generally, these were the organizational rules according to which the field structures of ZWZ-AK were created³⁵.

These general remarks on the central and field structures of ZWZ-AK should be summarized by mentioning that in the spring of 1944 there were approximately 400 thousand soldiers in service in the underground army. In the open units formed within "Burza" there were around 120 thousand soldiers. It was an impressive military effort.

³⁵ More broadly the problems concerning the rules of the organization of the local structures of SZP-ZWZ-AK are discussed in: J. Kijewska, A. Sanojca, *Schemat organizacyjny SZP-ZWZ-AK 1939–1954. Podział terenu II Rzeczypospolitej na Okręgi, Inspektoraty Rejonowe i Obwody oraz kryptonimy siatki terenowej. Dzieje najnowsze*, Warszawa 1980 No 3, pp. 89–97. The functioning of the local structures of ZWZ-AK is discussed in the studies mentioned in the first part.

CONCLUSION

The outbreak and collapse of the Warsaw Uprising are the most important caesurae for the history of the Underground State. The July events that took place on the Polish territory showed on the one hand a very good preparation for the open activities, on the other, however, started the period of their tragic dismantling.

The scale of the mobilization of military forces in Wołyń, Wileńszczyzna and Nowogródzczyzna, Białostocczyzna, in eastern Małopolska and Lubelskie, their significant input in the military success of the Soviet army, and finally the efficiency in initiation of civilian structures in the liberated territories caused the great concern of the Soviets.

The outbreak and course of the Warsaw Uprising made these concerns even greater. Thus, these events influenced the main premises of Stalin's policy towards Poland.

The collapse of the uprising meant not only the significant weakening of the whole potential of the underground state army, but also its civilian structures. The loss of Warsaw as the support for the underground activities caused numerous negative consequences.

The standing of the legal Polish authorities functioning in the Country was also weakened by the political crisis in London caused with the change of the government and the resignation of S. Mikołajczyk, which was known in Poland.

In the situation when more than the half of the territories had already been taken control of by the Soviets, who were establishing quasi state authorities that were subordinate to them, the number of problems which the functioning structures of the Underground State were facing was enormous.

In the period when dismantling was taking place, namely between October 1944 and June 1945, two important caesurae can be distinguished.

In January 1945 as a result of the Soviet offensive the whole territory of the country was overtaken by the Russians and formally subordinate to the authority of so called Temporary Government (*Rząd Tymczasowy*) established by them. It was followed with the disbanding of Home Army.

At the end of March 1945, as a result of the Soviet provocation, the main leaders of the PUS were abducted and taken to Moscow.

After the collapse of the Uprising Homeland Council of Ministers (*Krajowa Rada Ministrów* – KRM) had become the main centre of decisions of the Underground State. It happened most of all because at the time the rules of the managing of the Home Army were being cleared up. General Okulicki, appointed as the successor of general Komorowski, hadn't been accepted by the Polish authorities in London for long time, which caused a significant weakening of his political position within the underground authorities in the Country.

It also showed in the starting by the Governmental Delegate the Department of National Defense in the apparatus subordinate to him. It was the Delegate, in the rank of the Deputy Prime Minister, along with his deputies in the rank of ministers that at that time made the most important political centre of the underground. The fact that the Chairman of RJN Kazimierz Pużak and general Okulicki were regularly taking part in the meetings of KRM made it the basic decision centre for the entire underground.

The central structures of the Governmental Delegate's Office were reconstructed in the towns near Warsaw, as well as in Częstochowa and Cracow. They were functioning without any major changes till the break of March and April 1945. Within this apparatus there were still Presidium Bureau, the Department of Internal Affairs, the Department of Press and Propaganda, the Department of Labour and Social Service, the Department of Foreign Affairs, the Department of Industry and Commerce, the Bureau of Western Territories, as well as the most of District Delegate's Offices on the territories occupied by the Germans.

