

Mikołaj Tarkowski

Summary of Professional Accomplishments

1. Given name and surname:

Mikołaj Tarkowski

2. Diplomas, degrees in art/scientific studies:

I graduated from the Faculty of Law and Administration of the University of Gdańsk and obtained a Master's degree in law in 2008, defending my Master's thesis entitled: *Wydział Prawa i Nauk Społecznych Uniwersytetu Stefana Batorego w Wilnie w latach 1919-1939* whose supervisor was Professor Dariusz Szpoper, Hab. Ph.D., honoris causa doctor. On December 10th 2012, I obtained the degree of PhD in Law, also at the Faculty of Law and Administration of the University of Gdańsk, on the basis of my doctoral dissertation, entitled: *Adwokatura wileńska 1918-1939*. The supervisor of this dissertation was Professor Dariusz Szpoper, Ph.D., honoris causa doctor. In turn, the reviewers were: Professor Andrzej Wrzyszczyk, Ph.D. from Maria Curie-Skłodowska University and Professor Zbigniew Naworski, Ph.D. from Nicolaus Copernicus University in Toruń.

3. Information on current employment in scientific/artistic institutions:

In the years 2008-2014 I was employed as an Assistant and Assistant Professor at the Faculty of Law and Administration at the University of Gdańsk. In October 2014, resigning from the University of Gdańsk, I moved to the position of Assistant Professor at the University of Warmia and Mazury in Olsztyn (Faculty of Law and Administration). I worked in this research unit until 2018. From October 2018 until now I have been employed at the Pomeranian Academy in Słupsk (Faculty of Management and Security Sciences; position: Assistant Professor). At the same time, since 2014 I have been working as a lecturer at the

Gdańsk University of Technology in Gdańsk. Furthermore, in the years 2008-2010, I worked at Collegium Balticum Higher School in Szczecin.

4. The indication of the achievement resulting from Article 16 section 2 of the Act of 14 March 2003 - Law on Academic Degrees and Title and Degrees and Title in Art. (Journal of Laws 2016, Pos. 882, as amended in Journal of Laws 2016, Pos. 1311):

M. Tarkowski, *Polacy na Litwie i Białorusi pod rządami Aleksandra II (1855-1881). Studium historyczno-prawne*, Publisher: Wydawnictwo Arche, Gdańsk 2018, pp. 664, reviewer: Professor Małgorzata Materniak-Pawłowska, Hab. Ph.D.

A. Discussion of the scientific objective of the dissertation

Scientific issues related to the legal status of Poles living in the lands of the former Grand Duchy of Lithuania during the reign of Alexander II (1855-1881), including the period after the January Uprising, has not yet been analysed thoroughly and separately in terms of both legal and historical sciences. At the beginning of my research work on the aforementioned issue, I noticed a gap in that field. At the same time, modernization processes taking place in the Russian Empire during the reign of Emperor Alexander II, after the end of the Crimean war, which were the result of relatively liberal reform currents, heralded changes in many areas of social and state life, as well as predicted that the government authorities would adopt a new course towards the representatives of the nobility and peasantry. During Alexander II's reign, Russia was a country heading towards a post absolute monarchy model, as a result of the slow changes in higher education and rural relations, including the abolition of serfdom, as well as in other areas such as the judiciary, public finances, and the military area. The purpose of this monograph was to answer the question how the reign of Emperor Alexander II, the reformer, influenced the legal position of the people who identified themselves with Polish culture, which included the Lithuanian nobility living in the north-western governorates (Vilnius, Kaunas, Grodno, Minsk, Vitebsk, and Mogilev). In order to explore the area related to the legal situation of the Russian emperor's subjects in the North-West, it was necessary to define in more detail the fields of the research work, taking into account the caesura important for the population living on these lands, i.e. the affairs connected with the 1861 peasant reform and the outbreak and consequences of the January Uprising which lasted from 1863 to 1864. Therefore, for the purposes of this book, I have characterized the following areas: the legal status of land estates, the existence of entitlements of the clergy and

believers of the Roman and Greek Catholic Church, as well as the teachers and students functioning in the Russian educational system. It seems that the mentioned triad in the form of issues oscillating around: the state of ownership of the nobility, the Church and education, is a relatively perfect measure enabling the assessment of the content of the most important norms influencing the legal and political status of Poles in the years 1855-1881. These mentioned main areas of social life, as well as their analysis from the legal-historical point of view, did not exclude the possibility of achieving also additional goals, which the author of this monograph has set for himself. They concerned the analysis of the rights and duties of the Lithuanian nobility in the sphere of culture (mainly the legal status of the Polish language and the activities of printing houses and publishing houses) and the policy implemented mainly at the level of representation of the interests of the nobility within the functioning of the state self-government institutions (The District and Guberniya Regional Councils of Nobility).

It should be noted that the monographs and scientific articles published so far, mainly on the basis of historical works, which have adopted as their purpose the characteristics of such issues as: property law, the Church or education, first of all did not take into account carrying out legal analyses using scientific methods and terminological grid adopted in jurisprudence. Secondly, and this seems to be equally important, these issues have not been placed in the system of politics conducted by Emperor Alexander II, whose rule constitutes a separate epoch in the history of the Russian Empire. In this context, it should be noted that in order to reconstruct more fully the legal norms that regulated the issue of property rights in the Russian Empire, its development should be analysed on the basis of the provisions of property law in force on the basis of Volume No. 10 of the Russian Empire's Collection of Rights (edition from 1857). On the other hand, in order to be able to reconstruct correctly the rights and duties of Catholic clergy, one cannot ignore the content of norms resulting from the provisions of Volume 10 and No. 11 of Part 1 of the same collection, which defined the legal status of the church officialdom and of the Roman Catholic priests. In addition, the specific objective of this dissertation was to describe the provisions of Russian legislation concerning the functioning of elementary schools (folk and parish schools, as well as those operating under the supervision of the Ministry of State Property), secondary schools (gymnasiums, progymnasiums), as well as teacher seminars.

