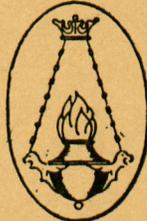


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- Vol. II — "*Liber Disparata Antiqua Continens*" Praes. E. WINKLER, pp. XVIII+190, 281 doc. (ante a. 1424) 19 facs. Ind. nom. propr. 1960. (Archivum Capituli Trident.).
- Vol. III — *Repertorium Rerum Polonicarum ex Archivo Orsini in Archivo Capitolino*, I pars. Coll. W. WYHOWSKA - DE ANDREIS, XVIII+162, 1144 doc. (A.D. 1565-1787) 29 tab. Ind. nom. propr., ind. chron. 1961.
- Vol. IV — *Res Polonicae Elisabetha I Angliae Regnante Conscriptae ex Archivis Publicis Londoniarum*. Ed. C. H. TALBOT, pp. XVI+311, 166 doc. (A.D. 1578-1603) 9 tab., Ind. nom. propr., ind. chron., glossarium verb. ang. ant., 1961.
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- Vol. VII — *Repertorium Rerum Polonicarum ex Archivo Orsini in Archivo Capitolino*, II pars. Coll. W. WYHOWSKA - DE ANDREIS, pp. XIV+250, 1205 doc. (A.D. 1641-1676) 11 tab. Ind. nom. propr., ind. chron. 1962.
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- Vol. IX — *Res Polonicae ex Archivo Regni Daniae*, I pars. Coll. L. KOCZY, pp. XII+184, 98 doc. (A.D. 1526-1572) 8 tab. Ind. nom. propr. 1964.
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| Page 66, footnote 9 | chapter II, p. 34 | chapter II, p. 37 |
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| Page 70, 4th line from the bottom | vengerence | vengeance |
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| Page 72, 18th line from the top | the malcontens. | the malcontents |
| Page 75, 9th line from the top | refused | refuted |
| Page 86, 4th line from the top | only let that the mal- contents to form | only permit the mal- contents to form |
| Page 86, 6th line from the top | the dissents | the dissenters |
| Page 92, 2nd line from the top | Ma y1 | May 1 |
| Page 96, 11th line from the top | stilla minor | still a minor |
| Page 102, 14th line from the top | Fredericks' proposal | Frederick's proposal |
| Page 123, 6th line from the bottom | prevent expansion | prove dangerous |
| Page 126, 11/12th lines from the top | | line 12 repeated by mistake |
| Page 140, bottom line | even of | even if |
| Page 223, footnote 158 | page 222 | p. 224 |
| Page 229, footnote 2 | p. 146 | p. 147 |
| Page 259, 14th line from the bottom | defiance | defiance |

GEORGE TADEUSZ ŁUKOWSKI

THE *SZLACHTA* AND THE CONFEDERACY OF RADOM,
1764-1767/68:
A STUDY OF THE POLISH NOBILITY

Rodzicom

(This dissertation is submitted in partial fulfilment of the requirements for the degree of Doctor of Philosophy of the University of Cambridge)

1977

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PREFACE

The history of eighteenth century Poland culminates in its destruction. Not unnaturally, the final stages of the process, the partitions, and the desperate efforts made in the latter half of the reign of Stanisław August Poniatowski (1764-1795) have attracted the attention of Polish and non-Polish historians. Little research, however, has been done into the reigns of the two Saxon kings, Augustus II (1697-1733) and Augustus III (1733-1763), where the existing literature continues to be dominated by the work of the Poland's great nationalist historian, Władysław Konopczyński (1880-1952). Although the seeds of future reform were sown in this period through the limited educational reforms of the Piarist, Stanisław Konarski, it was primarily a time of stagnation, characterized by the egoistic, petty and short-sighted quarrels of Poland's great families.

Polish politics did not receive a positive impetus until the election of Stanisław August Poniatowski, which heralded the inauguration of a series of determined efforts to reform the state. Poniatowski and his supporters were uncomfortably dependent on the backing of Prussia and, more particularly, Russia, whose rulers viewed with alarm their protégés' efforts to reinvigorate the Polish Commonwealth (*Rzeczpospolita*, *Res Publica*) so that it might play an active role in the politics of central and eastern Europe. To avoid this possibility, Prussia and Russia withdrew their support from Poniatowski and his family until, by early 1768, the scope of the reforms introduced in 1764 had been considerably reduced.

These years, from 1764 to 1768, which saw the first determined attempt for almost a century to reform the Commonwealth have received only scant attention from Polish historians. Szymon Askenazy's *Die letzte polnische Königswahl* (Göttingen 1894) deals adequately with the international ramifications of Stanisław August's election, but has little to say on the internal history of the Polish interregnum. Władysław Kisielewski's *Reforma ks. Czartoryskich na Sejmie Konwokacyjnym* (Sambor 1880) cannot pretend to treat exhaustively the reforms of the Convocation Sejm (Parliament). The reforms and political manoeuvrings of Stanisław August's Coronation Sejm await a monograph. The Delegation Sejm of 1767/68 has attracted the attention of constitutional and legal historians (see chapter VII) and the spectacular confederacy

of Bar (1768-1772), a national, Catholic but essentially conservative reaction against Russian policy in Poland has absorbed most of the attention of historians dealing with Poniatowski's early reign. Only Alexander Kraushar's *Książę Repnin a Polska* (2nd. edition, Cracow 1898) covers the years between the interregnum and the confederacy of Bar. Kraushar relied heavily on the documents published by the Russian Imperial Historical Society (in the relevant volumes of the *Sbornik Imperatorskogo Russkogo Istoricheskogo Obshchestva*, St. Petersburg, 1867-1913) and on S. M. Solov'ev's *Istoriya Rosjii s' drevnejshich Vremen* (St. Petersburg 1897) which he treated in a careless, superficial manner. Kraushar made scarcely any attempt to consult unpublished Polish sources. Insofar as Kraushar quotes from many documents and speeches *in extenso*, his work has considerable value, if used with caution, and remains the only available introduction to the period. Konopczyński's *Konfederacja Barska*, (2 vols., Warsaw 1936) contains valuable, but cursory remarks on Bar's forerunner, the reactionary Confederacy of Radom (1767-1768).

Although articles have sporadically appeared in Polish historical journals which deal with certain aspects of the first four years of Poniatowski's reign, it can safely be said that their history has yet to be written. This should be qualified to allow for research done, particularly since 1945, into the sociology of the Polish nobility or *szlachta*, most notably by A. Zajaczkowski, *Główne Elementy Kultury Szlacheckiej w Polsce* (Wrocław 1961) and J. Jedlicki, *Klejnot i Bariery Społeczne* (Warsaw 1968). They and others who have participated in the debates sparked off by their researches have not, of course restricted themselves to the years 1764 to 1768 but studied the *szlachta* within a much broader chronological framework.

At its widest, this thesis covers the four years which followed the interregnum. However, the years 1764 to 1766 are treated only in order to understand the Confederacy of Radom, a movement generally seen as a spontaneous reaction by the *szlachta* against the reforms of 1764. Certainly, the element of reaction was important. But it is hoped that this thesis will demonstrate that there was far less support for the opponents of reform than has generally been supposed. Far from being spontaneous, the Confederacy of Radom was largely imposed by the Russians. Many of the *szlachta* and indeed their leaders had no real understanding of the issues involved. Chapters V and VIII in particular are intended to shed new light on the attitudes and mentality of the Polish nobility, besides detailing the history of the Radomian movement itself, which, so far, has been known in only the broadest outline to Polish historians. Chapter V also sees the first attempt at a quantitative treatment of Polish

party politics at a local level. The mythology and glamour surrounding the confederacy of Bar have tended to distract from an important episode in Polish history: the partial destruction of major reforms by a segment of the Polish nation, with the connivance and encouragement of Russia and, to a lesser extent, of Prussia. Radom constituted an important stage in the eradication of Polish independence. Considerable space has thus been devoted to an examination of Russian and Prussian activity in Poland. The policies of all three countries were so intertwined as to be inseparable.

Poland, perhaps more than most countries, has been subject to violently fluctuating political fortunes. The major practical consequence to the historian of the wars over and invasions of Polish territory since the late eighteenth century is a relative paucity of native Polish historical sources. This is partially counterbalanced by foreign sources, which are particularly significant as the foreign policies of other countries played a disproportionate part in settling Poland's internal affairs. Russia constituted the major foreign influence in Stanislaw August's Poland. Unfortunately, it is not the present policy of the U.S.S.R. to admit Polish, or even Russian, historians, let alone Western ones, to the correspondence of the Imperial ambassadors to Poniatowski's Poland. This is partially compensated by sources published before the Russian Revolution, notably in the *Sbornik* and in Solov'ev's history, already mentioned. The latter is invaluable for its extensive quotations from the despatches of the Russian ambassador, Replin, whereas the *Sbornik* includes chiefly his instructions from the Russian court. Both publications, however, passed through the Imperial censorship and there may well have been some mutilation of the original texts prior to publication. Copies of some of Replin's papers, available in the archives of the Congress Kingdom of Poland, part of the Central Archives for Historical Materials (A.G.A.D. — Archiwum Główne Akt Dawnych) in Warsaw, are a valuable supplement.

Thanks to the kindness of Professor Emanuel Rostworowski of the Polish Academy of Sciences (P.A.N.—Polska Akademia Nauk), in Cracow, I have been able to consult his transcripts of the despatches of the two men most closely associated with Replin in the diplomatic corps in Warsaw, August Franz Essen of Saxony and Gedeon Benoit of Prussia, Essen's despatches are preserved at Dresden, Benoit's at Merseburg, in the German Democratic Republic. Essen's letters in particular are a source of copious information on the internal machinations of the Confederacy of Radom and Polish politics in general. They should be supplemented by the reports of other Saxon agents in Warsaw, Bratkowski and Radziwiński, now at the Bibliothèque Polonaise, in Paris. The relevant published

volumes of Frederick II's *Politische Correspondenz* shed valuable light on Prussian and Russian policy towards Poland. The despatches of Armand de St. Saphorin, the Danish minister (also available on microfilm in A.G.A.D.) at the Rigsarchivet, Copenhagen and the letters of S. L. Geret in the Polish state archives at Toruń (some of which have also been published in *Neue Preussische Provinzial Blätter*, Königsberg 1866) are especially informative on the conduct of the Polish religious dissenters. Although France had no official representatives in Poland at this time, the reports of Louis XV's unofficial agents, in the archives of the Ministère des Affaires Etrangères, Paris, contain much information on the opposition to Stanisław August. The reports of the British resident, Thomas Wroughton, are less valuable, reflecting the relative lack of interest of the British government in Poland. The despatches of Papal nuncios in the Archivio Segreto Vaticano, some of which have been published by Augustin Theiner (see bibliography) are especially useful for ecclesiastical affairs.

Of published Polish sources, the *Volumina Legum*, containing the legislation of the Polish Sejmy, are indispensable. The acts of some of the local assemblies, the *sejmiki*, containing instructions for the Sejmy and the records of local assemblies, have been published: those of Dobrzyń, Halicz, Ruthenia, the two palatinates of Brześć Kujawski and Inowrocław, and of some of the Lithuanian *sejmiki*. The records of many *sejmiki* (the *gród* books) of Poland, as opposed to those of the Grand Duchy of Lithuania, have been preserved in the Polish state archives in Warsaw, Cracow, Lublin, Poznań and Gdańsk. Copies of many others are available among the Pawiński papers in the Institute for historical documentation, Cracow. There are doubtless many Lithuanian *gród* books in inaccessible Soviet archives.

The correspondence of the Polish principals of Radom survives only in part. Relatively little of the correspondence of the reformers is extant. The bulk of the archives of the Czartoryski family archives was destroyed by fire in the nineteenth century. Polish historians are still uncertain whether any of Stanisław August's family archives remain. They are occasionally rumoured to be in the hands of his descendants in France, who maintain an enigmatic silence on the matter. However, the Czartoryski library in Cracow contains many valuable miscellaneous letters to the king and other royalist documents. The Popiel collection (A.G.A.D.) contains copies of the despatches of Jakub Psarski, Poland's minister in Moscow, and of correspondence between Stanisław August, Catherine II and Nikita Panin. In Cracow, the Jagiellonian library has a particularly valuable collection of letters to royalists in Lithu-

ania, notably Adam Chmara, attorney-general (*Instygator wielki*) of Lithuania, and Joseph Hylzen, marshal of the Tribunal of Lithuania.

Two major sets of documents stemming directly from the opposition to Stanisław August survive. The Mniszech papers, in the Czartoryski library and the library of the Academy of Sciences, both in Cracow, provide much detail on the inner councils of the reformers' opponents in Poland proper. In Warsaw, A.G.A.D. houses the vast Radziwiłł archives, indispensable for any consideration of the opposition in Lithuania. The Roś archives in A.G.A.D. contain many letters to one of the leading foci of opposition, *hetman* J. Kl. Braniczki. Also in A.G.A.D., some fragmentary correspondence of the Potocki family is preserved in the Public Archives of the Potocki family. The Sucha manuscripts constitute an invaluable series of 'Silvae Rerum' — contemporary collections of propaganda, polemics and other writings of current interest. The so-called Lithuanian Register is particularly valuable in that it contains the original records of the Confederacy of Radom (i.e. of Poland proper, as opposed to Lithuania).

The most valuable contemporary memoirs come from the reformers' camp. Pride of place is occupied by Stanisław August's own memoirs (published in St. Petersburg, 1914). A different reformist standpoint is furnished by the recollections of Stanisław Lubomirski, grand marshal of the Crown (*Pod Władzą księcia Repnina*, ed. J. Łojek, Warsaw, 1971), which should be supplemented by Lubomirski's papers in the Potocki archives in A.G.A.D. Unfortunately, no comparable reminiscences survive from the malcontent side. It is to be regretted that the remarkable frank memoirs of Marcin Matuszewicz, secretary to the Confederacy of Radom (published, Warsaw 1876), break off in 1765.

The bulk of this thesis is based on entirely original research and includes nothing which is the outcome of work done in collaboration. Only chapter I, forming a general introduction of Poland at the outset of Stanisław August's reign, and parts of chapter VIII, notably the discussion of the Delegation Sejm, are based significantly on already existing monographs, though even here I have tried as much as possible to reach beyond to original sources. Where I have leaned on the work of others, I have made due acknowledgment.

Inevitably, problems of terminology have arisen. Poland had a complicated honours system, by which her nobility set much store. It is possible that English equivalents may be found for all Polish offices and dignities, but many would appear so unfamiliar as to be affected. Where no English equivalent has been immediately

apparent, I have retained to Polish. There has been some arbitrariness in this. I can only plead that the diplomats stationed in Poland were equally arbitrary in their translations. On the whole, I have tended to favour the original, Polish terminology. The same applies to such institutions as *sejmiki* or Sejm(y). For convenience's sake, I have used the terms *szlachta* and nobility interchangeably, though the reader should not forget the peculiar characteristics of the Polish nobility.

In the case of Polish Christian names, I have, with some exceptions, used English equivalents. I have endeavoured to use the Polish form as much as possible in place names, except where very well established equivalents exist in English (eg. Warsaw, Cracow). Gdańsk, Toruń and Elbląg are referred to by their German equivalents, Danzig, Thorn and Elbing, where used in an eighteenth century context.

Russian documents were dated using the Julian calendar, then eleven days 'behind' the Gregorian. Where I have quoted from such documents, I have used both dating systems, separating old style from new by a diagonal stroke (/).

In transliterating from the cyrillic, I have used the system of transliteration employed by the Cambridge University Library.

During the course of my research, I encountered much assistance from numerous persons. I would like to thank my supervisor, Professor L. R. Lewitter, of Cambridge University, for his invaluable help and constant encouragement; Professor Jerzy Michalski of the Polish Academy of Sciences in Warsaw, who, for two years, spared much of his busy time to assist me with his suggestions and guide me through the intricacies of Polish archives. I owe a particular debt of gratitude to Professor Emanuel Rostworowski, of the Cracow branch of the Polish Academy of Sciences, for his immense kindness in giving me access to his transcripts from East German archives and from the Vatican collections. I also wish to thank doctor Jerzy Dygdała of the university of Toruń, who allowed me to see part of his typescript of an unpublished work on the town of Thorn (Toruń) under Stanislaw August. Doctor John Dawson of the literary and linguistic computing centre of the faculty of modern and medieval languages of Cambridge University was of great help in processing the statistical data examined in chapter V. I am grateful to Professor B. S. Pullan of the department of History at Manchester University for his kindly and critical suggestions at the final stages of the thesis. Lastly, I cannot forebear to record a personal debt of gratitude to Mrs. S. Shennan, late of Cambridge University, who helped rescue both chapter VIII of the manuscript and myself from a motor accident.