Despite the hard situation and the difficulties in communication the remains of civilian structures were still functioning on the territories overtaken by the Russians. In April 1945, after the Pruszków provocation, only the Presidium Bureau and the Departments of Internal Affairs and the one of Press and Propaganda were the ones continuing their work at the central level.

In the case of AK, in spite of the above mentioned problems concerning the formal acceptance of general Okulicki, the reestablishing of the organizational structure of HQ was very effective. The Staff of the Command was functioning in Częstochowa and included practically all the most significant sections existing in it before the Uprising. Although it wasn't easy, the connection with local structures was maintained. The District Commands were functioning in all the districts, yet in the East with some difficulties. Basically, the communication and the ability to command numerous overt units formed within "Burza" (The Tempest) were maintained too.

The lack of clarity concerning the transition to the organizational formula NIE on the territories overtaken by the Russians was a significant problem. The hesitation of the Staff of the Supreme Commander concerning this question, and the inability to take decision by Okulicki himself, caused that in some places NIE structures were functioning,

and in others there were AK structures. Although these were mostly differences in terminology.

The January offensive of the Soviets resulted in the decision about disbanding of AK. It wasn't, however, a well-thought-out decision. As a consequence, the period of disintegration of the unity and cohesion of the military underground structures started. Hundreds of local AK organizations were anyway still functioning, yet since this moment no centre was able to coordinate their activities and influence their direction.

The branch of Armed Forces did have a formal attribute for some time, namely the authorization of the Supreme Commander, however, it wasn't able to control the development of spontaneous anticommunist underground action. Facing such a strong opponent obviously determined the final effect of the confrontation.

After the abduction of the leaders of the Underground Poland in Pruszków at the end of March 1945, in June the ridiculous court trial took place in Moscow. This unprecedented criminal act towards the representatives of the legal authorities of the state having international approval was unfortunately in no way condemned by the western allies.

This event initiated the last final phase of the PUS functioning. It survived, however significantly limited, till the end of June 1945. The actual top-down elimination of the military underground and self-elimination of the Governmental Delegate's Office coincided with so called Moscow agreement and the establishing of The Temporary Government of National Unity (*Tymczasowy Rząd Jedności Narodowej*).

After almost six years of strenuous struggle for independence and sovereignty of the Commonwealth, Polish Underground State became history. During that time approximately a million Poles went through its sections. They gave the evidence of their commitment to the statehood regained after the decades of national bondage.

Polish Underground State, whose idea and first structures were born in 1939, went through numerous organizational changes between 1940 and 1943. The final shape that emerged in 1944 generally reflected the organizational foundations of public institutions of II RP.

The most significant alterations resulted from the needs of conspiracy. It has to be mentioned, however, that some of them resulted from the entirely different socio-political meaning of the underground state. One might state that they were created fully according to the democratic rules, and what is important, considering a wide range of political, social, system, and economic views and concepts. From this perspective the process of the establishing of PUS structures and agreeing on its program message has no match in the history of Poland. So if we talk about the tragedy of PUS, it has to be remembered that as a result of the external intervention there was no possibility of introducing these great achievements of the Nation.

Creating conspiracy in difficult conditions of occupation that influenced the broad range of public life aspects, is unprecedented in history. It is also evidence, as I have mentioned before, of unusual commitment that the generation of the Poles had for their state.

The extraordinary phenomenon of social support for the underground structures is also worth mentioning. Obviously, the range of the support is a matter of discussion. If, however, one takes the support of organized social groups functioning in conspiracy as a measure, this phenomenon can be described as a mass one. The support was expressed either as the full participation of these groups in various activities of the state structures, or at least acceptance of the constitutional role of the Polish authorities in London, as well as their representatives in the Country. All of this despite the fundamental program differences between these groups. Between these extreme attitudes there was the whole range of in-between ones,

that presented different level of approval of particular activities performed by PUS.

Apart from this, let's call it the state stream, there were basically only two centres aspiring for the creation of the alternative "underground state structures".