While presenting the main goal of this monograph, which is the legal status of Poles, it was worth noting that the sphere of orders and prohibitions, as well as the powers of the Polish population was indirectly shaped by the fact that the instructions and regulations of government administration bodies, including first of all the ministers of: Home Affairs, State

Assets, National Enlightenment, as well as of the Governor-General of Vilnius, governors, or the curator of Vilnius Scientific District, did apply. Taking into account this important mechanism enabling the government authorities to regulate social behavior by directing service orders to Russian officials, it was considered that this area of state activity should be included in the scope of the research work, and determining the content of individual government instructions should constitute another platform for formulating the findings and final conclusions.

Summarizing this fragment of the paper, I would like to conclude that the reconstruction of the legal position of Poles in Northwestern Krai would not be complete if, apart from the historical and legal analysis of the archival materials, legal acts such as: ukases, rescripts and imperial decrees, the author of this dissertation had not made use of a rich collection of administrative instructions and regulations, which, what is equally important, give a chance to answer whether and how the bureaucratic apparatus realized in practice the standards regulating the rights and duties of the Polish population.

B. Achieved results with a discussion of their possible use

In the nineteenth-century Russian legislation, there was no legal definition of „Poles". For the purposes of this monograph, a multi-faceted definition of the Polish population has been adopted. In order to illustrate the wide semantic scope of the term, the author refers to the legal, cultural, religious, economic and political elements. Assuming a broad research perspective, simplified approaches were excluded, according to which the population of Poles was defined solely through the prism of categories: national, religious or lexical. Taking these findings into account, Poles were not only the people who spoke Polish or professed the Roman Catholic religion. On the other hand, the Poles were those who identified themselves with Polish culture, and at the same time were characterized by – as defined by Juliusz Bardach - a two-level national consciousness. It seems that this concept is a kind of a signpost, which enables today's historians and lawyers to understand better the accidents shaping the legal position of the Lithuanian nobility, a group that has adopted Polish culture through historical evolution. In this sense, the fact that the nobility living in the Lithuanian-Belarusian governorates identified with the Polish cultural code was a cardinal finding for this dissertation. At the same time, this attitude did not rule out a certain traditionalist and political attitude assuming the existence of historical awareness of belonging to the nobility of the Grand Duchy of Lithuania. As a consequence of accepting the thesis by Juliusz Bardach expressed by the words: *gente Lithuani, natione Poloni*, in this monograph the term - Pole

also known as Polish population (*Polish people*) - is defined in a political sense, and not only in a cultural or ethnic sense. Considering in detail the other aspects connected with the semantics of the name Poles (the Polish element), it is worth mentioning also other conclusions derived from the source materials. According to the findings of the Vilnius lawyer and cultural and political activist Tadeusz Wróblewski, made at the end of the 19th century, the Russian administration accepted the concept of the Polish population based on the criterion of merging two categories: nationality and identification with Polish culture; at the same time excluding the possibility of using only the confessional criterion (Catholic faith).

The Polish population, represented mainly by the landed classes of Lithuania and Belarus, had a key influence on such areas of social life as economy and culture. What is equally important, the representatives of this group developed a specific ethos of attachment to the agricultural land and land estates. Both factors were considered valuable both in economic terms, but also in non-capitalist terms, leading to the emergence of a belief in the moral and cultural power of their owners. The state of possession, cultivated for centuries, and at the same time, the fact of nobility's provenance was conducive to the development of the concept of citizenship. According to this idea, the landed gentry living in the Northwestern Krai and in a broader context, the entire Western State of the Russian Empire, performed a kind of social service consisting in exercising moral leadership towards other social groups. This specific sphere of connections and relations shaped by centuries of existence of the Commonwealth of both nations was first affected by changes resulting from the abolition of the Third Lithuanian Statute in 1840 and its replacement by the Russian Empire's Collection of Rights (*Svod zakonov Rossiyskoy impierii*), and then by entering into force of the peasants' reform of 19 February 1861, which brought with it the concept of abolishing the subordination of peasants. The changes taking place in the area of ownership relations in the rural areas, especially after the January Uprising of 1863, and also as a result of the government's support for projects and reforms leading to emancipation, in the sphere of private and economic relations, of the representatives of the peasants, caused the indirect evolution of the legal status of the landed gentry. The events taking place in the second half of 1861 connected with patriotic demonstrations were also significant. From that moment on, the policy of dealing with home affairs in the Northwestern Krai clearly began to revolve around the programme of rights limitation and strengthening the system of supervision of public authorities over the activities of their subjects.