LIST OF ABBREVIATIONS USED IN THE TEXT

| | |
|-----------------------|---|
| AE. Pol. | Archive du Ministère des Affaires Etrangères, Pologne, Paris. |
| AGAD. | Archiwum Główne Akt Dawnych, Warsaw. |
| AGAD. | contains the following sections (all in Warsaw): |
| AB. | Zbiór Anny Branickiej |
| AKP. | Archiwum Królestwa Polskiego |
| APP. | Archiwum Publiczne Potockich |
| AR. | Archiwum Radziwiłłowskie |
| Mała Wieś | Archiwum z Małej Wsi |
| ML. | tzw. Metryka Litewska |
| Roś | Archiwum Roskie |
| Sucha | Zbiór z Suchej |
| ZP. | Zbiór Popielów |
| Akta XXIII, XXV | <i>Akta grodzkie i ziemskie</i> vol. XXIII ed. A. Prochaska (Lwów 1928) vol. XXV ed. W. Hejnosz (Lwów 1935) |
| ASV. Pol. | Archivo Segreto Vaticano, Polonia, the Vatican |
| AT. | Archiwum toruńskie, Toruń. |
| B. Cz. | Biblioteka Czartoryskich, Cracow. |
| BJ. | Biblioteka Jagiellońska, Cracow. |
| B. Kórn. | Biblioteka Kórnicka, Kórnik, near Poznań. |
| BL. Add. Mss. | British Library, Additional Manuscripts, London. |
| B. Łop. | Biblioteka im. Łopacińskich, Lublin. |
| B. Nar. | Biblioteka Narodowa, Warsaw. |
| B. Oss. | Biblioteka Ossolińskich, Wrocław. |
| BP. | Bibliothèque Polonaise, Paris. |
| DZA | Deutsches Zentralarchiv, Merseburg. |
| Kluczycki, F. | <i>Acta historica res gestas Poloniae Illustrantia</i> vol. X. <i>Lauda conventuum particularium terrae Dobrynensis.</i> ed. F. Kluczycki (Kraków 1887). |
| Ks. Gr. | Księgi grodzkie (<i>Gród</i> books). |
| Lubomirski, Mémoires. | <i>Pod Władzą Księcia Repnina</i> (memoirs of Stanisław Lubomirski, Grand Marshal of the Crown, issued under the title <i>Under the rule of Prince Repnin</i>) ed. J. Łojek (Warsaw 1971). |
| PAU. | Polska Akademia Nauk, Cracow. |
| Paw. | Teki Pawińskiego, Zakład Dokumentacji Instytutu Historii PAN w Krakowie, Cracow. |
| Pawiński V | <i>Dzieje Ziemi Kujawskiej</i> , vol. V, ed. A. Pawiński (Warsaw 1888). |
| PC. | Politische Correspondenz Friedrichs des Grossen. (Berlin 1896-1902). |

| | |
|-----------------------|---|
| Poniatowski. Mémoires | Mémoires du Roi Stanislas Auguste Poniatowski, vol. I. (St. Petersburg 1914). |
| PRO. SP. | Public Record Office, State Papers, London. |
| RA. Cop. Sb. | Rigsarchivet, Copenhagen. <i>Sbornik Imperatorskago Russkogo Istoricheskogo Obshchestwa</i> (Collection of the Russian Imperial Historical Society) (St. Petersburg, 1867-1913). |
| SLHA. | Sächsisches Landes-Hauptarchiv, Dresden. |
| Solov'ev | S. M. Solov'ev <i>Istoriya Rosii s' drevnejshich Vremen</i> 29 vols. in 6 2nd edition (St. Petersburg 1897). |
| Theiner | Augustin Theiner <i>Vetera Monumenta Poloniae et Lithuaniae Gentiumque finitimarum Historiam Illustrantia</i> vol. IV part II. (Rome 1864). |
| Vol. Leg. | <i>Volumina Legum</i> 8 vols. in 4 (St. Petersburg 1859-1860). |
| WAPG. | Wojewódzkie Archiwum Państwowe w Gdańsku. |
| WAPL | Wojewódzkie Archiwum Państwowe w Lublinie |
| WAP. Poz. | Wojewódzkie Archiwum Państwowe w Poznaniu |
| Waw. | Wojewódzkie Archiwum Państwowe w Krakowie, oddział na Wawelu. |

CHAPTER I

THE CONDITION OF POLAND IN 1764

On September 6, 1764, the citizens of the Commonwealth of the two nations of Poland and Lithuania elected their last king. With this, their country entered its last generation of formal, political independence, which was to come to an end in 1795. The Commonwealth was to lose its independence because its citizens, the *szlachta*, the gentry-nobility, the ruling class of a vast country of eleven and a half million inhabitants,¹ were unable to carry out or even comprehend their responsibilities. There was no alternative group which could support or co-operate with the *szlachta*. Their republican governmental system could function efficiently only if its practitioners were endowed with a high degree of political maturity. In the reign of Stanisław August Poniatowski (1764-1795), as for over a hundred years under his predecessors, the *szlachta* showed themselves markedly lacking in this quality.

The *szlachta* totalled some 950,000, over eight per cent of the population. Most of the adult males were entitled to participate fully in the political life of their country. Yet Poland lacked stable foundations. The Commonwealth possessed little commerce; great natural resources but little industry, and an agriculture reliant on

¹ Before the first partition, Poland had an area of approximately 733,500 square kilometres. Even after the loss of some 30% of her territories in 1772, Poland was little smaller than France. B. Baranowski 'Zmiany w stosunkach folwarczno-pańszczyźnianych w drugiej połowie XVIII w.' in *Zarys Historii Gospodarstwa Wiejskiego w Polsce* vol. II (Warsaw 1964) pp. 89-90. The population figures are taken from T. Korzon *Wewnętrzne Dzieje Polski za Panowania Stanisława Augusta* vol. I (2nd. ed. Cracow — Warsaw 1897-1898) pp. 61-63. Modern Polish economic historians accept these figures. Eg. Baranowski *ibidem*, J. Topolski 'Gospodarka' in *Polska w Epoce Oświecenia* ed. B. Leśnodorski (Warsaw 1971) p. 178.

It is worth comparing Poland's population with that of other countries:

| | |
|----------------|------------------------------------|
| France | 22,000,000 inhabitants (1752-1763) |
| Prussia | 3,037,000 inhabitants (1763) |
| Russia | 19,000,000 inhabitants (1762) |
| Hapsburg lands | 7,853,000 inhabitants (1754) |

The figures are taken from those shown in the *New Cambridge Modern History* vol. VIII ed. A. Goodwin (Cambridge 1965) pp. 714-715.

acreage and natural fertility rather than technique. The 'urban' population may have been as numerous as the *szlachta*, but ninety per cent of the towns had less than one and a half thousand inhabitants: only a handful—Warsaw (23,000 inhabitants in 1754, 40,000 in 1770, 100,000 towards the end of the Four Years Sejm of 1788-92). Poznań, Cracow (5,000 inhabitants in 1750), Lublin, Wilno, Lwów, Danzig and Thorn (the last two with 40,000 and 8,000 inhabitants respectively in 1773) — were distinguishable from villages.² The vast majority of the population were serfs: tied to the land, subject to the will of their *szlachta* masters, who still retained power of life and death over them, bereft of any rights — only serfs living on Crown lands could appeal to royal justice from the decisions of their seigneurs — they had little in common with their masters and little interest in the preservation of a system which depended on their direct exploitation. Their only real defence lay in flight and, in the troubled Ukrainian provinces, in armed revolt. Foreign travellers universally exclaimed at the peasants' abject misery.³

In most of these respects, Poland differed little from Russia, the Hapsburg domains or parts of Prussia. Similar socio-economic ills affected all of continental Europe, to some degree. But, unlike Poland, all those other states possessed varying forms of effective central government. In Poland regionalism was so strong that even the legal relationship of the different parts of the country to each other were confused. Administratively, there were two provinces—Poland, or, as it was frequently known, the Crown, and Lithuania, with twin but separate administrations, and a common parliament, or Sejm.⁴ The Crown was further subdivided into the provinces of Wiel-

² T. Łepkowski *Polska — Narodziny Nowoczesnego Narodu* (Warsaw 1967) pp. 102-103, 105-106. Korzon op.cit. vol. I. pp. 167, 273-277, 310-312. Korzon's data apply mainly to the period after the first partition.

³ See the comments of William Coxe *Travels into Poland, Russia, Sweden and Denmark* vol. I (London 1784) p. 122. N.W. Wraxall *Memoirs of the courts of Berlin, Dresden, Warsaw and Vienna* vol. II (London 1799) pp. 32-33. The best source of foreigners' views on late eighteenth century Poland is the recent compilation *Polska Stanisławowska w Oczach Cudzoziemców* 2 vols. ed. W. Zawadzki (Warsaw 1963).

⁴ The two administrations were not exactly identical, but the following major offices, given in their approximate hierarchical order, were common to the Crown and Lithuania:

Ministers: Grand marshal, Grand chancellor, vice-chancellor, Grand treasurer, marshal of the court (this last post was a sinecure).

Ministers of war: Grand *hetman*, field *hetman*.

Dignitaries: Grand secretary (ecclesiastical and lay), Grand referendary (ecclesiastical and lay), court treasurer, Grand chamberlain (*Podkomorzy*), Grand ensign (*chorąży*), court ensign, *miecznik* (swordbearer), *koniuszy* (master of horse), *podkoniuszy* (assistant to the preceding), *kuchmistrz* (master of the kitchens), *krajczy* (carver), *stolnik* (steward), *podstoli* (deputy steward), *cześnik* (master of the cellars), *podczaszy* (cup-

kopolska and Małopolska (Great and Little Poland).⁵ It was also possible to speak of Royal or Polish Prussia as a separate province. Royal Prussia even had a separate citizenship, and though Prussians could hold office in the Crown or Lithuania, a non-Prussian could hold office in Prussia only if the General *sejmik* (or assembly) of Prussia granted him local citizenship. The towns of Thorn and Danzig in particular held that Prussia was subject to the authority, not of the Sejm, but of the king alone (even though Prussia returned deputies to the Sejm), whose powers were, in turn, circumscribed by the particular privileges of the province; in contrast, the Prussian *szlachta*, though jealous of their privileges, felt a greater solidarity with their brethren in the rest of Poland.⁶ The duchy of Courland, in theory a Polish fief, was, in practice, a Russian satellite.⁷ The hinterland of the town of Elbing was held by the king of Brandenburg-Prussia for most of the eighteenth century as security for Commonwealth debts.⁸

Strong religious and ethnic diversity gave rise to further divisions. Catholicism was the dominant faith, but less than half the population was Polish and Roman Catholic. There were some 4,000,000 Greek Catholics or Uniates, mostly Ukrainian and White Russian peasants. They and their ancestors, often forced by the predominantly Roman Catholic *szlachta* into Catholicism, felt more in sympathy with Poland's 550,000 Greek Orthodox.⁹ These, too, were mainly peasant: the Orthodox *szlachta* constituted small, unimportant

bearer), *łowczy* (master of the hunt), notaries (*pisarze*).

Military dignitaries: field notary, Grand seneschal (*strażnik*), camp-master (*oboźny*).

Many of these offices were duplicated at a local level. Most of them were purely titular. It is important to bear this hierarchy in mind as the type of office gives some indication of the social standing of the holder. For complete lists, see B. Lengnich *Prawo Pospolite Królestwa Polskiego* (ed. and translated from the Latin, Cracow 1836) pp. 303-309; Korzon op.cit. vol. IV, pp. 1-2.

⁵ These were primarily judicial provinces. The supreme Crown court, the Tribunal, sat for six months of the year at Piotrków, in Wielkopolska, and for six months at Lwów, in Małopolska. Korzon vol. IV op.cit. p. 7. Before debates in the Sejm, the deputies from Wielkopolska, Małopolska and Lithuania conferred in separate provincial sessions. H. Olszewski *Sejm Rzeczypospolitej Epoki Oligarchii* (Poznań 1966) pp. 291-292.

⁶ T. Grygier *Konfederacja Dysydencka w Toruniu 1767 r.* (unpublished doctoral thesis, Toruń 1951) p. 91. Lengnich op.cit. pp. 9-10.

⁷ N. D. Chechulin *Vneshnyaya politika Rossii v nachale tsarstvovaniya Ekateriny II* (St. Petersburg 1869) pp. 126-132.

⁸ Lengnich, op.cit. pp. 11-12.

⁹ C. Łubińska *Sprawa Dysydencka 1764-1766* (Cracow-Warsaw 1911), introduction pp. v-vi. Korzon, vol. I op.cit. p. 167 gives a figure of 150,000 Protestants after 1775 and, *ibid.* pp. 172-173, a figure of 550,000 Greek Orthodox before the first partition.

ant pockets. More significant were the Protestant *szlachta*, especially numerous in Royal Prussia. Nevertheless, they furnished only a small proportion of Poland's 200,000 Lutherans and Calvinists.¹⁰ In 1573, the Protestant *szlachta* had achieved parity of political rights with the Catholics, but, since the early seventeenth century, their position had declined. The final phases of this decline were marked by the treaty of Warsaw, of 1716, concluded under Russian mediation and confirmed by the Sejm of 1717. Religious dissenters (*dysydenci* — all non-Catholics, except Jews) were forbidden to erect new churches, to recruit Protestant teachers or preachers from abroad; Protestants were allowed to hold only private religious services, without sermons or singing; they were declared ineligible for all offices and public dignities within the Commonwealth, except in the army.¹¹ In 1718, the last dissenter-deputy was expelled from the Sejm.¹² The General Confederacy of 1733 and the Sejm of 1736 confirmed all existing legislation on the dissenters.¹³ Though their situation compared favourably with that of religious minorities in most other countries, certain elements among the Protestant *szlachta* were anxious to regain their former standing. Poland also had over a million Jews, mainly small traders and innkeepers, indispensable, but universally despised.¹⁴

The monarchy, unable to arrest the erosion of its powers since the late fourteenth century, lacked the material basis to enforce its will. Estates under direct royal administration, the so-called Table lands (*dobra stolowe*), yielded a very meagre revenue, barely sufficient to maintain the court.¹⁵ The State, as opposed to royal finances, had been fixed by the 'Dumb' Sejm of 1717. The system of taxation, cumbersome and inefficient, bore most heavily on the non-*szlachta* classes. The *szlachta* were subject only to the general

¹⁰ The numbers of Protestant and Greek Orthodox *szlachta* were so small that Korzon does not even hazard a guess.

¹¹ Vol. Leg. VI pp. 119, 124-125.

¹² Korzon op.cit. vol. I p. 165.

¹³ Vol. Leg. VI p. 286. Dissenters were still eligible to hold non-*gród starostwa*, units of Crown lands, whose tenure conferred no jurisdictional powers on the holder.

¹⁴ Korzon op.cit. vol. I p. 218.

¹⁵ Augustus III's income from the Table lands is unlikely to have exceeded one million zlotys annually. Under the improved administration of Stanisław Poniatowski, the same sources of revenue yielded 6,063,086 zlotys annually. *ibid.* vol. III pp. 6, 12-13. From 1717, an exchange rate of 18 Polish zlotys against the Dutch ducat was introduced; in 1766, this was adjusted to 16½. S. Siegel *Ceny w Warszawie w latach 1701-1815* (Lwów 1936) p. 50. An English pound was worth approximately 36 zlotys. James Harris, *Diaries and Correspondence*, vol. I (London 1844) pp. 25-26.

poll-tax, but many evaded payment.¹⁶ In 1748, the last year for which reliable figures are available, the total revenue of Poland — Lithuania (excluding that of the court treasuries) was 8,000,000 zlotys — 1/75 of the French revenue for that year.¹⁷ Even after thorough financial reforms under Poniatowski, the level of Polish taxation, compared with that of other countries, was very low:

Approximate annual tax burden, per head, of various European states, in English shillings (for 1785)

| | |
|-------------------|-----------------|
| United Provinces | 35 |
| Great Britain | 34 |
| France | 21 |
| Austrian Monarchy | 12 |
| Spain | 10 |
| Sweden | 9 |
| Russia | 6 |
| Prussia | 6 |
| Poland | 1 ¹⁸ |

The army, which could be financed only by permitting it to collect its own revenues, was statutorily restricted to 24,000 men; in practice, it was unlikely to have exceeded 16,000 men in 1764; it lacked training and discipline. Against this, Prussia had 200,000 troops at her disposal, Russia 350,000, Austria 280,000.¹⁹ The supreme ruling

¹⁶ The following taxes were paid:

the *kwarta* — one fifth of the revenues of Crown lands (*Królewszczyzny*) not to be confused with Table lands. Since 1569, the extensive Crown lands had been specifically set apart for distribution by the king, as *panis bene merentium*, to deserving members of the *szlachta*.

The Jewish poll-tax (from 1717, an annual lump sum of 220,000 zlotys).

Customs duties.

The *Hyberna* — a tax for troops' winter quarters levied on Crown and ecclesiastical lands (in 1717, it was rescinded for the clergy and replaced by an annual 'subsidiium charitativum' of 346,666 zlotys).

The *Podymne* or hearth tax.

The *Pogłówne generalne* or general poll-tax, the only direct tax to which the *szlachta* were supposed to contribute. It was collected directly by army commissioners.

In return for freedom from financial obligations, the *szlachta* were to serve gratuitously in the administration and join the *levée* — en-masse (*pospolite ruszenie*) when summoned. Korzon op. cit. vol. III pp. 119-120, 123-125, 132; R. Rybarski *Skarbowość Polski w Dobie Rozbiorów* (Cracow 1937) pp. 218-222, 228-230; M. Nycz *Geneza Reform Skarbowych Sejmu Niemego* (Poznań 1938) p. 233.

¹⁷ Korzon op.cit. vol. III p. 111.

¹⁸ R. R. Palmer *The Age of the Democratic Revolution* (Princeton 1969) p. 155.

¹⁹ Z. Sułek 'Wojskowość Polska w latach 1764-1794' in *Zarys Dziejów Wojskowości polskiej do roku 1864* vol. II (Warsaw 1966) p. 180.

and legislative organ was the Sejm, a bicameral parliament, consisting of a Senate of 146 ex officio members (Roman Catholic bishops, palatines, castellans and ministers) and a chamber of deputies of at least 182 locally elected *szlachta* representatives.²⁰ The ordinary Sejm met once every two years, for six weeks. In emergencies, the king could summon an extraordinary Sejm, which was not to sit longer than two weeks (extensions, though unpopular, were common for ordinary and extraordinary assemblies). Any deputy had the right of arresting all activity through the exercise of the *liberum veto*; it was also possible for a Sejm to reach the end of its term, without having agreed on any legislation. The issuing of mandatory instructions to the deputies by their local electorates rendered the success of a Sejm more problematical. Under Augustus III (reigned 1733-1763), only the second Sejm of 1736 issued any new statutes, or 'constitutions'. To achieve any results at all, recourse was necessary to a Confederacy, an association formed to realize a specific set of aims, whose members accepted the direction of the Confederacy's marshal and council. The Confederacy translated its desiderata into statutes at a confederated Sejm (sometimes known as a Pacification Sejm), which, exceptionally, took all decisions by majority voting. Confederacies, which were formed only in times of crisis, such as interregna or civil war, were unpopular, but accepted as a necessary evil, to be dissolved as soon as possible. The Sejm of 1717 declared them illegal, to no avail. Confederacies remained an indispensable feature of Polish political life until the final collapse of the Commonwealth.²¹

Just as the Sejm could be 'broken' by the use of the *liberum veto*, so could the local elective assemblies, the *sejmiki*. Because so many were disrupted and consequently returned no deputies, many Sejmy of the Saxon era (1697-1763, when Poland was ruled by the electors of Saxony) were mere rump parliaments.²²

This state of affairs was convenient to many of the *szlachta*. The Sarmatians, as they often called themselves, in reference to legendary and virtuous ancestors, were genuinely proud of their unworkable constitution, in which they saw the embodiment of their 'aurea libertas'. The *liberum veto* was the keystone of their liberties, pro-

²⁰ In addition, until 1764, Royal Prussia was entitled to return an indefinite number of deputies. Olszewski op.cit. p. 225.

²¹ There is still no adequate study of confederacies as a whole. A. Rembowski *Konfederacja i Rokosz* (2nd. ed. Warsaw 1896) provides a chronological and comparative discussion, especially pp. 379-422. Olszewski op.cit. pp. 388-414 discusses their inner workings in more detail.