On the one hand, it was the extreme part of the national faction, which created its structures in the form of The National Armed Forces (*Narodowe Siły Zbrojne – NSZ*) and The Civil Service of the Nation (*Służba Cywilna Narodu*). It actually accepted the constitutional authorities of Poland, and strictly cooperated with their structures in some aspects of its activities.

On the other hand, it was the center of the extreme communist left wing faction, which created The People's Army (*Armia Ludowa*) and The Country National Council (*Krajowa Rada Narodowa*). This centre was generally questioning the independent Polish statehood and because of that, for long time, it had very little social support, and based its strength on the support of the Soviet Union.

It can be assumed then that PUS had massive social support, which is one more proof of the reality of this phenomenon. It also proves the thesis that PUS should be perceived as a concrete legal-state being, which should be analyzed in the legal system categories. From this point of view it is an equal piece of the Polish state system history.

This above mentioned aspect of PUS was already noticed during the war, by the foreign centres. At the beginning of 1944 one of the leaders of the French Resistance³⁶ M. Dejean was writing to general Charles de Gaulle,

Polish Government is considered in the official British circles as the government which has real authority in its country. According to the information gathered by the English intelli-

³⁶ Precisely Dejean was sent in 1943 to occupied France by Committee of Free France in London as its commissioner for internal affairs. He sent a lot of reports about the situation of French Resistance to gen. de Gaulle.

gence Polish Government has strict connection with, in a way, “secret cabinet” established in Poland [...]. The Cabinet is based on the support of the four main parties acting in conspiracy [...]. It leads the invisible, yet efficient administration, whose personnel is completed when necessary[...].

It seems that in this perspective it is worth making the history of PUS the subject of more thorough research.

BASIC BIBLIOGRAPHY

- Armia Krajowa w dokumentach 1939–1945*. Vol. 1, London 1970.
Armia Krajowa w dokumentach 1939–1945. Vol. II, London 1973.
Armia Krajowa w dokumentach 1939–1945. Vol. III, London 1976.
Armia Krajowa w dokumentach 1939–1945. Vol. IV, London 1979.
Armia Krajowa w dokumentach 1939–1945. Vol. V, London 1981.
Armia Krajowa w dokumentach 1939–1945. Vol. VI, London 1989.
Bartoszewski W., *Polskie Państwo Podziemne*, Warszawa 1980.
Bielecki T., *Podziemna walka o Polskę niepodległą*. Philadelphia 1977.
Bień A., *Fragmenty wspomnień*. *Więź*, Warszawa 1984 No 1.
Bór-Komorowski T., *Armia Podziemna*, London 1974.
Buczek R., *Stronnictwo Ludowe 1939–1945*, London 1975.
Documents on Polish-Soviet Relations 1939–1945 (DPSR), London–Melbourne–Toronto 1961.
Dołęga-Modrzewski [Kauzik] S., *Polskie Państwo Podziemne*, London 1959.
Duraczyński E., *Kontrowersje i konflikty 1939–1941*, Warszawa 1977.
Duraczyński E., *Próby konsolidacji podziemia związanego z Rzadem Emigracyjnym w I połowie 1943 roku. Materiały i Studia z Najnowszej Historii Polski*, vol. 3, Warszawa 1965.
Duraczyński E., *Stosunki w kierownictwie podziemia londyńskiego*. Warszawa 1966.
Duraczyński E., *W sprawie usunięcia Polskich Socjalistów z Politycznego Komitetu Porozumiewawczego*, [w:] *Najnowsze dzieje Polski*.