The Lithuanian nobility faced challenges related to the need to defend their important values. The complicated legal and political situation of the Polish population resulted from two important events: the 1861 peasant reform and the outbreak of the January Uprising in 1863. Sometimes they resulted in different actions taken by the government administration bodies in the Northwestern Krai and in other governorates of the Russian Empire. In the second half of the 19th century, almost two trends appeared in the Lithuanian-Belarusian lands at the same time, on one hand to modernize social relations and the general reform of the Russian monarchy, and, on the other hand, a trend with a more conservative colouring, which defined the preservation of state order and internal security in those parts of the Empire where the January Uprising of 1863 finally broke out as the main priority. Despite the entry into force of Alexander II's reforms and the commencement of implementation of individual modernization solutions to varying degrees, the legal status of the Polish population, as well as its actual location, were largely regulated by legal norms and administrative instructions, which limited the existing rights in the area of property rights, freedom to practise religious rites, or the functioning of secondary and elementary schools.

An example of establishing legal regulations referring with their sense to the first or the second concept was the legal act of 19 February 1861, which was a part of the acts regulating the issue of peasants, i.e.: *The Local Act on the Territorial Regulation of Peasants Settled on the Civic Lands in the following governorates: Vilnius, Grodno, Kaunas, Minsk and the Vitebsk part*. This law, although it did not eliminate the effects of the inventory laws of the 40s of the 19th century, should be regarded as an example of a liberal legislation in force under the non-liberal (self-leasing) regime. On the basis of its provisions, Emperor Alexander II agreed to set up a group of temporary and committed landowners, who, through an evolutionary process of purchasing land divisions, were to form a group of free workers in the future. This group of peasants-owners, gaining economic independence from the landowners, was to offer their work - on capitalist principles - for the benefit of the landowners.

This type of concepts were in conflict with the views personified by the successive generals governors of Vilnius' Mikhail Muravyov and Konstantin von Kauffman. Mikhail Kuravyov carried out official tasks aimed primarily at bringing peace and public security, while at the same time fulfilling the assumptions of the political plan, which contained the elements of depolonisation. At this point it is worth emphasizing that the strategy of the governments of Muravychov and Kauffman was not fully original, because both the demands for depolonization of the lands of the north-western Russian Empire, as well as the demands including the need to strengthen the authority of the imperial power, have

been submitted by the government authorities since the collapse of the Polish-Lithuanian Commonwealth. It was also noteworthy that Governor-General Mikhail Muravyov, the governor of Vilnius, performed the official duties imposed on him by special powers of attorney granted by Emperor Alexander II. Secondly, his rule fell on the period of martial law (introduced by his predecessor Vladimir Nazimov), which had been in force since 16 February 1863. Martial law in north-western governorates was in force until the beginning of the seventies of the 19th century (until 1872). Assuming, therefore, that the introduction of martial law was an important temporal caesura, and on the other hand, the beginning of the process of slow withdrawal of this emergency status in 1868, we can speak of three phases, in which the legal position of the Polish population evolved. I am thinking here of the following phase: normalisation, application of restrictions, and then attempts to mitigate them.

At the same time, the first of them included, with the omission of the period 1862-1863, the rule of the Governor-General of Vilnius Vladimir Nazimov (1855-1863). The second phase is a good description of the years when Mikhail Muravyov served as Governor-General (1863-1865) and then Konstantin von Kauffman (1865-1866), partly also Count Eduard Baranov (1866-1868). In turn, the third (12 years long) period is connected with the performance of the function of the Governor-General of Vilnius by Aleksander Potapow (1868-1874) and Piotr Albigieński (1874-1880). On the other hand, taking into account the temporal framework adopted by for the purpose of this monograph, and thus the years of the reign of Alexander II on the Russian throne (1855-1881), it was difficult to assess the policy of the Governor-General of Count Eduard Totleben (1880-1884) comprehensively.

A further general conclusion can be drawn from the above findings. For the vast majority of the twenty-six years of the reign of Emperor Alexander II, legal acts or administrative instructions were in force in the north-western governorates, which perpetuated the solutions influencing the legal and political position of the Polish population (1855-1861). These orders also served to eliminate the effects of restrictions introduced by the Russian administration after the outbreak of the January Uprising (1863-1864). Of course, this general arrangement does not exclude the fact that legal and factual solutions aimed at the Polish population were in force, and the culmination of which passed during the period of repressions against the participants of the uprising and the establishment of legal acts discriminating the Polish population, especially in the years 1863-1868. In turn, this cardinal arrangement does not preclude the performance of actions undertaken by the government administration, which cannot be described as pro-Polish, considering also the decisions and circulars published by Aleksander Potapow and Piotr Albigieński, mostly regarded as moderate politicians.

The statement that there was a certain easing of the policy towards the Polish population at the end of the 1860s should be complemented with an answer to the question about the actual reasons for starting this process. First of all, under the influence of the concepts proposed, among others, by Aleksander Potapow and Piotr Albigieński, some ruling elites in St. Petersburg decided that lifting some of the restrictions introduced during martial law could have had a positive effect not only on the economic but also in the moral sphere. In this context, the conclusion of this monograph is that this type of action was at the same time an act of grace shown by the monarch to his subjects. Secondly, the above-mentioned action complied with the implementation of the Russian sovereign's policy based on the principles of equity and justice. The ideological sphere was certainly taken into account during the decision-making process, which later became the basis for the establishment of imperial ukases and rescripts introducing legal concessions to the Polish population, including, first of all, to the owners of landed estates and the faithful believers of the Catholic Church.

However, the application of mitigation policies to the subjects living in the Lithuanian-Belarusian governorates was also determined by other factors. According to the findings of this study, many of the prohibitions lost their effectiveness as a result of the widespread disregard for them. This state of affairs led to a derogation of these norms based on trials described by lawyers as *desuetudo*. The main factors determining the occurrence of this phenomenon were: the passivity of the Russian administrative authorities responsible for enforcing the restrictive bans and prohibitions, as well as the strong consolidation of the environment of Lithuanian nobility perceiving these legal acts and instructions as norms excessively interfering with the economic and moral sphere.