²² The number of deputies at Sejmy from 1650 to 1762 varied from 100 to 120. *ibid.* p. 101. Between 1736 and 1764, Royal Prussia returned no deputies, owing to the repeated disruption of its general-*sejmik*. *ibid.* p. 62.

protecting them against the 'absolutum dominium', which even the best of kings was bound, by nature, to seek to impose. Because only the king had the right of appointment to most of the offices and dignities of the Commonwealth, because only he could confer *starostwa*, tenancies of the extensive Crown lands,²³ his influence was to be feared. Hence, in addition to the veto and as a specific brake on the king, appointees to office and Crown land tenures could be removed only with their consent or by judgement of the Sejm: in practice, they were irremovable and irresponsible.²⁴

The *szlachta* were distinguished from other nobilities by the theoretical equality of all Catholic, landowning nobles. The use of titles, except for a few ancient Lithuanian families, was strictly, if not always effectively, forbidden, as derogatory to *szlachta* equality.²⁵ This equality was a fiction: after the economic, demographic and military catastrophes of the seventeenth and early eighteenth centuries, the magnates emerged as the dominant element in the Polish state.²⁶ Insofar as Poland was ruled at all, it was ruled by a dozen or so great families: a Potocki or Radziwiłł might possess vast latifundia of 300,000 serfs.²⁷ At the other end of the scale were poverty-

²³ For Crown lands, see above, n. 16. The *starostwo*, held by the *starosta* (elder) was the most important of a number of different Crown land tenancies. Certain, *gród starostwa* conferred important jurisdictional powers on the holder. The *gród* (originally meaning a fortified place) was the local administrative centre. Korzon op.cit. vol. III p. 125.

²⁴ For accounts of Sarmatian ideology, see, e.g. A. Zajączkowski *Główne Elementy Kultury Szlacheckiej w Polsce* (Wrocław 1961) passim. J. Michalski 'Sarmatyzm a Europeizacja Polski w XVIII w.' in *Swojskość i Cudzoziemszczyzna w Dziejach Kultury Polskiej* (Warsaw 1973) pp. 114-115, 125. "Nos ancêtres ont bien reconnu que les meilleurs des Rois sont toujours disposés par la nature de tout gouvernement à étendre le pouvoir de leur domination." — 'Réflexions patriotiques sur l'état présent de la République,' 1767. AE. Pologne 289 f. 400.

²⁵ Vol. Leg. III p. 441; ibid. IV p. 9; ibid. V p. 73; ibid. VI p. 302.

²⁶ Poland's prosperity in the sixteenth century was based almost solely on grain exports and suffered severely when European grain markets began to contract after the beginning of the seventeenth century. These effects were compounded by wars and plagues in the seventeenth century and again from 1701-1721. Only the great landowners could satisfactorily weather these misfortunes. J. Topolski, B. Baranowski 'Przyczyny i Rozmiary Regresu Gospodarczego' in *Zarys Historii Gospodarstwa Wiejskiego w Polsce* vol. II (Warsaw 1964) pp. 69-82. Zajączkowski, op.cit. pp. 43-44. M. Małowist *Wschód a Zachód Europy w XIII — XVI wieku* (Warsaw 1973) pp. 277-278, 289-290, 383-384. The effects of these have been compared to those of the Black Death in Western Europe. E. Vielrose 'Ludność Polski od X do XVIII wieku' in *Kwartalnik Historii Kultury Materialnej* vol. V no. 1 (Warsaw 1957) p. 6.

²⁷ Korzon op.cit. vol. III pp. 126-128 gives figures for the incomes of select magnates. See also J. Czernecki *Mały Król na Rusi* (Cracow 1939) p. 45; M. Malinowski 'Losy Fortuny Radziwiłłowskiej 1764-1804' in *Kółko Domowe* no. 2 (Lwów 1866) p. 19.

stricken smallholders, the *szlachta zagonowa*, who worked their land with their own hands and who differed scarcely from the peasantry; and numerous landless *szlachta*, the *golota* ('naked' *szlachta*) and *brukowcy* ('street' *szlachta*, living a miserable existence in towns and villages). These near-déclassé groups accounted for approximately half the total *szlachta* numbers.²⁸ But the fiction of equality remained convenient to magnates and petty *szlachta* alike. The former could, and did, cheaply court the latter by invoking equality to secure an armed following in their faction struggles; in the name of equality the magnates could enlist mass *szlachta* support to defend the privileges from which, in practice, only the magnates benefited. The slogan of equality gained in value lower down the *szlachta* scale, for it was only this which kept the *zagonowcy* and *golota* from absorption into the commoner rabble.²⁹

Equality was convenient politics: a myth to which lip-service was paid, but which was daily belied. Many of the petty *szlachta*, particularly in Lithuania and south-eastern Poland, could find security and employment only in the service of the great magnates, who often treated them as unceremoniously as their own serfs.³⁰ The differences between the magnates and the others were partially reflected in the composition of the Sejm. It was made up of three estates, *stany*, (estate here simply means a body which participated in the governmental process; as a term of convenience, it was also possible to speak of an urban, commoner or clerical estate, *stan miejski, plebejski, duchowny*); the king, the senators, the *szlachta* representatives (non-senatorial *szlachta* were also often referred to as the estate of knights, *stan rycerski*).³¹ Though the last was, by common consent, the most important, in practice its debates were the battleground for the delegated disputes of the first two. In recognition of these divisions, the Piarist Stanisław Konarski (1700-1773), author of *On the Means to Efficacious Councils*, the first published attack on the *liberum veto*, appealed primarily to the mid-dling *szlachta* against the magnates, the *Panowie* and their clientele.³²

Ultimately, the solidarity of a caste transcended these differences. The *szlachta* formed an exclusive brotherhood: the wealthiest and senatorial *szlachta* were the elder brethren, the rest, the younger

²⁸ Korzon op.cit. vol. I pp. 272-273.

²⁹ Zajączkowski op.cit. p. 55.

³⁰ Korzon op.cit. vol. I pp. 272-273; J. Jedlicki *Klejnot i Bariery Społeczne* (Warsaw 1968) pp. 18-19.

³¹ R. Łaszewski, *Sejm Polski w latach 1764-1793* (Warszawa — Poznań 1973) p. 28.

³² S. Konarski *O Skutecznym Rad Sposobie* in *Pisma Wybrane* ed. J. Nowak-Dłużewski vol. I (Warsaw 1955) pp. 204-205; Wł. Konopczyński, *Stanisław Konarski* (Warsaw 1926) p. 234.

brethren. Though complaints at illegal or surreptitious ennoblements (facilitated by the lack of an heraldic register) abounded, it remained very difficult to become a *szlachcic*: one had to be born such. Only the Sejm could confer *szlachectwo*, but only the newly-ennobled's grandchildren and their descendants were allowed to enjoy fully all the rights and privileges of their status.³³

The rights and privileges of *szlachectwo* outweighed equality in importance, for, through them, the nobility maintained their socio-political ascendancy.³⁴ By the eighteenth century, the *szlachta*, on the basis of law or custom, had secured the sole right of acquiring landed property; immunity from arrest, except after a court judgement (a privilege denied to the landless nobles),³⁵ exemption of their manorial lands from taxation and personal exemption from customs payments; the monopoly of alcohol production; the monopoly of all state, political, administrative, judicial and high ecclesiastical office (with the exception of Protestant and Greek Orthodox *szlachta*). Since 1505, the king had been statutorily bound to issue new legislation only with the prior consent of *szlachta* representatives and royal councillors.³⁶ The *szlachta* elected their monarch, whose relationship to them was set out in the *pacta conventa*, articles to which every king after 1573 swore immediately on election. Should he go against any of these promises "then do we render the citizens of both nations free of the obedience and loyalty owing us."³⁷ Damaging to the national economy was the actively inhibiting effect of *szlachta* privilege on the towns. *Szlachta*-owned buildings were

³³ Zajączkowski op.cit. p. 35.

³⁴ J. Bardach 'O Ujęciu Socjologicznym Struktury Społecznej i Ideologii Szlachty Polskiej' in *Czasopismo Prawno-Historyczne* vol. XV no. 2 (1963) p. 164.

³⁵ S. Grodziski *Obywatelstwo w szlacheckiej Rzeczypospolitej* (Cracow 1963) pp. 87-88. Some *sejmiki* also excluded landless *szlachta* from participation; after 1650, no landless *szlachcic* was returned as deputy. Olszewski, op.cit. p. 67.

³⁶ Zajączkowski op.cit. pp. 23, 29-30.

³⁷ The main contents of the *pacta conventa*, by the eighteenth century, bound the king not to appoint a successor during his lifetime; not to marry without the consent and advice of the Sejm; to marry only a Catholic; to uphold the principle of *szlachta* equality; to permit no *szlachcic* to be imprisoned without trial; to acquire no private estates in Poland above the value of 15,000,000 zlotys without the consent of the Sejm; to observe the laws against the dissenters; to use the royal powers of patronage to benefit the deserving, but not in favour of foreigners; to attempt to recover the *avulsa*, lands formerly belonging to the Commonwealth; to observe the particular laws of Royal Prussia; to summon no foreign troops into Poland. Stanisław August also promised to re-open a mint to beat good coinage and to establish a cadet school for the education of the *szlachta* youth. Vol. Leg. VII pp. 97-101. See also J. K. Hoensch *Sozialverfassung und Politische Reform, Polen im vorrevolutionären Zeitalter* (Cologne — Vienna 1973) pp. 309-311.

exempt from the administrative and legal jurisdiction of the municipal council. The local *starosta*, responsible for the urban accounts, the garrison and for judging serious crimes of violence, virtually controlled the municipal administration. Generally, the *starosta* and his deputy, the *podstarości*, showed the town little sympathy and, in town disputes with the *szlachta*, tended to favour the latter.³⁸ Only the larger, autonomous towns of Royal Prussia, Danzig, Thorn and Elbing were free of this interference. Strictly speaking, the *szlachta* were forbidden to practise trade. Non-magnate nobles (evasion presented no problem for the magnates, who could use middlemen) sought to evade this by the casuistry of dealing in goods befitting the *szlachta* estate', such as farming and forestry products — timber, livestock, grain and wines, where they tried to secure a monopoly. The development of a vigorous town life in such conditions was almost impossible.³⁹

Intellectually, the *szlachta* were unable to perceive the true nature of their position. Though local schools were numerous, they were run mainly by religious orders and were geared to the lowest intellectual common denominator. Most taught bad Latin, poor rhetoric, an outworn Aristotelian philosophy and simplistic Catholic precepts. "Our regular schools inculcated our youth with exaggerated religious practices, pronounced constantly on religious observances, on virtue, on the need for upright conduct in the world, but, besides the canons of Christian teaching, [the students] lacked the foundation which comes from pure moral philosophy, from the well-understood teaching of the laws of nature, politics and economics."⁴⁰ Magnates and richer *szlachta* could also rely on foreign tutors or voyages abroad to educate their sons, but these seem to have done as much harm as good.⁴¹ From the mid-eighteenth century, this situation slowly began to change, as the Piarists, followed by the Jesuits introduced the teachings of the 'moderns' — Bacon, Locke, Newton, Montesquieu, even texts from Voltaire and the *Encyclopédie* — into their schools, partly with the avowed aim of regenerating the Commonwealth. These changes initially had only a very limited impact.

³⁸ Korzon op.cit. vol. II pp. 218-224.

³⁹ Jedlicki op.cit. pp. 67-69.

⁴⁰ H. Kołłątaj *Stan Oświecenia w Polsce w ostatnich latach panowania Augusta III* ed. J. Hulewicz (Wrocław 1953) p. 137. Hugo Kołłątaj (1750-1812), one of the leading figures of the reform movement of the latter part of Stanisław August's reign.

⁴¹ The standard of Protestant schools, especially in Danzig and Thorn, was much higher. Whereas many of the Protestant *szlachta* sent their children to be educated in respectable German universities, all too many of the Catholic *szlachta* saw their Grand Tour as an occasion for amusement, not instruction. *ibid.* pp. 130-132, 137-139.

Although the *szlachta* exhibited a high degree of interest in education, they were anxious not stray from traditional forms.⁴²

The Commonwealth could function efficiently only with a mature, responsible citizenry. In the absence of a vigorous economy, a large army or bureaucracy, such a citizenry became irrelevant. How, then, did the *szlachta* occupy their time?

A *szlachcic* could take service with a magnate.⁴³ He could try to ascend the complex local hierarchy of honours, but, unless he was wealthy, he was unlikely to reach the top, the highest non-senatorial rank, that of *podkomorzy*.⁴⁴ There were many more aspirants than places. Most of the local offices were purely titular and unremunerative, though they may have satisfied individual pride. The holder was expected to attend local *sejmiki*, he might have precedence over others, but there was little that he actually did. A last, but almost limitless field for the discharge of *szlachta* energies remained in litigation.

There were no *szlachta* lawyers, in the sense of men with a degree in jurisprudence; but there was a very large body of *szlachta*, the *palestra*, which practised the law. The bulk of litigation concerned land. There was no clear law of inheritance. Primogeniture and entail were exceptional. There was a complicated infrastructure of tenancies, sub-tenancies, mortgages, securities, transferable property rights, which meant that even apparently simple cases could drag on for years through the various courts.⁴⁵

Though there were other important courts, such as the Chancellor's or Grand marshal's,⁴⁶ those providing the widest scope for *szlachta* activity were the two Tribunals, the supreme courts of Poland and Lithuania, the courts of the *gród*, the local administrative centre, the county courts (*sądy ziemskie*) and the boundary courts

⁴² Konopczyński *Stanisław Konarski* pp. 162-167, 175-177. Jedlicki op.cit. p. 57. For the poor reception of new educational trends, see J. Kitowicz *Opis Obyczajów za Panowania Augusta III* ed. R. Pollak (Wrocław 1951) pp. 17-19, 78-79.

⁴³ Zajączkowski op.cit. pp. 48-49.

⁴⁴ The Commonwealth's provinces were divided into palatinates (*województwa*) which were subdivided into counties (*ziemie*) and districts (*powiaty*). To a greater or lesser extent, most of these possessed an hierarchy of honours parallel to that of the state (see n. 4 above).

⁴⁵ J. Michalski *Studia nad Reformą Sądownictwa i Prawa Sądowego w XVIII w.* (Wrocław — Warsaw 1958) pp. 15-22, 27-30.

⁴⁶ The chancellor's, or assessor, courts heard appeals from disputes between *szlachta* and burghers, disputes over town land boundaries, suits involving privilege; the court of the Grand marshal heard criminal disputes in the neighbourhood of the king's person. Hoensch op.cit. pp. 408-410.

of the *podkomorzy*.⁴⁷ Proceedings were very cumbersome, especially in the Tribunals, which might hear hundreds of cases in one term, but settle only a few; it was possible to re-appeal to the Tribunal in the succeeding term.⁴⁸ The situation was additionally complicated by the intertwining of justice and politics. The twenty-seven lay seats of the Tribunal were elective, tenable for a term of one year.⁴⁹ As the Tribunal was the sole major institution which functioned at all in the country, as its edicts carried considerable moral force among the legalistic *szlachta*, the elections to the Tribunal (the *sejmiki deputackie*) were occasions for outbreaks of bitter factional struggles, which, in 1749, actually prevented the election of a Crown Tribunal.⁵⁰ The elections to the county courts and the courts of the *podkomorzy*, where judges had life tenure, were the scene of similar disputes. The judges of the *gród courts* were appointed by the local *starosta*, which gave him great influence among the *szlachta*.

The preoccupation with nebulous litigation produced a strange, legalistic morality. The form of judicial and political activity became more important than the substance.⁵¹ If, for example, a *sejmik* issued deputies with instructions which were contrary to the wishes of a party of the electorate, that party could register a protest, or *manifest*, against the proceedings in the local *gród*. A *manifest* might be registered against the exactions of foreign troops on Polish soil. But there the matter would usually rest, no further action would be taken. Provided Poland was left in isolation, the *szlachta* could cope with the problems of their world. That world left them totally unfitted to deal with the sustained, active intervention of foreign powers.

“Our neighbours will not permit us to fall, it is in their interest to maintain our liberty.” Konarski reproached his readers with this favourite Sarmatian adage.⁵² It was typical of a minimalist ambition

⁴⁷ The *gród courts* heard criminal cases; the county courts, sitting in the chief town of the county or the palatinate, heard civil suits. The courts of the *podkomorzy* judged land boundary disputes. Appeals from these courts went to the Tribunals. The *grody* had additional importance because all official acts, statutes etc. had to be registered in them before they could be regarded as valid. Korzon op.cit. vol. IV pp. 6-7.

⁴⁸ Michalski op.cit. p. 20.

⁴⁹ The Cathedral chapters also elected nine ecclesiastical deputies to the Tribunal. These chose a president, the lay deputies a marshal. Certain ecclesiastical suits were to be heard before a mixed complement of lay and ecclesiastical deputies. Hoensch op.cit. pp. 407-408.

⁵⁰ Michalski op.cit. p. 39.

⁵¹ *ibid.* pp. 48-49.

⁵² *O Skutecznym Rad Sposobie in Pisma Wybrane* vol. I ed. Nowak — Dłużewski p. 158.

which pervaded Polish politics. Many magnates were uninterested in reviving Poland, for fear it might curtail their licentious liberty. Most of the *szlachta* evinced an extreme provincialism. They could scarcely be expected to show interest in an almost non-existent active government. Their neighbourhood was the chief object of their concern. Active politics were the province of the king and the elder brethren. In 1733, the *szlachta* majority voted for the election of Stanisław Leszczyński,⁵³ in the hope that he would end the confrontation politics of his predecessor, Augustus II (reigned 1697-1733). In 1764 and after, many *szlachta* yearned for the return of the Saxon dynasty, because Augustus III had been totally uninterested in changing Poland.⁵⁴

This country of atrophied law and government was the scene of bitter conflicts between rival magnates and their followings. The prizes were domination of the court, and hence access to offices and crown lands, and of the judiciary. Actual bloodshed was confined mainly to the *sejmiki*—Sejmy were disorderly, rather than bloody—but there was increasing viciousness towards the end of Augustus III's reign.⁵⁵ Only the so-called 'Family', the Czartoryskis, headed by August (1697-1782), palatine of Ruthenia nad his brother Michael (1696-1775), grand chancellor of Lithuania, and their supporters seriously envisaged establishing their own domination through a reformed, majority-voting Sejm, following the English model.⁵⁶ Their opponents, headed by the Potocki clan, by Karol Radziwiłł (1734-1790), palatine of Wilno, Jan Klemens Branicki (1689-1771), grand *hetman* of the Crown, Jerzy Mniszech (1715-1778), Crown marshal of the court, lacked the Czartoryskis' cohesion and intelligence. Towards 1763, the court faction of Mniszech, son-in-law of Augustus III's favourite, Heinrich Brühl (1700-1763), was in the ascendancy. Yet, because the competing factions were so finely balanced,⁵⁷ real change could be effected only through foreign intervention. On October 5, 1763, Augustus III died in Dresden. In the ensuing interregnum, the 'Family', actively backed by

⁵³ 1682-1766. King of Poland under Swedish protection, 1704-1712. The *szlachta's* choice in 1733, dethroned by Russia in the same year in favour of Augustus III.

⁵⁴ Michalski 'Sarmatyzm a Europeizacja...' in *Swojskość i Cudzoziemszczyzna* . . . pp. 125-126, 138-139. Zajączkowski op.cit. pp. 69-75.

⁵⁵ Michalski *Studia* . . . pp. 40-41.