- Materiały i studia z okresu II wojny światowej*", vol.VI, Warszawa 1962.
- Friszke A., *Ku programowi czwórporozumienia*, *Więź*, nr 11–12, Warszawa 1983.
- Friszke A., *O kształt Niepodległej*, Warszawa 1989.
- Friszke A., *Sprawa kryzysu w Stronnictwie Pracy w 1942*, *Przegląd Historyczny* nr 1, Warszawa 1987.
- Garliński J., *Między Londynem a Warszawą*. London 1966.
- Garliński J., *Polska w II wojnie światowej*. Londyn 1982.
- Garliński J., *Polskie Państwo Podziemne*. Zeszyty Historyczne, Paris 1974.
- Gondek L., *Polska karząca 1939–1945*. Warszawa 1988.
- Gondek L., *Polskie cywilne sądownictwo podziemne 1942–1944. (Zarys genezy i struktury)*. *Studia Historyczne*, Kraków 1984 No 4.
- Górski G., *Administracja Polskiego Państwa Podziemnego 1939–1945*. Toruń 1995.
- Górski G., *Administracja Zmilitaryzowana ZWZ/AK – „Teczka” w latach 1941–1943*, *Studia Historyczne*. Kraków 1990 No 3–4.
- Górski G., *Krajowa Rada Ministrów w czasie Powstania Warszawskiego*. *Przegląd Powszechny* Warszawa 1989 No 7–8.
- Górski G., *Polski wymiar sprawiedliwości 1939–1945 [w:] Dzieje wymiaru sprawiedliwości*. Koszalin 1999.
- Górski G., *Polskie Państwo Podziemne 1939–1945*. Toruń 1998.
- Górski G., *Powstanie Administracji Zmilitaryzowanej ZWZ/AK pod nazwą „Teczka”*. *Studia Historyczne*, Kraków 1988 No 3.
- Górski G., *The Polish Underground State and The European Resistance Movement in the years from 1939 to 1945*. *Review of Comparative Law*, Lublin 2002, vol. 7.
- Górski G., *Ustrój Polskiego Państwa Podziemnego 1939–1944*. Lublin 1995.
- Górski G., *Ziemie Zachodnie i Północne w planach Komendy Głównej ZWZ/AK i Delegatury Rządu RP na Kraj. Dzieje Biura Zachodniego i Wojskowej Administracji Ziem Nowych w latach 1940–1944*. Sobótka, Wrocław 1989 No 3.
- Hułas M., *Goście czy intruzi ? Rząd polski na wychodźstwie, wrzesień 1939–lipiec 1943*. Warszawa 1996.

- Karaszewicz-Tokarzewski M., *Jak powstała Armia Krajowa ?* Zeszyty Historyczne, Paris 1966 Nr 6.
- Karski J., *Story of the Secret State*, Boston 1944.
- Karasiówna J., *Pierwsze półrocze Armii Podziemnej*. Niepodległość, Londyn 1948 Vol. 1.
- Kijewska J., Sanojca A., *Schemat organizacyjny SZP-ZWZ-AK 1939-1954. Podział terenu II Rzeczypospolitej na Okręgi, Inspektoraty Rejonowe i Obwody oraz kryptonimy siatki terenowej*. Dzieje najnowsze, Warszawa 1980 No 3.
- Klaflowski A., *Okupacja niemiecka w Polsce w świetle prawa narodów*. Poznań 1946.
- Korboński S., *Polskie Państwo Podziemne. Przewodnik po podziemiu 1939-1945*. Paris 1975.
- Korboński S., *The Polish Underground State*, Hippocrene 1981.
- Korboński S., *W imieniu Rzeczypospolitej*. Paris 1954.
- Kulski J., *Zarząd Miejski Warszawy*. Warszawa 1964.
- Kunnert A. K., *W 45 rocznicę powstania wojska w konspiracji*, Kierunki, Warsaw 1986 no 46.
- Kunnert A. K., *Wojskowe Sądownictwo Specjalne ZWZ-AK 1940-1944*, Więź, Warszawa 1981 No 2.
- Lerski J., *Emisariusz "Jur"*. Warszawa 1988.
- Lisiewicz P. M., *W imieniu Polski Podziemnej*, Warszawa 1988.
- Łuczak Cz., *Polska i Polacy w drugiej wojnie światowej*, Poznań 1993.
- Madajczyk C., *Państwo Podziemne w okupowanej Polsce [w:] Państwo Polskie w myśli politycznej*. Wrocław 1988.
- Madajczyk Cz., *Polityka III Rzeszy w okupowanej Polsce*, Warszawa 1970.
- Malinowski K., *Żołnierze łączności konspiracyjnej Warszawy*. Warszawa 1983.
- Michalewski J., *Relacja emisariusza*.
- Muzyczka L., *Podstawy organizacyjne centralnego ośrodka produkcji konspiracyjnej w Sztabie Komendy Głównej ZWZ/AK w okresie okupacji*.
- Muzyczka L., Pluta-Czachowski K., *Prawda i nieprawda o Armii Krajowej*, Tygodnik Powszechny, Kraków 1957 No 24.
- Muzyczka L., *Wspomnienie o Generale Grocie*.