Turning to the discussion on the duration of the establishment and application of restrictions and their subsequent alleviation in particular areas of socio-economic life, I would like to start with legal acts and administrative instructions regulating the sphere of personal rights and culture. A symptomatic circular of government authorities influencing the ability to use Polish in the public space was the circular issued by Governor-General of Vilnius Konstantin von Kauffman on February 8, 1866, significantly extending the scope of existing administrative instructions which enabled to punish people speaking Polish on the streets, in parks and in commercial zones. Despite the fact that this solution was a manifestation of censorship against the Polish language, which was traditionally used by a culturally significant part of the inhabitants of the north-western governorates, at the same time the restrictions stemming from this circular turned out to be largely ineffective. One of the most active inspectors of Vilnius Scientific District Vasily Kulin, after six years of the so-called

Kauffman circular, noted that the physiognomy of Vilnius based on Polishness has not changed, and the Russian administration lost its original impetus and possibilities of real influence on this issue. At the same time, it should be noted that one of the main reasons for this state of affairs was the lack of presence of Russian intelligentsia, both in the capital of the former Grand Duchy of Lithuania and in the Northwestern Krai. An example of actions aimed at least to some extent to mitigate the negative impact of this phenomenon (in the opinion of government authorities) was the action initiated in 1864 jointly by Mikhail Muravyov and Ivan Korniyov (curator of Vilnius Scientific District). The action involved distributing among government officials and encouraging them to read the magazine „Wiestnik Zapadnoy Rossiji”, which was published in 1864-1871. The activities of individual governors, apart from supporting its sales on the basis of the subscription to this magazine, also assumed distributing it to a wide range of private individuals. On the other hand, it should be emphasized that the reduction in the price of ”Wiestnik” subscription, introduced in 1867, was caused by the low interest shown by particular social groups, including the Roman Catholic clergy.

Among the government instructions enabling the officials to interfere within the sphere of personal rights, those aimed at ending the January Uprising and effectively bringing peace and public security to the Northwestern Krai were implemented. Under the conditions of martial law, on July 13th, 1863, the Governor-General of Vilnius introduced an ordinance according to which, in particular, the representatives of the landed gentry, as well as Catholic priests suspected of participating in the uprising movement, were to be brought before the military tribunals within 24 hours of capture and judged including the application of the death penalty. The procedure provided for in the above-mentioned circular could not guarantee the protection of the rights of the participant in the court proceedings. Similarly, there was controversy over the illegal detention of persons sentenced by military tribunals to various types of criminal sanctions, including deportation and confiscation of assets, but these sentences awaited confirmation by the Governor-General of Vilnius, Mikhail Muravyov. Over the years of the end of the January Uprising, the intensity of penal measures and restrictions applied by government administration authorities changed. The number of decisions leading to the deportation of persons suspected of committing a political crime under administrative proceedings to Siberia decreased. Moreover, in the mid-1870s, when officials and the prosecutor's office in the Northwestern Krai were in the process of performing official duties towards the arrested persons, they were taking into account the provisions of the judicial acts of 20 November 1864.

The legal institutions of confiscation, sequestration and servitude can be described in the political context as instruments through which the government administration in the Lithuanian-Belarusian Governorates planned to influence the owners of private landed estates, taking into account the goal of intensifying social conflicts (between the nobility and the peasantry) and reducing the economic potential and the degree of competitiveness of local landed estates. In addition, the confiscation and sequestration institutions had different content and function on legal grounds, but they had a common feature on economic grounds. They allowed for the creation of a sphere of income flowing into the monarchy's treasury, essentially as a result of secular management of the confiscated land assets. However, a very large number of planned and carried out confiscations and sequestrations, especially after 1862, caused many legal and organizational problems. The answer to the problems arising in these areas was to send more officials to work, who were supposed to relieve the congested chambers of public goods. On the other hand, significant interpretation and procedural doubts in the case of proceedings against the claims filed by creditors whose interests were secured on confiscated landed estates were resolved by Alexander II, who issued an imperial decree of February 23, 1868: *Rules of liquidation of debts and consideration of claims against confiscated assets of criminals after the 1863 revolts*. After the entry of the publication of March 1, 1863 into force regulating the obligatory purchase of land divisions by the peasants, the legal situation of landowners became even more complicated. The government authorities noticed that the regulations of the above mentioned ukase converged with norms enabling the confiscation of private land ownership. In result of the observations made, in accordance with Mikhail Muravyov's instruction of 12 August 1864, the legal interests of the peasants were secured, allowing them to purchase the sections of land which were part of the confiscated land property. In the seventies of the 19th century, by virtue of the ukases of Emperor Alexander II, the process of discontinuing the cases of real estate confiscation became visible. On May 11th 1873, the Russian monarch issued a ukase, whose norms ordered the termination of the confiscation cases as soon as possible, including those concerning landed estates belonging to the Lithuanian nobility.