⁵⁶ J. Michalski 'Plan Czartoryskich Naprawy Rzeczypospolitej' in *Kwartalnik Historyczny* vol. 63, no. 4 (1956) p. 33. St. Saphorin to Bernstorff, Warsaw, July 30, 1766. RA. Cop. TKUA Polen A III 45. Armand de St. Saphorin, a Swiss in the Danish service, Denmark's minister in Warsaw, 1765-1773; Johann Hartwig Ernest Bernstorff the Elder (1712-1772), Danish minister of foreign affairs, 1751-1770.

⁵⁷ K. Waliszewski *Potoccy i Czartoryscy* vol. I (Cracow 1887) p. 28.

Russia, after forming a General Confederacy, gained the upper hand over their opponents, abandoned by their traditional allies, France, Austria and Saxony.⁵⁸ At the Convocation Sejm (May 7-June 23, 1764), the 'Family' pushed through the most sweeping programme of reform Poland had ever seen. The *hetmani* and the grand treasurers were stripped of their hitherto irresponsible powers, which were now vested in commissions, deciding by majority vote and answerable to the Sejm.⁵⁹ To speed the flow of justice, separate Tribunals were instituted for Wielkopolska and Małopolska. Deputies to the Sejm were no longer obliged to swear to their instructions. Even the *liberum veto* was put into abeyance by a vaguely worded clause, whereby all matters in any way connected with finances were to be decided 'figura iudiciaria', by majority voting (courts reached their verdicts by a majority decision of the judges), but the vagueness of the wording was necessary to lull the suspicions of Prussia and Russia, which were opposed to so radical a measure.⁶⁰ To improve state finances, a general duty was imposed on all imports and exports, payable by *szlachta* and commoners alike.⁶¹ At the Election Sejm (August 27-September 8, 1764) the Czartoryskis' nephew and protégé, Stanisław Poniatowski (who assumed the name August), was acclaimed king. 7,000 Russian troops encamped a few miles from Warsaw made the election a certainty. Most of the opposition leaders retired to their estates. *Hetman* Braniczki fled abroad. Karol Radziwiłł, arraigned by the Confederacy of Lithuania for debt and violence, did likewise. His estates were distributed among his creditors.⁶² All the legal enactments of the interregnum were confirmed by the Coronation Sejm (December 3-20, 1764). Contrary to custom, the General Confederacy was not dissolved at the termination of the interregnum.

Stanisław August and the Czartoryskis now faced the problem of consolidating their innovations and ascendancy.

⁵⁸ S. Askenazy *Die letzte polnische Königswahl* (Göttingen 1894) passim, but especially pp. 20-24, 44, 74, 84-87, 112-114.

⁵⁹ The Convocation Sejm established an army commission only for the Crown; the Coronation Sejm introduced one for Lithuania. The commissions were composed initially of nine members, three from the Senate, six from the chamber of deputies, elected by the Sejm for a two year term. The Grand treasurer and grand *hetman* remained as presidential figureheads.

⁶⁰ Wł. Konopczyński *Liberum Veto* (Cracow 1918) pp. 410-411. W. Kisielewski *Reforma ks. Czartoryskich na Sejmie Konwokacyjnym r. 1764* (Sambor 1880) pp. 281-297.

⁶¹ J. K. Hoensch 'Der Streit um den polnischen Generalzoll 1764-1766' in *Jahrbuch für Geschichte Osteuropas* NF. 18 (1970) pp. 361-364.

⁶² Askenazy op.cit. pp. 103-104, 115. Vol. Leg. VII p. 315. J. Kitowicz *Pamiętniki czyli Historia Polski* ed. P. Matuszewska (Warsaw 1971) p. 136.

CHAPTER II

FOREIGN INTERVENTION IN POLAND

Poland was too weak to play an active international role. In the course of the eighteenth century, the history of her internal politics became that of the foreign policies of other countries. From the seventeenth century onwards, the Commonwealth's neighbours made agreements among themselves to preserve its constitution from reform.¹ Russia and Prussia displayed the most interest. They came to find their chief instrument of intervention in Poland's dissenters, who, in this international context, acquired a significance out of all proportion to their real numbers.

This significance only became fully apparent with Catherine II's accession to the Russian throne in July, 1762. Already, long before, the Greek Orthodox of Poland had looked to the Tsars as to their natural protectors. Poland's links with the patriarch of Constantinople, who might have furnished an alternative head for the country's Orthodox, had been severed in 1676, when journeys to Constantinople on religious business were forbidden. The *de facto* head of the Polish Orthodox continued to be the metropolitan of Kiev, since 1667 a subject of the Tsar.² In 1686, Poland and Russia signed a treaty of perpetual peace, whose provisions were confirmed by the Sejm of 1710. Under article nine, the Poles agreed not to molest their Orthodox subjects and to leave intact their freedom of worship, their churches, rights and privileges. The Tsar undertook not to oppress his Catholic subjects.³ Both sides disregarded the provisions. By 1702, only one Greek Orthodox see remained in Poland (as opposed to four in 1686), that of Mogilev. The Poles themselves admitted to the forcible conversion of their serfs to the Uniate rite.⁴ Although Peter the Great occasionally protested at Polish religious

¹ Such treaties were made in 1667, 1686, 1696 (Sweden — Brandenburg); 1675 (Austria — Russia); 1720, 1730 (Russia — Prussia); 1724 (Russia — Sweden); 1727 (Austria — Russia).

² L. R. Lewitter 'The Russo-Polish treaty of 1686 and its antecedents' *Polish Review* vol. IX no. 4 (New York 1964) p. 32.

³ *ibid.* pp. 28-32.

⁴ L. R. Lewitter 'Peter the Great and the Polish Dissenters' *Slavonic and Eastern European Review* vol. 33, no. 80 (1954) pp. 78-79; Lubomirski, *Mémoires* p. 35.

policies, he tried to avoid involvement in such issues. He showed a deeper interest in the Polish dissenters as a whole, including the Protestants, only towards the very end of his reign.⁵

Peter's direct influence in the Commonwealth served his purposes. In 1697, Russian and Saxon intervention had, to some extent, decided that the Saxon elector should be king of Poland. After the battle of Poltava, in 1709, Russian troops restored Augustus II. In 1716-1717, Russian troops terminated civil war in Poland and restored order. This last intervention was critical. Through the mediation of the Tsar's representative, G. Dolgoruki, Augustus II and his opponents were reconciled by the treaty of Warsaw, which fixed Poland's constitution for almost fifty years. The "Dumb" Sejm of February 1, 1717, incorporated the treaty, with Dolgoruki's signature, among Poland's cardinal laws.⁶ "As a result of her mediation, Russia regarded herself as the guarantor of the decrees of the Sejm of 1717".⁷ Peter's successors took their position seriously. In 1733, under Anna, Russian intervention placed Augustus III, elector of Saxony, on the throne, despite the preference of the majority of the *szlachta* for Stanisław Leszczyński.

Frederick William I of Prussia showed greater interest in the dissenters than Peter. His country's geographical situation made Poland of intimate concern to him, but he lacked the strength to impose his wishes in the same manner as Peter I. Support of Poland's Protestants provided a possible means of extending Prussian influence and designs. Frederick William hoped that, by linking the cause of the Protestants with that of the Greek Orthodox,⁸ he could secure Russian support for the acquisition of the Polish districts of Warmia and Elbing. Although Peter refused to be drawn so far, his successors, in their treaties of 1730, 1740 and 1743 with Prussia, agreed to clauses on the need to protect the Polish dissenters as a whole.⁹

⁵ Lewitter pp. 75-100 passim. 'Peter the Great . . .'

⁶ Vol. Leg. VI pp. 113-137. The treaty made no reference to the Greek Orthodox.

⁷ E. Rostworowski 'Polska w Układzie Sił Politycznych Europy XVIII w.' in *Polska w Epoce Oświecenia* ed. B. Leśnodorski (Warsaw 1971) p. 44.

⁸ In 1599, the Greek Orthodox and Protestants of Poland had made a compact of mutual assistance, through the Confederacy of Wilno. It remained unratified by the Sejm. Nevertheless, Frederick William I hoped to use it as a pretext to secure Peter's assistance. Lewitter, 'Peter the Great...' pp. 86-87.

⁹ *ibid.* pp. 99-100. Prussia's legal basis of interest in the dissenters was founded on the treaty of Oliva, 1660. Its terms were much less precise than those of the Polish-Russian treaty of 1686. The signatories, Poland, Sweden, the Emperor, Brandenburg-Prussia agreed that no reprisals were to be taken against members of denominations which had sided with their respective enemies. Vol. Leg. IV p. 345.

Poland continued to be a major focus of interest for both Prussia and Russia. Frederick II of Prussia (reigned 1740-1786) saw the Commonwealth as a potential threat to his state. He fiercely opposed all reforms and measures tending to the reinvigoration of Poland. In the long term, he planned to consolidate the foundations of Prussia by the gradual dismemberment of Poland, “comme l’on mange un artichaut, feuille par feuille”, a design to be executed by him or his successors, as and when occasion should arise.¹⁰ It was in Russia that he saw the major obstacle to the implementation of these plans.¹¹

Russia also harboured territorial designs. Poland, which lay across her routes into Germany and the Balkans, was too valuable to share. “We shall lose a third of our strength and advantages, if Poland does not remain dependent on us”, wrote Nikita Panin, Catherine II’s chief adviser, to his court’s ambassador in Vienna, in 1764.¹² In October, 1763, Zachar Chernishev, vice-president of the College of War, suggested, that, in the event of Augustus III’s death, Russia should round off her territories by the annexation of Polish Livonia, the palatinates of Połock and Witebsk and part of the palatinate of Mścisław. The plan was shelved, but it may have provided a basis for Russian demands for a rectification of frontiers with the Commonwealth, early in the reign of Stanisław August.¹³ In Poland, as in Sweden, Russia wanted primarily a malleable vassal-state, which she could control without resorting to direct territorial acquisitions, which might alarm the other European powers.¹⁴

The diplomatic situation after the treaty of Hubertusburg was

¹⁰ *Die Politischen Testamente Friedrichs des Grossen*, ed. G. B. Volz (Berlin 1920), pp. 63-65 (1752 Testament), 219, 222 (1768 Testament).

¹¹ *ibid.* p. 219 (1768 Testament).

¹² Quoted in N. D. Chechulin *Vneshnyaya politika Rossii v nachale tsarstvovaniya Ekateriny II* (St. Petersburg 1869) pp. 231-232. Catherine II initially strongly opposed any expansion of Frederick II’s power and may even have favoured a restoration of at least part of Silesia to Austria. *Recueil des Traités et Conventions conclus par la Russie avec les Puissances étrangères* vol. VI ed. F. Martens (St. Petersburg 1883) pp. 7-9. Nikita Panin (1718-1784), from October, 1763, formally charged with the direction of Russian foreign policy. He retained the simple rank of Privy Councillor.

¹³ Chernishev’s plan in *Sb.* vol. 51 no. 663. S. Askenazy *Die letzte polnische Königswahl* (Göttingen 1894) p. 46. The Russians wanted Polish Livonia as compensation if they were obliged to take extensive military action in Poland during the interregnum. Chechulin *op.cit.* p. 231. The new frontier, shorter and following river-courses, would not only be militarily more defensible, but would also impede the flight of Russian serfs into Poland, a source of serious concern to the Russian border nobility. *ibid.* pp. 211-212. P. Dukes *Catherine II and the Russian Nobility* (Cambridge 1967) pp. 37, 119, 214.

¹⁴ Volz *op.cit.* p. 197 (1768 Testament).

fluid. The Hapsburg-Bourbon alliance remained in force, but Britain, Russia and Prussia were all isolated. Although English moves towards a Russian alliance did not progress beyond the commercial treaty of 1766, because England refused to become involved against Turkey, Russia was able to exploit the British desire for an alliance to obtain support for her representations on behalf of the Polish dissenters.¹⁵ The alliance Frederick II had formed with Peter III (reigned January-July 1762) was unratified when Catherine II's coup d'état took place. Though opposed to further Prussian expansion, she and Panin had no objection to an alliance which Frederick needed, on his own admission, to escape from his diplomatic isolation.¹⁶ Frederick was ready to give Catherine a free hand in Poland, provided that Austrian and Saxon candidates were excluded from the throne and war and constitutional change were averted.¹⁷

Once Catherine had convinced herself that other powers were unlikely to interfere, she and Frederick could proceed to the election of a Polish candidate, who would be their own, or rather, Catherine's creature. She selected her ex-lover, Stanisław Poniątkowski (1732-1798), *stolnik* of Lithuania, nephew of the Russian orientated Czartoryski brothers. Poniątkowski's main recommendations were his relative poverty and insignificance. Catherine thought these attributes would make him a pliant instrument of Russian and Prussian policy.¹⁸ In their treaty of April 11, 1764, she and Frederick concluded a defensive alliance to last for eight years. They pledged themselves to come to one another's aid with men or money, should either be attacked (secret article 1); to maintain the existing constitution of Poland (preamble and secret article 4). Under article 1, the parties agreed to the free election of a Pole, though in the next article, Frederick agreed to follow Catherine's recommendation in the matter. He undertook to support Russia in Poland during the interregnum by military demonstrations (articles 4, 5) and, should a third power invade—a clause aimed at Austria—to send 20,000 troops into the Commonwealth (article 6 and 'article

¹⁵ For Russian relations with England, see W. F. Reddaway 'Macartney in Russia' *Cambridge Historical Journal* vol. 3 no. 3 (1931) pp. passim; K. Rahbek Schmidt 'Wie ist Panins Plan des nordischen Systems entstanden?' *Zeitschrift für Slawistik* vol. 2 (1957) pp. 413-414, 420.

¹⁶ Volz *op.cit.* p. 210 (1768 Testament).

¹⁷ Frederick II to Catherine II, Feb. 15, 1763. Sb. vol. 20, no. 7. Frederick was ready to accept a Saxon ruler if this would avert war. Frederick II to Solms, Dec. 12, 1763. PC. XXIII 14 882.

¹⁸ Catherine II to Frederick II, Oct. 6/17, 1763, Sb. vol. 20 no. 18. In 1767, Poniątkowski's income from his own estates was 67,399 zlotys. Many middling *szlachta* had larger incomes. T. Korzon, *Wewnętrzne Dzieje Polski za Panowania Stanisława Augusta* vol. III (Cracow 1897) p. 10.

séparé'). An 'article séparé et plus secret' named Stanisław Poniąkowski as the candidate of the two courts.¹⁹

Poniąkowski was not to prove the pawn his patrons hoped he would be. Though he and his uncles were not without illusions concerning their Russian protectors, they knew Russia was opposed to any radical reform, such as the total abolition of the *liberum veto*.²⁰ The Czartoryskis had attached themselves to Russia originally, partly because they saw what their opponents did not, see—the futility of relying on France and, in particular, on France's erstwhile ally, Prussia, to secure backing for reform.²¹ Once in power, they felt they would have more room for manoeuvre, especially if they succeeded in broadening their base of support, to include France and Austria, besides Russia and Prussia. Even before the death of Augustus III, Stanisław Poniąkowski had approached Hennin, the French chargé d'affaires in Warsaw, with a request for support for his candidature.²² Poniąkowski's brother, Andrew (1734-1773), a general in the Austrian service, was anxious to secure an Austro-Polish alliance, sealed, if possible, by a marriage between Stanisław and an archduchess.²³

In Panin's mind, the Prussian alliance and the domination of Poland were the prelude to the formation of a league of Northern powers, Russia, Prussia, Britain, Denmark, Sweden, Poland and the German states, to be directed against Turkey and the southern, Catholic bloc of France, Spain and Austria.²⁴ Frederick was sceptical. He saw too many divergent interests and considered that his and Russia's partnership alone was adequate to check the Hapsburgs and Bourbons.²⁵ Yet such an alliance had much to commend it to Russia. It could provide valuable support against Turkey, which may possibly have been the chief purpose of the scheme, (it was discontinued by Panin after the successful Russo-Turkish war of 1768-1774). It could furnish convenient vassals in Poland and Sweden, if not, indeed, in Denmark and Prussia. Sweden had to be controlled, because St. Petersburg was exposed to attack from Swed-

¹⁹ Text of the treaty in Martens, *op.cit.* pp. 14-18.

²⁰ By August, 1763, Keyserling, the Russian ambassador, had made it clear that Catherine would not countenance the suppression of the veto. Askenazy, *op.cit.* pp. 14-18.

²¹ K. Waliszewski, *Potoccy i Czartoryscy* vol. I (Cracow 1887) pp. 4-5.

²² Correspondence Secrète du comte de Broglie avec Louis XV (1756-1774), ed. D. Ozanam and M. Antoine, vol. I (Paris 1956), introduction, p. lviii.

²³ Frederick II to Solms, Aug. 27, 1765, Dec. 12, 1765, PC. XXIV 15 670, 15 821.

²⁴ Rahbek-Schmidt, *op.cit.* pp. 410, 421-422.

²⁵ Frederick II to Solms, Feb. 18, March 25, 1766 PC. XXV 15 933, 15 968.

ish Finland. A docile Poland could surrender valuable frontier territory, provide a convenient route into Germany and the Balkans and even furnish auxiliary troops. Russia offered tempting prizes to her prospective partners to secure their co-operation: the return of part of the Baltic provinces to Sweden, of Holstein-Gottorp to Denmark, of a Polish appanage to Saxony, of 'compensation' to Prussia in Poland, of trade concessions to England. The Prussian alliance and the securing of Danish and English co-operation over the Polish dissenters were seen by Panin as important steps towards the implementation of his plan.²⁶

Catherine II intended to consolidate her influence in Poland not only through Poniatowski, but, additionally, through support for the Polish dissenters. From her accession, she exhibited an interest in the Greek Orthodox of Poland. Her most urgent task was to secure her own position in Russia. She turned to the Orthodox Church, angered by Peter's manifest contempt and hurt by his sequestration of its properties. Catherine reversed the sequestration edict. At her coronation, George Koniski (1717-1795), since 1755, Orthodox bishop of the Polish see of Mohilev,²⁷ appealed to her protection against Polish missionary pressure.²⁸ The abbot of the Orthodox monastery of the Holy Spirit at Wilno promised Catherine that, by protecting the Polish Orthodox, she stood to gain "six hundred [six thousands square?] *versts* of the most fertile land and countless numbers of faithful Orthodox subjects".²⁹ The Empress ordered her ambassador in Warsaw, Herman von Keyserling³⁰ to associate her religious with her political interests in Poland. "Je vous recommande fortement de les [the Orthodox] protéger et mandez-moi tout ce que vous croyez qui peut augmenter ma considération et mon parti là-bas".³¹ Keyserling began to make representations of behalf of the Orthodox even before Augustus III's death.³² During the interregnum, Frederick II was approached by the Saxons, to intervene in favour of the Polish Protestants. He

²⁶ Rahbek-Schmidt, op.cit. pp. 410-411.

²⁷ Of Polish-Ukrainian origin. Augustus III agreed to his nomination at Russia's request. He inaugurated a vigorous proselytizing campaign among the Polish Uniates, but discouraging results almost led to his resignation, in July 1762, C. Łubieńska, *Sprawa Dyssydencka 1764-1766* (Cracow-Warsaw 1911) pp. 6-8.