- Najnowsze Dzieje Polski*, Warszawa 1966 T. X, *Protocols from Belgrade Conference*.
- Ney-Krwawicz M., *Komenda Główna Armii Krajowej*, Warszawa 1990.
- Paśnik J., *Status prawny Delegata Rządu na Kraj*, Warszawa 1991.
- Pobóg-Malinowski W., *Najnowsza historia polityczna Polski, Tom III, 1939–1945*, London 1960.
- Polskie Siły Zbrojne w II wojnie światowej. Armia Krajowa. Vol. III*. London 1950.
- Pluta-Czachowski K., *Faza inicjatyw początkowych. Wrzesień–Październik 1939*, Warszawa 1961.
- Pluta-Czachowski K., *Faza organizacyjna SZP (Wrzesień 1939–Styczeń 1940)*.
- Pluta-Czachowski K., *Faza organizacyjna ZWZ*.
- Rostocki Wł., *Stosowanie konstytucji kwietniowej w okresie drugiej wojny światowej*, Lublin 1990.
- Salmonowicz S., *Polskie Państwo Podziemne. Z dziejów walki cywilnej 1939–1945*. Warszawa 1994.
- Salmonowicz S., *Relacja L. Muzyczki. Przyczynek do genezy ruchu oporu na Pomorzu Gdańskim na jesieni 1939 r.*, *Zapiski Historyczne*, nr 3–4 Toruń 1988.
- Salmonowicz S., *Walka cywilna w latach 1939–1945. Pojęcia – struktury – rodzaje*. *Czasopismo Prawno-Historyczne* T. 1–2, 1993.
- Salmonowicz S., *Z dziejów struktur Polskiego Państwa Podziemnego (1939–1945)*, *Czasopismo Prawno-Historyczne* T. 1–2, 1992.
- Serwański E., *Wielkopolska w cieniu swastyki*, Warszawa 1970.
- Seweryn T., *Polskie sądownictwo podziemne*, *Przegląd Lekarski*, Warszawa 1966 No 1.
- Sieroszewski W., *Przyczynek do historii Wojskowych Sądów Specjalnych*, Warszawa 1974.
- Stachiewicz W., *Wierności dochować żołnierskiej*, Warszawa 1998.
- Strzembosz T., *Oddziały szturmowe konspiracyjnej Warszawy*, Warszawa 1983.
- Szaflik J. R., *Początki konspiracyjnego ruchu ludowego*, Warszawa 1973.
- Terej J. J., *Na rozstajach dróg. Ze studiów nad modelem i obliczem Armii Krajowej*. Warszawa 1978.
- Terej J. J., *Rzeczywistość i polityka. Ze studiów nad dziejami najnowszymi Narodowej Demokracji*. Warszawa 1971.

Wojtas A., *Działalność polityczna ludowców w okresie II wojny światowej*, vol. I, Warszawa 1979.

Zaremba Z., *Wojna i konspiracja*, London 1957.