Another manifestation of the influence on the property rights in force in the Northwestern Krai of the Russian Empire was the publication of two fundamental ukases of July 23rd 1865 (*Instruction on the order of sale of the treasure land in western governorates to persons of Russian descent, serving in that country or wishing to reside there permanently*) and of December 10, 1865 (*On the prohibition of persons of Polish descent to re-acquire landed estates in nine western governorates*). The first one introduced, on the basis of Russian

legislation, according to pro-colonial tendencies, the institution of instructional property, which was not subject to sale, donation or testamentary record made for the benefit of persons of Polish origin. The second legal act, called the "December ukase", established the principle according to which land property covered by the sequestration could not be purchased by Poles. Moreover, the current owners of the sequestered property were obliged to sell their properties within two years.

Another form of restriction faced by the landed gentry in the Northwestern Krai was contribution. This type of special fee (amounting to 10%) covered the net income from running manor farms. The legal regulations and administrative instructions governing this institution evolved. Over the time, the percentage tax was set at a fixed level, and thus the legal norms excluded the possibility of setting an annual limit on the contribution levied. On the other hand, in the 70s, civil servants connected with Governor-General of Vilnius Aleksander Potapov and Piotr Albiedynski began to discuss the limitation or abolishment of the contribution fee in its entirety.

The government authorities in the Northwestern Krai influenced the situation of Roman Catholic priests and hierarchs by establishing solutions interfering with the sphere of personal rights of individual clergy, as well as influencing the composition of church institutions operating in particular dioceses. The Russian administration often stimulated changes in the cathedral chapter in Vilnius. The Governor-General of Vilnius led to the appointment of three priests loyal to the government (Piotr Żyliński, Antoni Niemeksa, and Edward Tupalski) to the chapter in 1864. Another case, i.e. the course of successions of the late Archbishop of Mogilev, Wacław Żyliński, in turn, testified to the use by the Russian Emperor of instruments aimed at protecting the property interests of the church hierarchy, which supported his government policy.

In the area of protection of movable and immovable property rights, it seems that for the Russian authorities in Northwestern Krai there was a neutral question of the validity of the provisions of Volume XI of the Russian Empire's Collection of Rights, which guaranteed this principle. The respect for this principle was weakened, firstly by the introduction of the state of emergency (martial law) in the Lithuanian-Belarusian Governorates, which sanctioned the possibility of confiscation of church property under the provisions of the Criminal-Military Act of 1859. The property of the church could have been confiscated by virtue of both the Russian emperor's decision and the actual actions of the state administration on the basis of ordinances of the Governor-General of Vilnius and even the circulars of individual governors, which were in line with them. What seems to be equally important, the confiscation of church

real estates subsequently contributed to the administrative transformation of Roman Catholic churches into Orthodox churches, military barracks or prisons. The liquidation of Catholic parishes resulted in the escalating problem of respect for priests' rights to receive salaries from the treasury of the monarchy in accordance with the appropriate grading for performing spiritual ministry in existing parishes. For this reason, Alexander II published a ukase on April 14th 1867, the standards of which confirmed the validity of the claims for payment of remuneration made by the parish priests. However, the main condition for the payment of remuneration was the premise that the clergyman did not participate in the uprising movement.

The legal status of the Polish language in additional religious services in the Roman Catholic Church was regulated by the Imperial ukase of 25 December 1869. Alexander II, then, decided that the replacement of the Polish language with Russian during religious services not included in the Latin liturgy of the mass could take place on an optional basis. At the beginning of the 1870s, the Minister of Home Affairs of the Russian Empire, Alexander Timashev, issued instructions aimed at the execution of the norms resulting from the imperial ukase. The lower level administration, including officials working in the Northwestern Krai, interpreted the provisions of the instructions from St. Petersburg as an encouragement to initiate procedures providing for the replacement of the Polish language with the Russian language on the grounds of Catholic additional services.

The profile of secondary education in the Russian Empire determined by the 1864 and 1870 ukases was a legal requirement, but a large part of the middle school students attending schools in the Northwestern Krai treated it only as a legal obligation, which did not always reflect the final opinions and views of the students. Elementary schools, then called folk schools, played an important role in the political plans of the inspector of the Vilnius Scientific District of Prince Alexander Shirinskyi Shchmatov, as well as the Governor-General of Vilnius Mikhail Muravyov. According to the temporary regulations of 23 March 1863, they were established only in the Lithuanian-Belarusian Governorates, and in the remaining Governorates of the Russian Empire more than a year later (July 1864). Folk schools had especially created administrative structures within the Vilnius Scientific District - folk schools directorates. Folk schools underwent reforms and changes in the following years, which were aimed at expanding the network of such educational institutions. The changing structure of these organizational units did not eliminate the permanent existence of the idea of creating "peasant schools" on their basis, which educated peasants in the spirit of Russian culture. At the same time, it was one of the dogmas invariably perpetuated by the Russian

authorities throughout the entire period of Alexander II's rule, who in the Northwestern Krai did not succumb to fluctuations in other areas of social life and attempts to mitigate the post-Uprising restrictions.

From the legal point of view, it was forbidden for students to use the Polish language in the secondary and elementary schools. At the same time, Russian was the official language in all educational institutions. In practice, the Polish language was actually present in Russian schools due to the composition of the teaching staff, ineffectiveness of administrative bodies, widespread religious education on the basis of Polish prayer books. In this case, important findings prove that under the influence of Catholic clergy, schoolchildren who were subjected to the obligation to use Russian prayer books in religion classes, in practice used Polish service books, which they hid under the desks only during the time of inspection.