²⁸ *ibid.* p. 11.

²⁹ Quoted by L. R. Lewitter in 'The Russo-Polish treaty of 1686 and its antecedents,' *Polish Review*, vol. IX no. 3 (New York 1964) p. 10.

³⁰ Ambassador extraordinary, 1762-1764 (died October, 1764).

³¹ Catherine II to Keyserling, Oct. 23/Nov. 2, 1762. Sb. vol. 51, no. 169.

³² Memorandum from P. L. Sylva, on the staff of the Warsaw nunciature, read at an extraordinary congregation in the Vatican, on June 4, 1767. ASV Polonia 279 f. 22.

ordered rescripts to be issued to Gedeon Benoit³³ in Warsaw and to Solms³⁴ in St. Petersburg, to co-operate with the Russians over the dissenters.³⁵

Catherine and Panin took care not to link the affairs of the Protestants and Orthodox until after the signing of the Russo-Prussian treaty, which included an 'article séparé', binding the two courts to common action on behalf of the dissenters. They were content to await "des temps et des conjonctures plus favorables".³⁶ Five days after the treaty was signed, a rescript was sent to Keyserling and his colleague, Nicholas Repnin,³⁷ enjoining them to further the interests of the Orthodox and the Protestants alike, by protecting them from all harrassment by the Catholic clergy and by restoring, as far as possible, their former churches, dioceses and monasteries. A confederacy was recommended as the most convenient way of achieving this.³⁸ However, the Prussian and Russian ministers, preferring not to risk Poniatowski's chances by raising the religious issues, concentrated their immediate efforts on the election. On September 6, 1764, over 5,000 *szlachta* unanimously chose Poniatowski for their king.³⁹

Catherine regarded Poland as "le point central de reunion des forces de la Russie et de la Prusse."⁴⁰ Yet it is rare for two partners to be in complete accord and these two were no exception. Panin wanted Poland as a useful, albeit subservient, ally within his Northern System. This necessitated a degree of stability and, hence, reform, in the Commonwealth. Frederick resolutely opposed any such

³³ Secretary to the Prussian legation in Warsaw, from 1752; resident 1764-1776.

³⁴ Victor Friedrich, Graf von Solms-Sonnenwalde, Prussian envoy extraordinary and minister plenipotentiary in St. Petersburg, 1764 to 1776.

³⁵ Frederick to Finkenstein, Oct. 27. 1763. PC. XXIII 14 479. Why the Saxons approached Frederick is not clear (the electors of Saxony, since 1697, had been Catholic, their people were Lutheran). Augustus III's successor, Frederick Christian (he died in December 1763, to be succeeded by his twelve-year old son, Frederick Augustus) may still have banked on Prussian support for his candidature. Frederick II did not definitely urge the Saxons to abandon their hopes until early November (Askenazy, op.cit. p. 49). They may also have hoped that if such a delicate question were raised by Poniatowski's supporters, his chances of election would suffer.

³⁶ Martens, op.cit, p. 23.

³⁷ Ambassador extraordinary and minister plenipotentiary to the Polish court, 1764 to 1769. He was Panin's nephew.

³⁸ Imperial rescript, April 5/16, 1764. Sb. vol. 51, no. 887.

³⁹ For details of the election and the attendant diplomatic manoeuvres, see Askenazy, op.cit. passim; K. Rahbek-Schmidt, 'Problems connected with the last Polish Royal Election,' *Scando-Slavica*, vol. II (1956), esp. pp. 135-142, 148.

⁴⁰ Solms to Frederick II, transmitting Catherine II's observations on the Northern System, dated April 15, 1766. PC. XXV 16 632.

changes. He was ready to allow Poland to remain Russia's preserve, provided Russian activities did not threaten to revive the country or to involve Prussia in a new war.⁴¹ It was partly at his prompting that Catherine rejected a plan, proposed by the Poles for the Coronation Sejm, to restrict the *liberum veto* to individual bills, rescinding its power to nullify the proceedings of the whole Sejm.⁴²

To attain her ends, Catherine needed a permanent source of overriding influence in Poland. It is still by no means clear to what extent the dissenters were a means to this. Russia's championing of their cause may also have been a reflection of the Empress' domestic policies. Doubtless she was influenced by the consideration that to abandon them, once she had proclaimed her support, would have been a blow to Russian prestige, perhaps to her own position on the throne, and would even have tarnished the image of an enlightened monarch which she so assiduously cultivated among those eighteenth-century fellow-travellers, the philosophes. Russian policy was governed not by any one of these considerations, but by shifting combinations of them all. The clearest statements of Russian motivation over the dissenters come early in 1767. On January 30/February 11, Panin admitted to Repnin that the dissenters, because of their small numbers, could never become serious rivals to the Catholics, but they could still provide Russia with a permanent source of influence and interest in Poland.⁴³ The Russians, as Panin later amplified, were emphatically not concerned to encourage the growth of non-Catholic denominations. The Protestants, by fighting superstition and restricting the power of the clergy, might gradually draw the Poles out of their ignorance, enlighten them and lead them to amend their political condition, to Russia's own detriment. The expansion of the Orthodox faith would not spread enlightenment, but would encourage the flights of Russian serfs into Poland, which had reached serious proportions.⁴⁴ In a letter of August 14/25, 1767,

⁴¹ Frederick II to Solms, Nov. 26, Dec. 27, 1763. PC XXIII, 14 483, 14 882; to Solms, Oct. 6, Nov. 27, 1764. PC XXIV, 15 267, 15 329.

⁴² Solms to Frederick II, Sept. 18, 1764, *ibid.* 15 267n. Frederick II to Solms, Oct. 6, 1764, *ibid.* 15 267. On Nov. 9, 1764, Solms reported to Frederick that Panin believed that Poland should be strong enough to be useful, too weak to be dangerous. *ibid.* 15 329n. Frederick rejected the idea out of hand; to Solms, Nov. 27, *ibid.* 15 329. On Nov. 20, Solms wrote that Panin had informed the Polish envoy, Rzewuski, of the Empress' approval for the projected reform, but, to Panin's chagrin, the Empress had changed her mind the following day. *ibid.* 15 341an. See also Frederick II to Catherine II, Oct. 30, 1764. Sb. vol. 20, no. 33.

⁴³ Sb. vol. 67, no. 1496.

⁴⁴ Panin to Repnin, Aug. 14/25, 1767, *ibid.* no. 1553. Members of the Russian border nobility complained of their serfs actually adopting the Uniate faith and then fleeing to Poland. Dukes, *op.cit.* p. 214.

to Repnin, Panin elevated the dissenters into the mainstay of the Russian party, not just an instrument of intervention. He laid down the settlement of the dissenter problem as a constant rule of Russian policy, in order to secure, once and for all, a strong and reliable party with an active voice in the Polish government; at the same time, a party sufficiently weak to look to Russia constantly for protection.⁴⁵ The attribution of such a central importance to the dissenters seems, nevertheless, a *post factum* rationalization. Panin wrote the letter at a time of disillusion, when he could manifestly not rely on the king, his uncles, or the Republicans to secure an obedient party.⁴⁶

Panin's earlier observations on the dissenters were vaguer. In 1764, he merely sought significant, but unspecified, legislative concessions in their favour. A total restoration of the dissenters' former rights, he said, was unlikely and was not what he intended. He would be satisfied with a partial restoration and an end to further harassment by the Catholics.⁴⁷ The treaty of April 11, 1764, bound Russia and Prussia to secure a restoration of dissenters' rights "tant dans leurs affaires ecclésiastiques que civiles," without specifying these any further. Until the autumn of 1766, when Ernest Gontaryn Goltz,⁴⁸ a leading Protestant activist, arrived in St. Petersburg, direct Russian contacts with the dissenters were restricted to bishop Koniski, who, in July, 1765, came to Warsaw, and to a certain Krasinski, who was sent to Petersburg to represent the Protestants after the conclusion of the Russo-Prussian treaty. Neither seems to have had much say in the final decisions. On July 22, 1764, Solms and Panin drew up a "Déclaration uniforme et réciproque" as the basis of their courts' demands at the the Coronation Sejm, in which they agreed to restore the dissenters to the full enjoyment of their past rights "et nommement de ceux qui concernent . . . le libre exercice de leurs religions,"⁴⁹ placing the stress on a restoration of unfettered freedom of worship. Repnin and Keyserling were given this declaration as a guide and were ordered to secure, as far as possible, a restoration of the dissenters in the rights, liberties and privileges accorded them by the kings and laws of the Commonwealth, "in keeping with the natural equality of free citizens," and

⁴⁵ Sb. vol. 67, no. 1553.

⁴⁶ See below, chapter VII.

⁴⁷ Panin to Repnin, Oct. 13/24, 1764. Sb. vol. 57, no. 1061.

⁴⁸ I have been unable to establish whether Ernest Gontaryn, who held the office of chamberlain at the Saxon court, was related to the three Goltz brothers, George Wilhelm, August Stanisław and Heinrich, also leading figures among the dissenters. For Ernest Gontaryn, see K. Koźmian, *Pamiętniki* (Wrocław 1972) vol. I pp. 181-183.

⁴⁹ Martens, *op.cit.* pp. 35-37.

by the Commonwealth's solemn treaty obligations with other powers.⁵⁰ These injunctions could only confuse matters, for the laws relating to the dissenters had been clearly repressive for over a hundred years. The legislation of 1717 had even been drawn up under the aegis of Peter the Great. Equality of free citizens meant nothing in most of Europe before the French Revolution, though it is interesting that Panin was ready to play on this aspect of *szlachta* ideology to procure advantage for the dissenters. The treaties referred to were those of Oliva, 1660 (to which Poland, Prussia, Sweden and Austria were signatories), and the Russo-Polish treaty of 1686.⁵¹ If these stipulated the maintenance of the denominational status quo, they did not reserve the right of intervention in Poland to any foreign power. Panin was careful not to assume any definite commitments towards the dissenters, in order to leave his hands free for the future.⁵² This was true even in 1767. Indeed, almost as late as the opening of the Sejm of 1767-1768, which imposed the settlement Russia sought, Panin may not have been certain of the demands he would finally put forward.⁵³ It was a situation in which misunderstandings could easily arise.

In 1764, Catherine had still to convince her subjects that she would make a successful ruler. In October, 1763, and July, 1764, attempts were made to replace her by the Romanov, Ivan Antonich (1740-1764).⁵⁴ Solms considered the possibility of a palace revolution in favour of the Empress' son, the Grand Duke Paul, very real.⁵⁵ Catherine was initially accepted partly because of her outward support of the Orthodox Church. But, in March, 1764, she reverted to Peter III's ecclesiastical policies, by restoring all Church lands and serfs to the state treasury. Enthusiastic support for the Orthodox abroad could counter the impression caused by more worldly policies at home. This may have been in Panin's mind, when, in October, 1764, he warned Repnin that Catherine's own reputation was involved in the dissenters' affair; he stressed the value of its successful outcome at the very opening of her reign.⁵⁶

⁵⁰ Imperial rescript to Keyserling and Repnin, Sept. 29/Oct. 10, 1764. Sb. vol. 57, no. 1052.

⁵¹ Text of the treaty of Oliva Clive Parry (ed.) *Consolidated Treaty Series* (New York, 1969-) vol. 6, pp. 9-92; 1686 treaty, *ibid.* vol. 17, pp. 493-504.

⁵² Solms to Frederick II, Aug. 25, 1764. PC. XXIII 15 236.

⁵³ Psarski to Ogrodzki, Moscow, June 24, 1767. AGAD/ZP 84 pp. 149-150; Shirley to Conway, Moscow, June 18, 1767. PRO/SP. 91/78.

⁵⁴ Grandson of Peter the Great's brother, Ivan V. Since 1741, he had been incarcerated in the Schlüsselburg. He was murdered by his guards after the second foiled coup, though innocent of involvement.

⁵⁵ Solms to Frederick II, March 7, 1766. PC. XXV 15 968.

⁵⁶ Panin to Repnin, Oct. 13/24, 1764. Sb. vol. 57, no. 1061.

In 1765, Catherine began work on a legislative commission, in which nobles from the whole of her Empire were to participate. The commission was convened partly to consolidate her own position.⁵⁷ Once she had committed herself to the dissenters, failure might have put her in a position of weakness vis-à-vis her own *dvorianstvo*. The rejection, by the Poles, of all concessions to the dissenters hurt her pride and prestige. As the affair dragged on, it is not impossible that direct pressure from the Empress herself obliged Panin to raise his initially modest demands. Frederick II considered that “La Russie s’est mêlée de troubler la Pologne, plus par vanité que par ambition . . .”⁵⁸ The Polish court believed that, having once made the commitment, Catherine could not honourably withdraw.⁵⁹ In Western Europe, she took pains to present herself as an enlightened protector of the oppressed against Catholic, clerical bigotry and exploited the propaganda value of the dissenters’ cause in the same way as she did that of the Proclamation for her 1767-1768 legislative commission.⁶⁰

Frederick II did not believe a full and rapid restoration of the dissenters’ erstwhile rights possible,⁶¹ even regarding it as economically prejudicial to himself, for a tolerant Poland would draw valuable colonists away from Prussia.⁶² If Russia were not careful, the Austrians might be drawn in and a new war sparked off.⁶³ Maria Theresa was as opposed to war as Frederick, but she was profoundly suspicious of him and hostile to any further Prussian aggrandise-

⁵⁷ Dukes, *op.cit.* pp. 52-53, 219.

⁵⁸ Volz, *op.cit.* p. 209 (1768 Political Testament). “. . . it is not impossible that the Empress may think her honour engaged to support [a confederacy of dissenters].” Macartney to Conway, St. Petersburg, Dec. 7, 1766. PRO/SP. 91/77.

⁵⁹ Albert Lortholary says of Catherine II: “La première sans doute dans l’histoire, elle a conçu toute l’efficacité d’une propagande organisée à l’échelle de l’Europe.” *Le Mirage russe en France au XVIIIe siècle* (Paris 1951) p. 80. See also *ibid.* pp. 80-81, 84-85, 104-105, 109-121; Dukes, *op.cit.* p. 57. “Vos soins généreux pour établir la liberté de conscience en Pologne sont un bienfait que le genre humain doit célébrer et j’ambitionne bien d’oser parler au nom du genre humain . . . Nous sommes trois, Diderot, D’Alembert et moi, qui vous dressons des autels.” Voltaire to Catherine II, Dec. 22, 1766. *Voltaire’s Correspondence* vol. LXIII, ed. T. Bestermann, (Geneva 1961) no. 12866.

⁶⁰ Psarski to Ogrodzki, Moscow, May 12, 1767. AGAD/ZP 84, pp. 131-134.

⁶¹ Frederick II to Catherine II, June 1, 1765. Sb. vol. 20, no. 36 and PC XXIV 15 554; to Benoit, March 12, 1766, *ibid.* 15 952.

⁶² Frederick II to Benoit, May 28, 1764. PC XXIII 15 099.

⁶³ Frederick II to Solms, Aug. 4, 1766. PC XXV 16 169.

ment. As long as fears of Russian and Prussian annexationist designs on Poland persisted, war was never remote.⁶⁴

Frederick had more immediate grievances. Russian press-gangs sometimes marauded into Prussian territory, seeking recruits; there were disputes over trade and Frederick was furious at strong Russian protests against his increased postal taxes and customs duties.⁶⁵ In a bitter dispute with Poland over the establishment of the Polish general customs duty, indicative of his absolute determination to allow no improvement whatever in the Polish state, he complained of undue Russian sympathy for the Poles, even though the latter abolished the duty after Catherine's arbitration.⁶⁶ In February, 1766, he made indirect overtures to the Austrians for a rapprochement and, that June, he even tried to meet his admirer, Joseph II, at Torgau, probably as a warning to the Russians not to test his patience too far.⁶⁷ In May, 1766, Russian pressure obliged Frederick to recall his envoy, Rexin, from Constantinople, for insinuating to the Porte that Russia favoured reforms in Poland.⁶⁸

Russia's good relations with Saxony, which Frederick was at least as anxious to acquire as Polish territory,⁶⁹ alarmed him, for Saxony "emploiera tout pour me brouiller . . . avec la Russia et . . . à réconcilier les Autrichiens avec les Russes."⁷⁰ Xavier (1730-1786), Prince

⁶⁴ Stormont to Conway, Vienna, Dec. 31, 1766. PRO/SP 80/203 and Jan. 3, 1767, *ibid.* 80/204. On March 18, 1767, Stormont reported that Austria would send troops into Poland only if Prussia did so. *ibid.* See also A. von Arneth, *Geschichte Marias Theresias*, vol. VIII (Vienna 1877), pp. 93, 121.

⁶⁵ A. H. Loebel, 'Oesterreich und Preussen, 1766-1768,' *Archiv für österreichische Geschichte*, vol. 92 (1903) p. 386.

⁶⁶ At the Convocation Sejm, the Czartoryskis introduced the general customs duty. Frederick, fearing any augmentation of the Polish state revenues, set up a customs-house at Marienwerder, where Prussian territory touched the Vistula, and forced vessels to pay an extortionate toll on their cargoes, by threatening to blow them out of the water. Under Russian arbitration, the Prussians agreed to dismantle their customs-house and the Poles to suspend their general duty, which was finally repealed by the 1766 Sejm. J. K. Hoensch, 'Der Streit um den polnischen Generalzoll,' *Jahrbuch für Geschichte Osteuropas*, NF 18 (1970) pp. 355-388, *passim*, but especially pp. 365-366, 370, 372-376, 384.

⁶⁷ Arneth, *op.cit.* vol. VIII, pp. 103-107; Loebel, *op.cit.* pp. 392-406.

⁶⁸ Panin to Repnin, Sept. 5/6, 1765. Sb. vol. 57, no. 1234. These accusations may have been true, though Rexin was possibly guilty of an excess of zeal. Frederick claimed he was recalled through the machinations of the Polish agent, Boscamp. On Sept. 3, 1766, Frederick warned major Zegelin, Rexin's successor, that Russia was trying to damage good Prusso-Turkish relations. He ordered Zegelin to remain on good terms with Obreskov, but secretly to try to undermine the Russian party in the Divan. PC. XXV 16 206.

⁶⁹ Volz, *op.cit.*, p. 61 (1752 Political Testament), p. 216 (1768 Political Testament).

⁷⁰ Frederick II to Solms, May 11, 1766 PC. XXV 16 032.

Administrator of Saxony and his brother, Charles of Courland (1733-1796),⁷¹ were unreconciled to the loss of Poland. At the least, they wanted Russian support for a handsome appanage from the Commonwealth, at the most, the restoration of the Polish throne and the duchy of Courland to the house of Wettin.⁷² In return for substantial advantages, the Saxons were willing to be used by the Russians as a springboard in Central Europe and Germany.⁷³ The Russians, who sought the support of Saxon sympathisers in Poland, encouraged such hopes, but, up to the Sejm of 1766, privately assured Stanisław August that no concessions were necessary.⁷⁴

Despite his frequent exasperation with Russia, Frederick did not dare risk a breach. While he urged moderation over the dissenters, he did what he could to frustrate reform by blackening Stanisław August in Vienna, as well as St. Petersburg.⁷⁵ England, Saxony and France feared that Russia and Prussia intended territorial expansion at Poland's expense, which could only lead to war.⁷⁶

Russia's main worry was the possibility of Turkish involvement. Panin did his utmost to lull the Porte's suspicions. Early in the eighteenth century, Turkey had obliged Peter the Great to evacuate Poland and to agree to refrain from interfering in her government (the treaties of the Pruth, 1711, Constantinople, 1712, 1720 and Adrianople, 1713), although these provisions were not reiterated by the treaty of Belgrade of 1739. Neither Sultan Mustafa III (1757-

⁷¹ From December, 1763, Saxony was under a regency, headed by one of the twelve-year old elector's uncles, Xavier. Xavier's younger brother, Charles, was duke of the Polish fief of Courland, from 1758-1762. Despite its formal status, Courland was a de facto Russian dependency from the early eighteenth century. Augustus III had been able to appoint Charles to the duchy only with the consent of the Empress Elizabeth. Between August, 1762 and April, 1763, Catherine II brought about the restoration of Courland's former duke, Johann Ernest Biron, exiled to Siberia under Elizabeth, thus reaffirming the links between the duchy and Russia. The Convocation Sejm of 1764 approved the new arrangement. Chechulin, *op.cit.* pp. 126-144.

⁷² Flemming to Essen, Dresden, Jan. 25, 1766 SLHA 3561 IIIa f. 84; Essen to Flemming, Warsaw, March 1, 1766, *ibid.* ff. 198-205 and May 21, 1766, *ibid.* ff. 510-517.

⁷³ Essen to von Ende, Oct. 3, 1767, *ibid.* 3562 IVb, ff. 407-409; von Ende to Essen, Oct. 13, *ibid.* f. 439.

⁷⁴ Panin to Repnin, Moscow, Aug. 10/21, 1766. Sb. vol. 67, no. 1403.

⁷⁵ Benjamin Langlois, British chargé d'affaires in Vienna, to the duke of Grafton (secretary of state for the Northern department from June, 1765 to April, 1766, when he was replaced by General Conway), March 19, 1766. PRO/SP80/203; Macartney to Conway, St. Petersburg, Dec. 1, 1766, *ibid.* 91/77.

⁷⁶ Conway to Mitchell, London, March 17, 1767 *ibid.* 90/86. Sir Andrew Mitchell, British envoy extraordinary and minister plenipotentiary in Berlin, June, 1766 to January, 1777. Essen to Flemming, Jan. 8, 1766. SLHA 3561 IIIa ff. 43-45. Secret instruction to Gérault, unofficial French agent in Warsaw, AE. Pol. 287, f. 5.

1773) nor his advisers wanted war. They wished to see the Polish constitution unaltered, lest the Commonwealth grow into another formidable Christian neighbour, alongside Russia and Austria.⁷⁷ To reassure the Divan, Alexei Obreskov⁷⁸ in Constantinople, was given ample corruption funds and ordered to keep the Grand Vizier regularly informed of Russian moves in Poland, explaining that Russia was merely fulfilling her treaty obligations towards the dissenters and ensuring the preservation of the Polish constitution.⁷⁹ Turkey was further distracted by dissensions in Persia.⁸⁰ Had Russia not gone too far in her military operations against the Confederacy of Bar in 1768, war with the Porte might not have erupted in October of that year.

Russia had a second traditional opponent in Poland — France. The two powers had clashed over the elections of 1697 and 1733. One of the original aims of Louis XV's (1715-1774) confused and inept secret diplomacy had been the erection of a barrier, to consist of Turkey, Sweden, Prussia and Poland, under French leadership, to exclude Russia from Europe.⁸¹ After the Seven Years' war, Russia re-emerged as France's opponent, but the dukes of Choiseul⁸² and Praslin⁸³ preferred to concentrate on colonial rivalry with England, rather than on resuscitating the lame Polish duck. Although the French still toyed with the barrier policy,⁸⁴ after 1764, they had no official diplomatic representation in Poland, which necessarily limited their influence. The duke of Broglie (1719-1781), director of Louis XV's secret diplomacy, tried in vain to spur the king into a more aggressive policy. Louis was becoming tired of adventurous foreign schemes and seems to have kept the 'Secret du Roi' going

⁷⁷ Wł. Konopczyński, *Polska a Turcja (1683-1792)* (Warsaw 1936) pp. 182-183.

⁷⁸ Russian resident in Constantinople, 1752-1771.

⁷⁹ *ibid.* pp. 174, 177; Askenazy, *op.cit.* pp. 55-56, 95-96, 128-129. Imperial rescripts to Obreskov, Aug. 15/26, 1766, Sb. vol. 67, no. 1380 and Oct. 24/Nov. 4, 1766, *ibid.* no. 1484.

⁸⁰ Jan Nikorowicz, Polish agent in Constantinople, to Ogrodzki, July 15, 1767. B. Cz. 677 p. 213.

⁸¹ Ozanam and Antoine, *op.cit.* vol. I, introduction, pp. xxvii-xxix; I. Jay Oliva 'France, Russia and the abandonment of Poland: the Seven Years' War,' *The Polish Review* vol. VII no. 2 (New York 1965) p. 65.

⁸² Minister of state for foreign affairs, 1758-1761, 1766-1770; minister for war, 1761-1766.

⁸³ Minister of state for foreign affairs, 1761-1766.

⁸⁴ Draft of an instruction for a French ambassador to Poland, Versailles, Dec. 1, 1766, speaks of Poland replacing Sweden as a barrier against Russia and even entertains the possibility of Poland's regaining lost territory from Russia. AE Pol. 287 f. 71. The lack of permanent official French representation in Poland made the instruction a dead letter.

from force of habit, rather than from any strong conviction of its utility.⁸⁵

The question of the dissenters was, inevitably, of interest to the papacy. Clement XIII's pontificate (1758-1769) saw an intensifying confrontation with the Gallican-minded Catholic powers, notably over the Jesuits. Forced to retreat in Portugal, France and Spain, the Pope was all the more anxious to maintain his own authority and the position of Catholicism in Poland.⁸⁶ His fears were compounded by concern for the fate of Catholics in areas threatened by possible Prussian and Russian annexation.⁸⁷ The Vatican mistrusted the 'Family's' zeal for reform, which it feared would be directed partly against the Church. A. E. Visconti, from 1762 to 1767 nuncio in Poland, was convinced of Stanisław August's sincere Catholicism, but he feared his reformist tendencies would lead him astray. Clement XIII was ready to support the king, provided the Catholic Church in Poland suffered no harm.⁸⁸ In the weak state of the Polish monarchy, should the papacy decide to intervene actively in Poland, it could produce considerable impact.

Eighteenth-century Poland was an object of concern to most of the leading powers of Europe. Not one of them was actively interested in seeing Poland's revival. Those powers in a position to exert the greatest influence on the Commonwealth, Russia and Prussia, wished it only varying degrees of ill.

⁸⁵ Ozanam and Antoine, *op.cit.* vol. I, introduction, pp. xii-xcii *passim*, but especially pp. lxi-lxiv, lxxx-xxxiii, xci-xcii.

⁸⁶ L. von Pastor, *The History of the Popes*, vol. XXXVI (London 1950) p. 231.

⁸⁷ M. Loret, 'Rzym a Polska w początku panowania Stanisława Augusta,' *Przegląd Współczesny* no. 67 (1927) p. 221.

⁸⁸ *ibid.*, pp. 226, 229-230.

CHAPTER III

RUSSIA'S SEARCH FOR SUPPORT IN POLAND AND THE SEJM OF 1766

The Russians failed to reap the expected rewards from the elevation of Stanisław August Poniatowski. Catherine II had hoped the Coronation Sejm would settle her demands over the dissenters, disputed boundaries and the return of Russian fugitives.⁸ The Coronation Sejm (December 3-20, 1764) indignantly rejecting all concessions, confirmed existing legislation on the dissenters.⁷ The deputies agreed to a commission to investigate frontier disputes, but insisted that its decisions should be subject to the approval of the Sejm. The Russians did not want a commission, but wanted to hold direct negotiations with a Polish plenipotentiary in St. Petersburg.³ The Sejm ignored Panin's expressed desire that it should request a formal Russian guarantee of Poland's constitution.⁴ It refused to conclude an alliance with Russia, probably on the promptings of the king and his uncles, who were afraid of becoming involved in possible hostilities with Turkey and, through Turkey, ultimately with France and Austria.⁵ Over the next few years, Russian energies in Poland were directed towards finding support for the implementation of these policies, in which the dissenters came to occupy an increasingly important role.

Catherine and Panin chose to regard the Czartoryskis responsible for the rebuffs administered by the Coronation Sejm.⁶ Repnin credited the king with a favourable disposition, but thought him too easily swayed by his uncles, although he admitted that their influence

¹ Imperial rescript to Keyserling and Repnin, Sept 29/Oct. 10, 1764. Sb. vol. 57, no. 1052.

² "The agitation was so great, that neither reasonings nor threats could have any effect". Repnin to Panin, Dec. 6/17, 1764 Solov'ev, vol. XXVI p. 57. Vol. Leg. VII pp. 157-158.

³ The Russo-Polish treaty of 1686, which Russia used as the basis of demands for a frontier rectification, left the ownership of certain lands along the Dnieper, especially around Czehryń, unsettled. Imperial rescript to Repnin, Nov. 11/22, 1764, Sb. vol. 57, no. 1094. Vol. Leg. VII p. 158

⁴ Imperial rescript to Repnin, Nov. 11/22, 1764, Sb. vol. 57, no. 1094.

⁵ Wł. Konopczyński, *Polska a Turcja (1683-1792)* (Warsaw 1936) p. 184.

⁶ Panin to Repnin, Feb. 12/23, 1765. Sb. vol. 57, no. 1151.

was essential to the running of the country.⁷ The decisions of the interregnum had been achieved by the co-operation of Russia and the 'Family'. After Stanisław August's coronation, this relationship became growingly strained. The potential of the reformers as a vehicle of Russian policy was further undermined by serious frictions between the king, his uncles and their respective supporters. Already, during the interregnum, the 'Family' had offered three alternative candidates, other than Poniatowski, to the Polish throne: the candidatures of August Czartoryski, of his reluctant son, Adam Kazimierz (1743-1823) and of Stanisław Lubomirski (1720-1783), seneschal of the Crown.⁸ Poniatowski was primarily the choice of Catherine, not of his uncles. Differing conceptions of kingship underscored personal ambitions. Stanisław August, though an active advocate of constitutional monarchy, felt he should have considerably wider powers than his uncles were willing to concede.⁹ Encouraged by his brothers, Andrew and Kazimierz (1721-1800), grand chamberlain of the Crown and by his favourite, Xavier Branicki (c. 1730-1819), grand *łowczy* of the Crown,¹⁰ the king sought to build up an independent royalist party. Insofar as Repnin found difficulty in securing the active support of the uncles, Panin encouraged this tendency.¹¹ In contrast to Keyserling, who died in the autumn of 1764, an enthusiastic supporter of the Czartoryskis,¹² Repnin inclined towards Stanisław August's coterie. He recognised that the Czartoryskis, with their enormous influence, were indispensable to the king's government of Poland, yet he mistrusted them as men who wished to run Poland purely for their own benefit, that is, not for the benefit of Russia. Afraid that August Czartoryski coveted the grand *hetmanship* of the Crown (the incumbent, Jan Klemens Branicki, was not expected to live much longer), which, though shorn of its powers, continued to carry much prestige,

⁷ Repnin to Panin, May 13/24, 1765, *ibid.*, no. 1195.

⁸ S. Askenazy, *Die letzte polnische Königswahl* (Göttingen 1894), pp. 65-71; Poniatowski, *Mémoires*, vol. I pp. 498-499; Michael Oginski (1728-1800), Michael Czartoryski's son-in-law, also had hopes of the Polish throne. Askenazy, *op. cit.* pp. 68-69.

⁹ The 'Family' wished to curtail the king's powers of appointment; Poniatowski preferred their full retention, the introduction of an hereditary kingship and the extension of monarchic powers through a royal council. J. Michalski, 'Plan Czartoryskich naprawy Rzeczypospolitej', *Kwartalnik Historyczny*, vol. 63, nos. 4-5 (1956), pp. 29-43, *passim*, but especially pp. 38, 41; J. Nieć, 'Stanisława A. Poniatowskiego plan reformy Rzeczypospolitej', *Historia*, no. 3 (Warsaw 1933) pp. 12-14, 18.

¹⁰ No relation to *hetman* J. Kl. Branicki.

¹¹ Panin to Repnin, Feb. 12/23, 1765. *Sb.* vol. 57, no. 1151.

¹² Poniatowski, *Mémoires*, vol. I, p. 502, claims that the Czartoryskis devised the clause in the Convocation Sejm's statutes circumventing the *liberum veto* with Keyserling's co-operation.

Repnin recommended one of the king's brothers for the post (Catherine and Panin would also have approved if Stanisław August were to confer it on Adam Czartoryski, more favourably inclined towards the new king than was his father).¹³ These proposals found all the more favourable a reception in St. Petersburg, as, in June, 1765, bishop Koniski had arrived in Warsaw with a list of Orthodox grievances: received favourably by the king, he obtained only evasive and unsatisfactory replies from the king's ministers.¹⁴ Panin attributed this to the influence of the Czartoryskis. He warned that as long as they dominated the government, they would be an obstacle to Russia's plans.¹⁵ Yet Repnin saw little hope of lessening the king's dependence on his uncles.¹⁶

There was no realistic alternative to the Czartoryskis. Their opponents, the so-called Republicans or Patriots (or, as they were often referred to, the malcontents), were a disorganised rabble of would-be over-mighty subjects. Their chief bond, a growing antipathy towards the king, a desire for the abolition of the 1764 reforms and the restoration of the house of Wettin, was insufficient to form them into a solid block against the reformers or into an alternative prop for Russian policies. The most determined opponents of the new order included Jerzy August Wandalin Mniszech, Crown marshal of the court, with a strong following in Wielkopolska, who had monopolized Augustus III's favours towards the end of his reign.¹⁷ Closely associated with him were Kajetan Sołtyk, bishop of Cracow (1715-1788), one of the wealthiest dioceses in Europe, and Teodor Wessel (d. 1775), grand treasurer of the Crown, unreconciled to the establishment of the treasury commission, which put a stop to his financial malversations. The south-east of Poland was the scene of bitter rivalry between the Czartoryskis and the numerous Potocki family, headed by Franciszek Salezy Potocki (d. 1772), palatine of Kiev. J. Kl. Branicki, grand *hetman*¹⁸ and Wacław Rzewuski (1706-1779), field *hetman*, of the Crown, were

¹³ Repnin to Panin, May 13/24, 1765 (with Panin's annotation) Sb. vol. 57, no. 1195; Solov'ev, vol. XXVI, p. 139.

¹⁴ C. Łubieńska, *Sprawa Dyssydencka 1764-1766* (Cracow-Warsaw 1911), pp. 48-49; Solov'ev, vol. XXVI, p. 153. Koniski's demands included the admission of Greek Orthodox *szlachta* to public office.

¹⁵ Panin to Repnin, Sept. 5/16, 1765. Sb. vol. 57, no. 1235.

¹⁶ Repnin to Panin, Jan. 2/13, 1766. Solov'ev, vol. XXVI, pp. 415-417.

¹⁷ Mniszech was also *starosta-general* of Wielkopolska, a post which carried the right of making appointments to the *gród* courts of the palatinates of Poznań and Kalisz, giving him great influence among the litigious *szlachta*.

¹⁸ Branicki had fled abroad during the interregnum, but returned early in 1765, making his submission to the king (who was also his brother-in-law) and retired to his estates at Białystok.

angry at the loss of their powers to the army commission, a resentment shared by their respective Lithuanian counterparts, Michael Massalski (d. 1768) and Alexander Sapieha (1730-1793). Massalski and his son, Ignacy (1729-1794), bishop of Wilno, had supported the Czartoryskis during the interregnum, as a result of a family feud with the Radziwiłłs, but were rapidly disillusioned by events, in particular by the introduction of the Lithuanian army commission.¹⁹ The opposition in Lithuania was thrown into disarray by the banishment of Karol Radziwiłł, palatine of Wilno, by the Czartoryskis' confederacy, in August, 1764. Radziwiłł's estates were put under sequester for his enormous debts and distributed, in trust for his younger brother, Hieronim (1759-1786), among his creditors, who included many of his closest supporters. His palatinate of Wilno was given, with Catherine II's personal approval, to Michael Ogiński (1728-1800), Michael Czartoryski's son-in-law.²⁰ The reversal of 1764 shut the Republicans off from the prize of political domination in Poland: the monopoly of access to the royal distribution of offices and crown lands. They were themselves partly to blame, for, during the interregnum, they had been utterly incapable of concerted action in favour of the candidatures of Frederick Christian of Saxony or of *hetman* Branicki.²¹ The Wettins, their closest foreign supporters, had so little confidence in their abilities that they considered transferring their support to the Czartoryskis.²² The Republicans, as aware as Repnin of the king's dependence on his uncles, doubted the possibility of a definite break between them, despite their disagreements.²³ Under Augustus III, it had been sufficient to become the king's friends for a faction to benefit from royal favour. Under Stanisław August, the malcontents, convinced that their road to power was blocked by the Poniatowski-Czartoryski alignment, became ever more convinced that the restoration of court favour lay in the restoration of the Saxon dynasty.

Yet it was partly among the Patriots that the king initially endeavoured to establish a power base, to free himself of his uncles'

¹⁹ *Pamiętniki Józefa Kossakowskiego, biskupa inflanckiego, 1738-1788*, ed. A. Darowski (Warsaw 1891), pp. 47-51.

²⁰ For the judgement on Radziwiłł, see J. Kitowicz, *Pamiętniki czyli Historia Polski*, ed. P. Matuszewska (Warsaw 1971), pp. 196, 700 n. St. Saphorin, the Danish resident, estimated Radziwiłł's debts, before interest, at 1,500,000 ducats. To Bernstorff, Dec. 30, 1767. RA. Cop. TKUA Polen A III 46.

²¹ Askenazy, op. cit., pp. 43-44, 97. 'Mémoire pour servir d'instruction secrette au S. Gerault, retournant en Pologne', Versailles, July 31, 1766. AE. Pol. 287, f. 6.

²² Essen to Flemming, March 19, 1766. SLHA 3561 IIIa ff. 267-273; Flemming to Essen, Dresden June 21, 1766, *ibid.*, 3561 IIIB ff. 576-583.