During the January Uprising, instructions and decrees were issued ordering individual administration bodies to close illegal schools (secret educational establishments). They were not fully effective, as evidenced by the director's schools operating in large numbers in the Lithuanian-Belarusian village in the post-uprising years. The activity of secret schools was an important problem for the government authorities, because on May 25th 1874, the Russian emperor sanctioned the validity of norms entitling the inspector of the Vilnius Scientific District to undertake inspections and close elementary schools. In 1876, a discussion took place in the St. Petersburg circles of power, during which the officials of the Third Division of His Imperial Majesty's Private Chancellery decided that the reduction of administrative penalties in the last decade had a negative impact on the education system in the Northwestern Krai, contributing to an increase in the number of institutions and places, where secret education took place.

The legal situation of Poles during the reign of Alexander II, presented above, is a response to the need to characterize the selected spheres of socio-political life at the ends of the north-western Russian Empire. The findings from the book may serve as the basis for further scientific research on the validity of the norms creating the system and the competences of Russian administration authorities, including the administration of the educational system. In addition, the conclusions of this monograph may be of interest for the historians and lawyers who seek information about the slowly emerging in the 19th century doctrine of civil law in the Russian Empire, first of all in the field of property law; reclaiming of private and church properties in the interwar period in Poland and the development of the idea of independence of the Roman Catholic Church in the lands of the former Grand Duchy of Lithuania.

5. Discussion of other scientific and research (artistic) achievements:

A. The lands of the former Grand Duchy of Lithuania and the Kingdom of Poland - Alexander II's day of reforms

I had been working on the scientific articles included in this area in order to answer the question of how the reform of Alexander II, including, first of all, the judicial reform of 1864 influenced, in legal and institutional terms, the state authorities operating in the lands of the former Grand Duchy of Lithuania and the Kingdom of Poland. The scientific works developed in this field (*Wybrane aspekty sekwestrowania i konfiskowania majątków ziemskich na północno-zachodnich krańcach Imperium Rosyjskiego po 1863 roku*, [in:] *Pogranicza w historii prawa i myśli polityczno-prawnej*, ed. D. Szpoper, P. Dąbrowski, Gdańsk-Olsztyn 2017; *U źródeł polityki general-gubernatora wileńskiego hrabiego Michaila Nikołajewicza Murawjowa wobec kwestii chłopskiej i osadnictwa rosyjskiego na Litwie (1863-1865)*, [in:] „Czasopismo Prawno-Historyczne” Poznań 2017, vol. LXIX, [periodical] 1; *The reception of judicial reform of Alexander II in the Polish Kingdom in 1876*, [in:] „Encyclopedy of Law. Scientific and Theoretic Journal”, Moscow 2014, No 2; *Recepcja reformy sądowej Aleksandra II w Królestwie Polskim w 1876 roku*, [in:] *Sudiebnajareforma w Rossii: prijemiestwiennost i modiernizacija. Materialy meždunarodnoj nauczno-praktičeskoj konfierenccii, poswiaszczennoj 150-lietiju Sudiebnoj rieformy Aleksandra II*, ed. E. Tonkow, Biełgorod 2014) draw the picture of the practical activities of the Russian administration bodies. The administration, which, mainly for political reasons and partly taking into account the interpretation of legal norms, did not always show a willingness to implement the solutions which constituted the essence of the changes taking place in the second half of the 19th century in Russia. The main factor that prompted the government authorities to differentiate between the legal solutions adopted in the Northwestern Krai and in other governorates (so-called internal governorates) of the Russian Empire was the political attitude of a part of the Russian social elite standing for introducing restrictions in response to the outbreak of the January Uprising in the western governorates and in the Kingdom of Poland. It is not without significance that Alexander II, after the outbreak of the January Uprising, appointed for high political offices the persons, personified mainly by Mikhail Muravyov-Vilensky, who still in the inter-upraising time favoured, among other postulates, the abolition of serfdom and, by the same, questioned the main postulates constituting the essence of some state reforms conducted in later time.

B. The history of advocacy in Poland in the 19th and the first half of the 20th century

The doctoral dissertation defended in December 2012, supplemented with, but not limited to, source materials deposited at Józef Piłsudski Institute, the Polish Institute and General Sikorski Museum in London, published in the form of a book (*Adwokatura wileńska 1918-1939. Studium historyczno-prawne*, Wydawnictwo Arche, Gdańsk 2014, p. 499) have inspired me to broaden my knowledge on selected issues related to the functioning of legal structures themselves, as well as various forms of attorneys' activity, mainly in Vilnius. Therefore, I described in detail the organizational development of the advocacy department operating during the period of validity of the norms resulting from the Russian judicial acts of 1864 in my scientific articles. Here, as an example, I can mention the article: *The Development of the Legal Profession of the North-Western Provinces of Russian Empire in the Nineteenth and early Twentieth Century*, [in:] „Journal on European History of Law”, London 2014, no 2. Next, in the article: *Participations of Vilnius advocates in the works of lawyers association and legal organizations operating in the interwar period in Poland*, [in:] „Journal on European History of Law”, London 2013, no 1, I described the activities of Vilnius lawyers involved in the work of lawyers' associations and legal organizations during the 20 year interwar period. One of the attorneys' activities was scientific work, including historical and legal sciences, as evidenced by the findings made for the publication devoted to the main areas of research work of the Attorney Isaac Lewin (*Historical-legal trend in the research activities of Izaak Lewin in the interwar period in Poland. Sketch to scientific biography*, [in:] „Zeszyty Naukowe Gdańskiej Szkoły Wyższej”, Gdańsk 2014, vol. 14). Referring to the biographies of the two lawyers appearing in my oeuvre, it should be noted that they were published in *Słownik Biograficzny Adwokatów Polskich*, which has a publishing tradition of several dozen years and a wide reception among the members of the Polish advocacy (*Sukiennicki Wiktor (1901-1983)*, [in:] *Słownik Biograficzny Adwokatów Polskich*, vol. 3 (zmarli w latach 1945-2010), [periodical] 1, A-Ż, ed. A. Redzik, Warszawa 2018; *Piłsudski Jan (1876-1950)*, [in:] *Słownik Biograficzny Adwokatów Polskich*, vol. 3 (zmarli w latach 1945-2010), [periodical] 1, A-Ż, Ed. A. Redzik, Warszawa 2018. Contemporary attorneys may also be interested in a review article in which I convince them that the rhetorical skills acquired in the course of studying historical defensive speeches are useful in oratory workshop currently used by professional court attorneys. (*Tomasz J. Kotliński, Galicyjskie mowy obrończe*, Kraków 2014, p. 206. *Niegdyśejsze mowy obrończe jako źródło umiejętności retorycznych i wiedzy historycznej dla współczesnych*, [in:] „Palestra”, Warszawa 2017, nr 5).