²³ Sołtyk to Mniszech, Kielce, Feb. 14, 1766. B.Cz. 3861 no. 21.

tutelage. After the coronation Sejm, the court began making overtures to the Potockis, Mniszech, Sołtyk and Wessel.²⁴ In Lithuania, the king and his brothers tried to win over Karol Radziwiłł's former adherents.²⁵ The king also seems to have toyed with the idea of abolishing the Crown army commission, to leave his brother, Kazimierz, in a stronger position, should he receive the *hetman*-ship.²⁶ Nothing came of these schemes. Fundamentally, the positions of the king and the malcontents were mutually incompatible. The malcontents did not want reform. The failed rapprochement only caused relations between the king and his uncles to deteriorate further.

The malcontents sought to restore their fortunes by negotiating directly with the Russians. Early in 1766, Wessel assured Repnin that F. S. Potocki, Mniszech, Sołtyk "and many others have only one wish — to be in a Russian party, independent of the king." He wanted the Russian court to take him and his friends under its wing and to dissolve the General Confederacy, which was still in being, the basis of Czartoryski predominance.²⁷ Wessel received sufficient encouragement from Repnin to visit malcontents up and down the country, in anticipation of the pre-Sejm *sejmiki*, due to assemble on August 25. Repnin was reluctant to upset the king, but felt he could not rely on him "because of his extraordinary vacillation."²⁸ Panin, hoping to settle the dissenters' affair at the Sejm, agreed he could not count on the Czartoryskis, but he wished to see the Potockis as an additional support for the king, rather than in opposition to him. Their co-operation in facilitating concessions to the dissenters would be the touchstone of loyalty to Russia of the king and of any new party.²⁹

In mid-April, Caspar von Saldern (1711-1786), Panin's close adviser, arrived in Warsaw, on the first stage of a mission to consolidate the Northern System. In Warsaw, he was also to investigate and settle the disputes between the king and his uncles.³⁰ Although

²⁴ Wessel to Mniszech, Pilica, March 27, 1766. *ibid.* no. 49. Lubomirski, *Mémoires*, pp. 38-39, 50; Essen to Flemming, Jan 22, 29, 1766 SLHA 3561 IIIa ff. 87-97, 113-119; Wielhorski to Mniszech, Horochów, March 9, 1766, B.Cz. 3861 no. 35; Sołtyk to Mniszech, Borzęcin, June 10, 1766, *ibid.* no. 69; K. Rudnicki, *Biskup Kajetan Sołtyk, 1715-1788* (Cracow-Warsaw 1906) pp. 93-94, 101.

²⁵ Lubomirski, *Mémoires*, pp. 51-52.

²⁶ Wielhorski to Mniszech, Horochów, July 13, 1766, B. Cz. 3861 no. 72; Essen to Flemming, May 21, 1766 SLHA IIIa ff. 510-517.

²⁷ Repnin to Panin (n.d.), Solov'ev vol. XXVII, pp. 417-418.

²⁸ *ibid.* p. 418.

²⁹ Panin to Repnin, April 5/16, 1766. *Sb.* vol. 57, no. 1332.

³⁰ Solms to Frederick II, March 14, 1766. PC. XXV 15 975 n. Solov'ev, vol. XXVII, p. 419.

he expressed his satisfaction with the king's personal loyalty to Russia, Saldern was worried he had indeed been led astray by his young advisers, who, unless checked, threatened to drive the Czartoryskis from active government. With the removal of the Czartoryskis' influence, he pointed out, there would be no chance of securing concessions for the dissenters.³¹ Repnin continued to doubt the Czartoryskis' reliability. He suggested quartering Russian troops, of whom there were at least 7,000 in Poland since the interregnum, on the estates of those most opposed to religious concessions, as a warning to the uncles of his court's earnestness. Should the Sejm prove obdurate, he considered an extraordinary Sejm or an altogether new confederacy, headed by the king, necessary to secure Russia's aims.³² The Empress remained confident that the Czartoryskis would co-operate,³³ but Panin, as a precaution, urged his ambassador to continue negotiations with their opponents.³⁴

The vagueness of Russian demands compounded the problems of the dissenters' issue. Repnin himself had little enthusiasm for the business. Unaware of Frederick II's own reservations, he considered that to give the Protestants wider rights would be to open the door to greater Prussian influence in Poland.³⁵ In September, 1765, he and Stanisław August had worked out a plan according to the dissenters virtually complete freedom of worship, with some restrictions on public ceremonies.³⁶ The king declared his readiness to appoint dissenters to non-*gród starostwa* and to try to secure them voting rights at the *sejmiki*. He and the ambassador were on the point of enshrining this plan in a secret convention, when Panin rejected the whole scheme, claiming it was inadequate.³⁷ He did nothing to clarify his position, beyond asserting that Russia and the Protestant powers would not rest until the dissenters' status was "constitutionally fixed on the basis of law and justice."³⁸

As the 1766 Sejm approached, agitation against the dissenters grew, inspired by the very men in whom Russia wanted to see an alternative to the Czartoryskis. In Lithuania, opposition was led by the Massalskis and, in the Crown, by bishop Sołtyk, whose conduct drove Repnin to threaten him with exile to Siberia.³⁹ Sołtyk

³¹ Saldern to Panin, Warsaw, April 17, 1766. *ibid.* pp. 420-421.

³² Repnin to Panin (n.d.) *ibid.* p. 422.

³³ Catherine II's annotation, *ibidem.*

³⁴ Panin to Repnin, May 23/June 3, 1766. *Sb.* vol. 57, no. 1352.

³⁵ Repnin to Panin, May 25/June 5, 1764. *Solov'ev*, vol. XXVI, p. 48.

³⁶ Łubieńska, *op. cit.* pp. 58-62. The full text of the agreement is given in the appendix, *ibid.* pp. 160-169.

³⁷ Panin to Repnin, Sept. 28/Oct. 9, 1765. *Sb.* vol. 57, no. 1248.

³⁸ *ibidem.*

³⁹ Sołtyk to Stanisław August, Aug. 1, 1766 PAU 314 f.53; Sołtyk to Wessel, Aug. 1, 1766, *ibid.* f.54.

went so far as to appeal, ineffectively, to the Catholic rulers of Europe to defend the threatened faith in Poland and to Grigory Orlov, Catherine II's favourite, to protest against Repnin's threats.⁴⁰ Repnin desisted from sending troops onto Sołtyk's estates, for which he had Panin's authorization,⁴¹ at the urgent entreaties of the king, who feared such action would only exacerbate matters.⁴²

Stanisław August and his uncles found themselves in an increasingly delicate situation. The restoration of the dissenters, notably in the civil sphere, struck at the roots of the *szlachta's* prejudices. The Catholic clergy, actively backed by the Mniszech group, campaigned vigorously against all concessions.⁴³ The reformers were reluctant to alienate the Russians, on whose support they ultimately depended. This was especially true of Stanisław August, whose meagre personal resources obliged him to depend on Russian subsidies, simply to continue reigning in the manner expected of a king.⁴⁴ When Repnin began to consider the use of force, Poniatowski and his uncles appealed separately to St. Petersburg. In May, 1766, the Czartoryskis wrote to Panin that a settlement of the dissenters' affair might be reached with skilful handling, but not through the use of foreign force. They complained that the king's preference for his younger advisers and the ambassador's lack of confidence in themselves, rendered success remote.⁴⁵ In reply, Panin

⁴⁰ 'Copie des lettres du Prince Evêque de Cracovie [to the Catholic rulers]' *ibid.* f.52; 'Copie de la lettre de S.A. Mgr. le Prince Evêque de Cracovie à S.E. Mgr. le comte d'Orlow,' *ibid.* f.51.

⁴¹ Panin to Repnin, Aug. 8/19, 1766 Sb. vol. 67, no. 1371.

⁴² Essen to Flemming, Aug. 30, 1766. SLHA 3561 IIIb. ff.136-143.

⁴³ 'Kopia responsu Xcia JMci Sołtyka... na list cyrkularny przedsejmowy J.K.Mci.' May 6, 1766, PAU 314 f.160; Sołtyk's letter to the *sejmik* of the palatinate of Cracow, Aug. 18, 1766, *ibid.* f.41; copy of a circular letter to the *sejmiki* (n.d.) from Adam Krasieński, bishop of Kamieniec Podolski, *ibid.* ff.43-44; 'Kopia responsu JWJMP. Sołtyka, wojewody łączyckiego [Thomas Sołtyk, the bishop's elder brother] na list cyrkularny Krola J.Mci...' May, 1766, *ibid.* ff.57-58. See also a campaign document for the 1766 *sejmiki*, annotated by Mniszech, beginning with the words 'Należy naprzód przeczytać Uniwersał y Instrukcyę...' *ibid.* ff.45-46 and 'Projekt do instrukcji posłom na Sejm, 1766,' for Mniszech [from Thomas Sołtyk?] *ibid.* ff.92-95.

⁴⁴ T. Korzon, *Wewnętrzne Dzieje Polski za panowania Stanisława Augusta*, vol. I (Cracow 1897), pp. 51-52n. quotes an extract from the accounts of the Russian embassy in Warsaw:

| | | Florins (zlotys) |
|----------------|---------|---------------------|
| "Le roi a reçu | en 1764 | 17 Septembre 12,000 |
| | | 19 Novembre 24,000 |
| en 1765 | | 20 Février 6,000 |
| | en 1766 | 21 Août 20,000 |
| | | 15 Octobre 9,000. " |

See above, chapter II, p. 34, n. 18.

⁴⁵ The Czartoryskis to Panin, May 15, 1766. Solov'ev, vol. XXVII, pp. 424-425.

reiterated his court's main aim as "an alliance with Poland, the freeing of the dissenters from their oppressions and the regulation of the frontiers." He accepted the uncles' strictures on the king's conduct, but reproached them for their inadequate support of the dissenters in 1764. He expected their wholehearted co-operation at the coming Sejm, but, if the dissenters again failed to obtain concessions, he warned that Catherine would be persuaded of the 'Family's' hostility or wilful negligence. He did not say what concessions he expected. Panin emphasized that Russia entertained no territorial ambitions, but merely wished to carry out the provisions of the treaty of 1686. Once these matters were settled, the way would be clear to a formal alliance.⁴⁶ Repnin, wary of involving himself with a fractious opposition which made no secret of its anti-dissenter feelings, agreed that the co-operation of the Czartoryskis was essential, for "their credit is very great and, though in their hearts they are rotten, their intelligence surpasses that of anyone else in this country."⁴⁷

Stanisław August, stressing the dangers of an armed restoration of the dissenters' rights, indicated that such an enterprise would require a large army and might well precipitate a new St. Bartholomew's massacre. He claimed a lasting restoration was impossible, as long as Russian troops remained in Poland. He suggested, presumably to demonstrate to the Poles that the Russians were behind the whole affair, that they send accredited agents to persuade the Polish magnates of the need for concessions; furthermore, that Repnin should deliver Russian demands on the dissenters in a public audience at the Sejm.⁴⁸

Panin took up both last points, though not the suggestion that Russian troops should leave Poland. Colonels Otto Igelström and Vasilii Karr were instructed to visit prominent Polish magnates, explaining Catherine's wish that the Sejm ameliorate the lot of the dissenters "with regard to the free exercise of their religion and the common equality of citizens." Should they fail to make their point by appealing to the principles of Christian charity enunciated in the gospels, they were to warn the stubborn that the Empress would regard them as enemies of their own country and of Russia and that they would later regret their attitude. The existing laws on dissenters were declared invalid, on the grounds they had been im-

⁴⁶ Panin to the Czartoryskis, July 4/15, 1766. *Sb.* vol. 67, no. 1365.

⁴⁷ Repnin to Panin (n.d.), *Solov'ev*, vol. XXVII, p. 426.

⁴⁸ Stanisław August to F. Rzewuski, Polish envoy in St. Petersburg, (n.d.), *ibid.* pp. 423-424.

posed, by force, by a Catholic majority.⁴⁹ On September 6, one month before the Sejm was due to assemble, Panin informed Repnin of Imperial approval for a public audience, at which the ambassador would present the dissenters' case.⁵⁰ He enclosed two documents, a rescript, and a declaration to be delivered at the audience, in which the court of St. Petersburg, for the first time since it had raised the whole religious issue, proclaimed its intentions in detail.⁵¹

In the rescript, the Empress demanded the unfettered restoration of freedom of worship for the dissenters and the full restoration of their civil and political rights, including the right to stand for election to the chamber of deputies in the Sejm, to the Tribunals and the right of appointment to the *gród starostwa*. In those palatinates where the dissenters were especially numerous, one dissenting deputy was to be returned for every two Catholic deputies to the Sejm.⁵² As a 'concession', Catherine was ready to agree to the exclusion of dissenters from the Senate and the *hetmanships*.

These orders departed significantly from the demands Repnin was to present in public. The declaration committed Russia only to negotiating with the Commonwealth the role which the dissenters were to enjoy "dans l'administration de l'état et dans les avantages de la couronne." In contrast, it fully enumerated the demands within the religious sphere. All churches illegally taken from the dissenters were to be restored and dissenters were to be allowed to erect new churches. No restrictions whatever were to be imposed on the public performance of any religious ceremonies. Lay and religious dissenters were to be summoned only before secular courts. Mixed marriages were to be permitted; male children were to take the father's faith, female children the mother's. If the Sejm refused to grant these demands, the rescript stated, Repnin was to persuade the dissenters to leave the Sejm (sic!), to form a confederacy and invoke Russian assistance. Presumably, this final injunction was the result of careless drafting: the last dissenter had been expelled from the Sejm in 1718. If dissenters still participated in the Sejm, there would have been no point in Russia's demands.

In authorizing Repnin to pursue two sets of policies, but, in public, to present only the milder of the two — which might indeed

⁴⁹ Panin to Repnin, Aug. 8/19, 1766. Sb. vol. 67, no. 1371; Imperial rescript to Igelström and Karr, Aug. 14/25, 1766, *ibid.*, no. 1378; instruction to Igelström and Karr, Aug. 17/28, 1766, *ibid.* no. 1379.

⁵⁰ Panin to Repnin, Aug. 26/Sept. 6, 1766. *ibid.* no. 1393.

⁵¹ Imperial rescript to Repnin, Aug. 26/Sept. 6, 1766, *ibid.* no. 1391; 'Déclaration de la part de S.M.I. de toutes les Russies . . . à la République de Pologne confédérée à la Diète de 1766,' *ibid.* no. 1392.

⁵² The palatinates in question were those of Poznań, Kalisz, Cracow, Sandomierz, Malbork, Pomerania, Wilno, Żmudź and Polish Livonia.

have served as the basis for negotiations — Panin set the pattern for the future. He endeavoured to disguise his true intentions, by making them appear less exorbitant than they really were. In the long run, this could only confuse and bewilder the Poles. It could postpone, but not circumvent, the problems arising from the issue.

Panin's orders could not have come at a worse time. Most of the *sejmiki* met on August 25. Despite a prolonged royal propaganda campaign to dispose the *szlachta* favourably towards the dissenters, chiefly on economic grounds,⁵³ out of sixty-two *sejmiki*, only five, in areas where royal influence was particularly strong, advocated any concessions, all of which were confined purely to the sphere of religious observances.⁵⁴ These poor results were partially due to the continued friction between the king and his uncles, who, presumably to demonstrate their indispensability, made no move whatever to co-operate with their nephew and who, in some places, actually opposed royal candidates and instructions with their own.⁵⁵ But, even before the *sejmiki*, August Czartoryski had told Replin bluntly that no-one, himself included, would dare propose any legislation favourable to the dissenters.⁵⁶ When, on September 15, the ambassador received his new orders, he professed himself horrified. There was no hope, he replied, of securing any political or civil advantages for the dissenters. The Poles would not hear of admitting them into the Sejm.⁵⁷

On September 12, Stanisław August had forwarded his own ideas on possible concessions to St. Petersburg. Very timid, restricted to purely ecclesiastical matters, they afforded no guarantee of security for the dissenters' churches or even any clarification of existing religious laws.⁵⁸ When the king learned of Replin's orders, he was thrown into despair. The orders were "un vrai coup de foudre pour le pays et pour moi personnellement," he wrote to Franciszek Rzewuski,⁵⁹ in St. Petersburg, on September 26. If Russia introduced only a dozen dissenters into the legislature, they would be so many

⁵³ J. Michalski, 'Sprawa dysydencka a zagadnienie gospodarcze w opinii publicznej w pierwszych latach panowania Stanisława Augusta,' *Przegląd Historyczny*, vol. 50 (1950), pp. 156-163. See below, chapter V, pp. 128-131.

⁵⁴ The *sejmiki* of Belz, Halicz, Kowno and Grodno. Replin to Panin, Aug. 21/Sept. 1, 1766. Sb. vol. 67, no. 1396. The *sejmik* of Warsaw, royalist-controlled, also issued a favourable instruction. Paw. 32, f. 334.

⁵⁵ Stanisław August to M. Czartoryski, July 14, 1766. B.Cz. 659, ff. 317-320.

⁵⁶ Replin to Panin, Aug. 21/Sept. 1, 1766. Sb. vol. 67, no. 1396.

⁵⁷ Replin to Panin (n.d.), Solov'ev, vol. XXVII, pp. 430-431.

⁵⁸ Replin to Panin, Sept. 1/12, 1766, *ibid.* p. 428; Panin to Replin, Sept. 18/29, 1766, Sb. vol. 67, no. 1404.

⁵⁹ Envoy extraordinary and minister plenipotentiary to St. Petersburg, Feb.-May, 1765, and June, 1766-Jan. 1767.

“chefs toujours légalement existants d’un parti qui ne peut regarder l’état et le gouvernement de Pologne que comme un adversaire, contre lequel ils doivent nécessairement et perpétuellement chercher l’appui au dehors.”⁶⁰ This, of course, was the whole purpose of Russian policy. On October 5, the day before the Sejm opened, he wrote directly to Catherine, begging her not to press her claims.⁶¹

The political temperature had risen to fever pitch, stoked by Repnin’s open demands for full parity of political rights for the dissenters⁶² and by the latter’s boasts that the Empress would secure them full equality.⁶³ Repnin warned that the situation had so deteriorated that even the king and his uncles might actively oppose concessions.⁶⁴ Though Catherine brushed aside Stanisław August’s objections,⁶⁵ she and Panin were sufficiently impressed by his and the ambassador’s remonstrances to lower their demands to the admission of dissenters to all local offices, up to and including that of *podkomorzy*, the highest non-senatorial dignity, but excluding them from the central government and legislature. Failure would be attached to the Czartoryskis, who would also be held responsible for misleading the king. If the demands were not met, Repnin was to break the General Confederacy and the Sejm, form a new confederacy of dissenters and marshal the Czartoryskis’ opponents into a new Russian party.⁶⁶ The near impossibility of harnessing malcontents and dissenters together did not occur to Catherine and Panin. That they should have demanded this, that they pitched their initial demands for religious concessions so high, to lower them at the protests of the king and their own ambassador, strengthens the impression that they blundered into the dissenters’ business without any real awareness of the difficulties involved.

Whereas the Russians hoped to secure substantial advantages for the dissenters at the Sejm, the king and his uncles, despite their differences, wished to use it to consolidate the achievements of 1764.

⁶⁰ Sb. vol. 67, no. 1412.