C. History of law teaching in Vilnius, with particular emphasis on the interwar period

The publication: *Wydział Prawa i Nauk Społecznych Uniwersytetu Stefana Batorego w Wilnie w latach 1919-1939*, Wydawnictwo GSW, Gdańsk 2015, p. 344 is dedicated to the old tradition of teaching law in Vilnius, which dates back to the 16th century. The book presents in its main part the organizational and scientific achievements of the Faculty of Law and Social Sciences in Vilnius, which was active in the interwar period. The publication, which in its archival-source structure refers to numerous manuscripts and typescripts deposited in Lithuanian archives and libraries, filled a gap in the history of law teaching on Polish lands. The faculty of law of Vilnius University, with its centuries of tradition, distinguished itself from other universities in the interwar period by the activity of unique organizational units (e.g. the Study of the History of Lithuanian Law), or by works initiated by new directions of research (e.g. sociology of law according to the concept of Bronisław Wróblewski, Professor of Criminal Law). This monograph contains also findings regarding the attempts of the Vilnius professorship to carry out secret teaching for lawyers operating during the World War II.

Other publications devoted to law teaching in Vilnius between 1919 and 1939 can be divided into two main groups. The first group includes papers in which I took up the characteristics of the main research assumptions and scientific and didactic achievements of employees of the Faculty of Law and Social Sciences. At this point it is worth to mention an article entitled: *Nauka i nauczanie prawa cywilnego materialnego i formalnego na Uniwersytecie Stefana Batorego w Wilnie (1919-1939)*, [in:] *Historia testistorum, luxveritas, vitamemoriae, nuntiavetustatis. Księga Jubileuszowa dedykowana Profesorowi Włodzimierzowi Kaczorowskiemu*, Eds. E. Kozerska, M. Maciejewski, P. Stec, Opole 2015. Another dissertation has the similar character: *Wileńscy prawnicy wobec wybranych koncepcji ustrojowo-politycznych oraz kodyfikacji prawa w okresie dwudziestolecia międzywojennego*, [in:] *Tendencje rozwojowe myśli politycznej i prawnej*, Eds. M. Maciejewski, M. Marszał, M. Sadowski, Wrocław 2014.

The second group of articles places the research workers employed at the Faculty of Law and Social Sciences of the Stefan Batory University in Vilnius in its various organizational units (faculties, research institutes) and shows their managerial activities, including the inclusion of new departments, efforts made to develop these units, as well as working as managers of seminars and didactic proseminars. An example of a publication that takes into account the personal and organizational aspect is the article is: *Profesor Iwo Jaworski – wileński historyk prawa (1922-1939)*, [in:] *Stefan Ehrenkreutz i historycy prawa okresu*

dwudziestolecia międzywojennego. W 70. Rocznicę śmierci Rektora Uniwersytetu Stefana Batorego w Wilnie, ed. D. Szpopier, P. Dąbrowski, Gdańsk-Olsztyn 2016.

D. History of law – selected problems

In the presented scientific output there are several articles devoted to selected legal institutions and legal acts, which were in force in different historical periods. In order to get foreign academics (lawyers, historians, students) acquainted I published an article in which I presented one of the monuments of the medieval law in Poland. The work characterizing the Statutes of Casimir III the Great, published in a journal that is the result of cooperation between Polish and Georgian law historians, was entitled: *Statutes of Casimir the Great – the monument of medieval law culture in Poland*, [in:] „Polish-Georgian Law Review”, Olsztyn 2015, No 1.

Subsequent articles and studies were written on the basis of interests and research projects related to selected legal institutions, which were in force in the 19th and early 20th century in the lands of the Kingdom of Poland and the former Grand Duchy of Lithuania. The following works should be mentioned here: *The legal status of the Jews of the western provinces of Russian Empire in the nineteenth century – sketch of the issue*, [in:] *Mieždydarodnaja nauczno-praktičeskaja konferencija, poswiaszczennaja 100-letiju so dnia osnowanija Južnogo fiederalnogo uniwersitieta. RazwitiJuridiczeskoj nauki w nowych usłowijach: jednistwo tieorii i praktyki. Sbornik tezisow*, Ed. I. P. Zinowiew, vol. 1, Rostow na Donu 2015. The findings of the study constitute a contribution enabling to compare the legal situation of two groups of addressees of legal norms in the Russian Empire. Thanks to this publication, it is possible to build a comparative picture of the validity of the rights and obligations imposed on the population of Jewish origin on one hand, and of Poles on the other hand.

A series of articles aimed at elaborating on selected issues related to the validity and amendment of the Constitution of the Kingdom of Poland of 1815, as well as the functioning of the authorities sanctioned by this act after the end of the November Uprising, brought important scientific findings. They concern the development of the idea of constitutionalism in Poland. Secondly, they make it possible to assess the political decisions taken by government authorities after the fall of the November Uprising, first of all, with regard to the activities covering the legal and political achievements which were developed in the constitutional period of the Kingdom of Poland (1815-1830). I have addressed the issues outlined above in the following work: *Additional Article from 13 February 1825. Institution of completing the Constitution of the Kingdom of Poland from 1815*, [in:] „Journal on

European History of Law”, London 2013, No. 2 oraz *Paskiewicz Iwan Fiedorowicz – namiestnik Carstwa Polskiego (1832-1856)*, [in:] „Wiestnik juridycznego fakultetu Jużnego fiedieralnago uniwersitetu”, Rostow na Donu 2015, No. 2.

I analysed a completely different issue referring to the institution of intellectual property rights and its protection in the Russian legislation, in the publication entitled: *Prawo autorskie jako element kultury prawnej. Ochrona własności literackiej, artystycznej i muzycznej w Imperium Rosyjskim w poglądach Włodzimierza Spasowicza*, [in:] „Miscellanea Historico-Iuridica”, Białystok 2016, vol. XV, [periodical] 2. The conclusions on the slowly developing concept of copyright in the Russian Empire are an important historical context for the contemporary system of copyright protection. The same work makes us aware of the essence of copyright, which, according to lawyers and attorneys, operating at the turn of the 19th and 20th century in Russia could not be included in the category of property rights, because their subject matter was not things, but works of an intangible nature, the source of which could be traced back to human intellect.

E. The elements of legal and political thought (Polish and Russian)

The issues related to the development of the legal and political thought in the 19th and 20th centuries, both in Poland and in the Russian Empire, were the subject of research, which resulted in articles published in Polish and Russian scientific magazines.

In the paper: *Szlachta Kraju Północno-Zachodniego w służbie imperatora rosyjskiego. Rys poświęcony poglądom politycznym hrabiego Ignacego Korwin-Milewskiego*, [in:] „Studia Iuridica Lublinensia”, Lublin 2016, vol. XXV, No. 3 I showed the development of political thought in the lands of the former Grand Duchy of Lithuania on the example of loyalist concepts directed towards the Russian throne. Their propagator was one of the representatives of the conservative environment - Count Ignacy Korwin-Milewski. Walerian Wróblewski, the protagonist of the next article, presented a completely different political stance. This social and political activist, a participant of the 1863 Uprising in the Grodno Governorate, should be considered a supporter of the political programme supported by the „red ones”.

My scientific output also includes papers on the characteristics of geopolitical processes which took place in Europe after the World War II. The catalogue includes the following works: *Wizja Europy w poglądach Juliusza Mieroszewskiego – wybrane zagadnienia*, [in:] *X lat Polski w Unii Europejskiej – doświadczenia i perspektywy*, ed. M. Borkowski, A. Friedberg, Gdańsk 2014 and *Antikomunistyczne wzgłady Czesława Miłosza*, [in:]

Wyborputirazwitijskij: polskij i rossijskij istoriczeskij opyt końca stoletija, Ed. L. Gorizontow, Moskwa 2016. I provided an insight into the literary activity of Juliusz Mieroszewski, the correspondent of „Kultura” magazine edited by Jerzy Giedroyc, through the prism of concepts which ruled out the peaceful existence of European nations. I did not focus then solely on the characteristics of the „ULB-Ukraine, Lithuania and Belarus” doctrine, supported and co-created by Mieroszewski. I have also shown the essence of the elements important for his thoughts, such as the effects of the post-Yalta division of Germany, the imperialist position of the Soviet Union and the nationalist policy of the European nations. On the other hand, the presentation of the critical ideas about the communist system in Europe in the second half of the 20th century, in the works of the poet and prose writer Czesław Miłosz, have allowed me to formulate an assessment of the anti-communist views of this author - however, with the reservation that it was not anti-communism in the right-wing variant.

Subsequent articles in the field of political and legal thought were devoted to the studies on the concepts raised by Russian politicians and philosophers. The paper entitled: *U źródeł polityki general-gubernatora wileńskiego hrabiego Michaila Nikołajewicza Murawjowa wobec kwestii chłopskiej i osadnictwa rosyjskiego na Litwie (1863-1865)*, [in:] „Czasopismo Prawno-Historyczne” Poznań 2017, vol. LXIX, [periodical] 1 is a description of the main views, which are reflected in the policy pursued by the Governor-General of Vilnius, Mikhail Muravyov. The solutions proposed by this state activist prove that, despite the lack of originality, they were an example of a political programme which, according to the government authorities, was proposed at the right time and place. On the other hand, the main assumptions of Boris Cziczeryn's views presented in my article: *System przedstawicielski w poglądach Borysa Cziczeryna*, [in:] „Opolskie Studia Administracyjno-Prawne”, Opole 2016, No. 2, make it possible to formulate a thesis that the Russian philosopher has presented a coherent, liberal-conservative vision of the monarchy, operating on representative principles.

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