⁶¹ A copy of this letter is in Poniatowski, *Mémoires*, pp. 537-539.

⁶² Princess Maria Radziwiłł to J. Kl. Branicki, Warsaw, Sept. 24, 1766. AGAD/Roś XVIII-20 (she also reported that colonels Karr and Igelström were unsuccessfully trying to win the support of Polish magnates by threatening them with exile to Siberia). Essen to Flemming, Sept. 24, 1766, stresses the surprise of the Polish court at the unexpected nature of Russian demands for full political rights for the dissenters. SLHA 3561 IIIb f. 261.

⁶³ Rybiński, abbot of Oliva, to Mniszech, Danzig, Sept. 26, 1766. B.Cz. 3861, no. 91.

⁶⁴ Repnin to Panin, Oct. 6/17, 1766. Solov’ev, vol. XXVII, p. 432.

⁶⁵ Catherine II to Stanisław August, Oct. 6/17, 1766. Sb. vol. 67, no. 1402.

⁶⁶ Panin to Repnin, Oct. 2/13, 1766, *ibid.* no. 1417; Imperial rescript to Repnin, Oct. 6/17, 1766, *ibid.* no. 1418.

Panin still wanted to make Poland a useful member of his Northern System.⁶⁷ In late August, August Czartoryski proposed raising the Polish army from its existing strength — estimated by Repnin at 19,000 — to its full establishment of 24,000, a *de facto* augmentation.⁶⁸ Panin had already ruled out any formal increase,⁶⁹ but he found this suggestion acceptable, if pointless, for it would not increase Poland's standing with her neighbours. Panin firmly tied the issue to that of the dissenters. He ordered Repnin to warn the king and his uncles that, unless progress was made over the religious question, all reforms in Poland would be stopped and even the General Confederacy would be dissolved. He left it to his ambassador's discretion whether or not to wind up the Confederacy after the Sejm.⁷⁰

The problem of the dissenters and of reform in Poland held the attention of Catherine's ally, Frederick II. Apart from the repercussions on Prussia's economy of a full restoration of the dissenters, he was worried that if Russia backed them too vigorously, Austria might be shaken out of her apathy and involve herself in Poland, sparking off a new European war.⁷¹ Although he agreed that Benoit should support Repnin's representations in Warsaw, he was to do "toujours . . . d'une façon douce, sans menaces et sans agir avec violences."⁷² He consented to reinforce the declaration which Repnin was to deliver with one of his own,⁷³ couched in mild terms, and to regard the failure of concessions as a *casus foederis*, with the proviso that Catherine "se chargeait seule de tout ce qui pourrait y avoir d'onéreux dans l'exécution même."⁷⁴ At the same time, the possible consequences of the enterprise so worried him that he ordered Benoit to work clandestinely against concessions to the dissenters.⁷⁵ Suspicious of the continued existence of the General

⁶⁷ On June 13, 1766, Ralph Woodford, the British resident in Hamburg, informed Conway that, in conversation, Saldern had spoken of "some little pecuniary assistance, were it only such as to enable His Polish Majesty to maintain a small standing army of about sixteen thousand men to be a check upon the Turks . . . and annihilate totally the influence of France in the North." BL. Egerton Mss. 2696.

⁶⁸ Repnin to Panin, Aug. 21/Sept. 1, 1766. Sb. vol. 67, no. 1397.

⁶⁹ Panin to Repnin, Aug. 8/19, 1766. *ibid.* no. 1372.

⁷⁰ Panin to Repnin, Sept. 18/29, 1766. *ibid.* no. 1404.

⁷¹ Frederick II to Solms, Aug. 4, 1766. PC XXV, 16 169.

⁷² Frederick II to Benoit, Aug. 6, 1766, *ibid.* 16 173.

⁷³ Solms to Frederick II, Aug. 22, 1766, *ibid.* 16 213n., Frederick II to Solms, Sept. 10, 1766, *ibid.* 16 213; Finkenstein and Hertzberg to Frederick II, Sept. 13, 1766, *ibid.* 16 221; Frederick II to Benoit, Sept. 13, 1766, *ibid.* 16 222.

⁷⁴ Frederick II to Finkenstein and Hertzberg, Oct. 2, 1766, *ibid.* 16 263.

⁷⁵ Frederick II to Benoit, Sept. 11, 1766, *ibid.* 16 215.

Confederacy,⁷⁶ he continued to insist that Russia permit no reforms at the Sejm.⁷⁷

The results of the *sejmiki* were curiously mixed. Most instructions solidly opposed all concessions to the dissenters; most demanded the dissolution of the General Confederacy, for which the electorate could see no further use. Although competition between the king and his uncles continued to divide the reforms, the Republicans succeeded in returning only eight deputies (out of over 180) on whom they could confidently rely.⁷⁸ Nevertheless, when, on October 11, debates began in earnest, bishop Sołtyk whipped up such enthusiasm against the dissenters that it became obvious, if it were not so already, that concessions were out of the question.⁷⁹ On the same day, Andrew Zamoyski (1716-1792), grand chancellor of the Crown, introduced a proposal, backed by the king and the Czartoryskis, to decide all bills presented by the treasury commission by a majority vote.⁸⁰ Ostensibly a more specific version of the 1764 legislation on finances, its effect would have been to render the *liberum veto* obsolete. Replin, failing to appreciate this, initially gave the bill his approval, which he furiously withdrew, when warned by supporters of Mniszech and Sołtyk of its true purport.⁸¹ When he and Benoit demanded an explanation, the king and his uncles adamantly refused to drop the bill.⁸² Thomas Wroughton, the British resident,⁸³ deplored the timing of the project, which he felt would wreck relations with Russia and weaken the king's standing in the eyes of his own people.⁸⁴

⁷⁶ On July 23, 1766, Benoit informed Frederick that at a confederated Sejm, "on y fera absolument tout ce qu'on voudra." *ibid.* 16 158a. On July 31, Frederick replied he would have to be content with Russian assurances that no constitutional reforms would be permitted. *ibid.* 16 158.

⁷⁷ Finkenstein and Hertzberg to Solms, Aug. 2, 23, 1766. *Sb.* vol. 22, nos. 246, 250. Karl Wilhelm Finkenstein (1714-1800), Friedrich, Graf von Hertzberg (1725-1795), Frederick II's Kabinettsministers.

⁷⁸ Claude Rulhière, *Histoire de l'Anarchie de Pologne*, vol. II (Paris 1819) p. 304. Rulhière obtained his information from J. Kl. Branicki's factotum, Mokronowski.

⁷⁹ *Dyaryusz Seymu Walnego Ordynaryinego odprawionego w Warszawie roku 1766* (Warsaw 1766) (henceforth referred to as *Dyaryusz*). Session 6, Oct. 11. Sołtyk proposed a law making it treasonable to introduce any legislation, at any future date, favourable to the dissenters. Only the king's direct intervention on a point of order prevented the bill's adoption.

⁸⁰ *ibidem*.

⁸¹ Essen to Flemming, Oct. 18, 1766. SLHA 3561 IIIb ff. 414-415. St. Saphorin to Christian VII of Denmark, Oct. 22. RA. Cop. TKUA Polen AIII45. Lubomirski, *Mémoires*, p. 115.

⁸² Replin to Panin, Oct 5/16, 1766. *Sb.* vol. 67 no. 1429.

⁸³ Resident, 1762 to 1769; minister plenipotentiary, 1769 to 1778.

⁸⁴ Wroughton to Conway, Oct. 18, 1766. PRO/SP 88/92.

Perhaps the most unfortunate consequence of the attempt was that it revealed the hidden significance of the 1764 financial legislation. Replin admitted he had then been duped, though he partly shifted the blame onto the dead Keyserling. He now recommended placing Poland's relationship with Russia on a permanent, formal basis, in the shape of a treaty of guarantee, giving Russia an inalienable right of intervention, whenever it was deemed expedient. He expressed concern that if the *liberum veto* were ever to be abolished, Poland might develop into a danger to her neighbours.⁸⁵ Panin concurred with his ambassador's sentiments. He had mooted the idea of a formal Russian guarantee of Poland already in 1764.⁸⁶ On October 27, 1766, he ordered Replin to break with the Czartoryskis as selfish power-seekers, who had led the king astray. The General Confederacy was to be dissolved, the royal powers of appointment to be restricted. 30,000 Russian troops were ready to march to protect the Czartoryskis' opponents; similar help could be expected from Frederick II.⁸⁷ Panin urged Replin to make special efforts to win over the *hetmani* by assuring them that all the restrictions imposed on their powers in 1764 would be lifted. Finally, he approved the withholding of a 50,000 rouble subsidy for the king.⁸⁸

The strength of the Russian and Prussian reaction convinced the 'Family' they had gone too far. As early as October 15, Stanisław Lubomirski, promoted at the Sejm to the office of grand marshal of the Crown, spoke out publicly against Zamoyski's bill, claiming it would lead to the loss of liberty in Poland.⁸⁹ Frederick II himself approved the Czartoryskis' volte-face, but underlined the need for a counterweight party to check them "aussi souvent qu'ils voudraient aller trop loin".⁹⁰

Zamoyski's bill was the point of departure for a definite rapprochement between Replin and the malcontents. If Russia was to force the dissenting issue through, the co-operation of the Catholic

⁸⁵ Replin to Panin (n.d.), Solov'ev, vol. XXVII, p. 436.

⁸⁶ See above, p. 46.

⁸⁷ Frederick indeed agreed to support Russia with light troops, provided he was publicly requested to do so, "afin que tout le monde sache que ce soit à sa [Catherine's] réquisition." Frederick II to Solms, Nov 9, 1766, PC. XXV 16 334. The Empress had already said she would be satisfied if he sent "un corps modique." Solms to Frederick II, Oct. 27, 1766, *ibid.* n. Frederick hoped that Russia, in order to block reform, would now abandon the dissenters entirely. Finkenstein and Hertzberg to Solms, Nov 1, 1766, *Sb.* vol. 22, no. 265.

⁸⁸ Panin to Replin, Oct. 16/27, 1766, *ibid.* vol. 67, no. 1430; Imperial rescript to Replin, Oct. 16/27, *ibid.* no. 1431.

⁸⁹ Dyaryusz, session 9, Oct. 15.

⁹⁰ Frederick II to Solms, Nov. 9, 1766. PC. XXV, 16 334.

szlachta was vital. The dissenters alone were so weak, that during the Sejm, they were afraid even to come to Warsaw.⁹¹ A 'Humble Petition to His Majesty, Stanisław August', presented privately by the dissenters to the king, on November 2, requesting alleviation of their condition, bore only forty two signatures; only one Greek Orthodox, bishop Koniski, signed.⁹² Conscious of this, Replin hinted to Sołtyk and Mniszech that, in return for their continued co-operation in blocking reform, he would relax his demands on the dissenters.⁹³ His speech and declaration, couched in general terms, keeping any threats well hidden, and delivered in a public audience before the king on November 4, confirmed this impression.⁹⁴ In a private audience with the king on the same day, the Danish and English representatives, whose courts had been co-operating with St. Petersburg, delivered their much milder declarations.⁹⁵ On November 10, Benoit delivered a declaration identical to Replin's.⁹⁶ As a result, wrote Wroughton, "since Replin's declaration, which contains none of those menaces that had been verbally thrown out, I find people in general much more moderate, and I think there are hopes of its going well for us . . ." ⁹⁷ In the Sejm, Sołtyk moderated his tone on the dissenters, which cast some doubt on his sincerity in raising the matter originally.⁹⁸ From St. Petersburg, von der Assburg, the Danish envoy, assured Mniszech that although the Empress would not withdraw any of her demands on behalf of the dissenters, she would ensure that the Catholic faith and clergy would not suffer. Indeed, the Empress hoped true patriots would exploit the present circumstances to restore their laws and liberty and restrain their over-ambitious contrymen.⁹⁹

⁹¹ Replin to Panin (n.d.), Solov'ev, vol. XXVII, p. 432.

⁹² The 'Petition' restricted itself to purely religious issues, adding that it was dangerous for dissenters to appear at *sejmiki*. In particular, it complained of oppressive laws passed since 1717. Text in Dyaryusz, after session 22, Oct. 31.

⁹³ St. Saphorin to Christian VII, Oct. 22, 1766. RA Cop. TKUA Polen A III 45. Mniszech even assured the dissenters he would have been less opposed to their demands, had they been explained to him earlier. St. Saphorin to Bernstorff, Nov. 1, 1766, *ibid.* On November 9, Sołtyk informed Mniszech that Replin had been ordered to support the dissenters only as far as he could without difficulty. B.Cz. 3861, no. 106.

⁹⁴ Text of Replin's speech, Sb. vol. 67, no. 1394; see also Dyaryusz, session 23, Nov. 4.

⁹⁵ Both texts, *ibidem*.

⁹⁶ *ibid.*, session 28, Nov. 10.

⁹⁷ Wroughton to Conway, Nov. 8, 1766. PRO/SP 88/92.

⁹⁸ Rudnicki, *op. cit.* pp. 136-137.

⁹⁹ Von der Assburg to Mniszech, St. Petersburg, Nov. 21, 1766. B.Cz. 3862 no. 132. Assburg wrote the letter with Panin's authorization (n.b. the letter has been miscatalogued with Mniszech's correspondence of 1767).

The Saxon resident, August Franz Essen,¹⁰⁰ seized the opportunity to fill the rift developing between the Russians and the reformers. Convinced that St. Petersburg could now be prevailed on to depose Poniatowski, he agreed to co-operate secretly with Repnin, whom he sought to persuade of the advantages of a Saxon, as opposed to a native Polish, ruler.¹⁰¹ He noted approvingly the ambassador's turn towards long-standing Saxon supporters—Wessel, Sołtyk, Mniszech, Gabriel Podoski (1719-1777), the grand ecclesiastical referendary of the Crown,¹⁰² Michael Wielhorski (d. 1790), *kuchmistrz* of Lithuania—and personally acquainted him with others.¹⁰³ After some initial hesitation, Flemming, the Saxon cabinet minister for foreign affairs,¹⁰⁴ countenanced Essen's activities.¹⁰⁵ Repnin himself, at a dinner he gave for leading Patriots, openly proclaimed himself a Saxon friend, assuring several senators that his court would safeguard the old privileges and liberties of Poland.¹⁰⁶

St. Petersburg began to entertain hopes that its new friends would secure the concessions it was seeking.¹⁰⁷ The malcontents, encouraged to think Russia would relax her religious demands, yet nervous of a last-minute rapprochement between Catherine and Stanisław August,¹⁰⁸ maintained their opposition. The deputies' resolve was strengthened by the nuncio, Visconti, who, in a public audience on November 12, entreated them not to grant any concessions to the dissenters.¹⁰⁹ On November 24, the Sejm unanimously confirm-

¹⁰⁰ Resident in Warsaw, 1764 to 1791; envoy extraordinary and minister plenipotentiary, 1791 to 1792.

¹⁰¹ Essen to Flemming, Oct. 18, 1766. SLHA 3561 IIIb ff. 419-421. Repnin himself requested Essen's help (Essen to Flemming, Oct. 21, 1766, *ibid.* f. 443), a request reiterated by Panin. Essen to Flemming, Nov. 5, 1766, *ibid.* f. 540 reporting a letter from the Saxon minister in St. Petersburg, baron Osten-Sacken.

¹⁰² The referendaries presided over courts hearing appeals from serfs on crown lands.

¹⁰³ Essen to Flemming, Nov. 19, 22, 26. SLHA 3561 IIIb ff. 613, 629, 650.

¹⁰⁴ Karl Georg Friedrich, Graf von Flemming (1705-1767), from 1763 to his death on Aug. 19, 1767, Cabinetminister der Auswärtigen und Militärkommandosachen.

¹⁰⁵ On Oct. 28, 1766, Flemming, suspecting a secret agreement between the Polish and Russian courts, warned Essen not to go too far. SLHA 3561 IIIb ff. 456-457. On Nov. 8, 12, he gave Essen his full approval. *ibid.* ff. 524-525, 532.

¹⁰⁶ Essen to Flemming, Nov. 12, 1766. *ibid.* f. 573.

¹⁰⁷ Lobkowitz, the Austrian ambassador in St. Petersburg, to Kaunitz, Nov. 21, 1766. Sb. vol. 109, no. 164.

¹⁰⁸ Wielhorski to Mniszech, Nov. 13, 18, 1766. B.Cz. 3861 nos. 111, 115.

¹⁰⁹ Dyaryusz, session 29, Nov. 12.

ed the existing religious laws.¹¹⁰ The disappointed dissenters published a *manifest* in which they set out their intention of appealing to foreign aid.¹¹¹

On November 11, Repnin and Benoit presented identical notes to the king, demanding an elucidation of the 1764 legislation on plurality and a full restoration of the *liberum veto*.¹¹² On November 18, Michael Wielhorski introduced a bill to this effect.¹¹³ Three days later, Zamoyski announced that Russia and Prussia threatened war if the bill was rejected.¹¹⁴ On November 22, after both Adam and August Czartoryski, convinced of the danger of further resistance, spoke in favour of the proposal, it became law, amid general gloom.¹¹⁵ The king's brothers, Kazimierz and Andrew, hoping until the last moment that Austria would somehow come to their support, would have preferred not to give way.¹¹⁶ Repnin reported the Czartoryski's support as a gesture of loyalty to the Empress, in contrast to the obduracy of the Poniatowskis.¹¹⁷ He apparently mollified the king by assuring him privately, that, in practice, his court would not object to seeing the unanimity principle restricted to financial and military matters.¹¹⁸

On November 29, the day the Sejm ended and the General Confederacy was dissolved, the bishops produced a set of 'Articles conceded by the college of bishops to Orthodox and Protestant dissenters'. They formally rejected all extra-legal harassment of dissenters or interference with services in dissenters' churches. Dissenters were to be permitted to repair, but not extend, their churches, with the consent of the local Catholic bishop. Dissenters could hold services, inconspicuously, in private houses. A whole series of abuses, chiefly financial, committed by the Catholic clergy and laity against dissenters, was forbidden.¹¹⁹ Although not actually part

¹¹⁰ *ibid.* session 39, Nov. 24; Vol. Leg. VII, p. 192.

¹¹¹ "Manifest IchMc. PP. Dyssydentów . . . W.X.L." (fly-sheet, Warsaw 1767).

¹¹² Dyaryusz, session 28, Nov. 10.

¹¹³ *ibid.* session 34, Nov. 18.

¹¹⁴ *ibid.* session 37, Nov. 21.

¹¹⁵ *ibid.* session 38, Nov. 22. Wielhorski himself estimated that only some twenty deputies actively supported his bill. Wielhorski to Mniszech, Nov. 23, 1766. B.Cz. 3861 no. 118.

¹¹⁶ A. von Arneth, *Geschichte Marias Theresias*, vol. VIII (Vienna 1877), pp. 124-125, 599n.

¹¹⁷ Repnin to Panin (n.d.), Solov'ev, vol. XXVII, p. 438.

¹¹⁸ Such a claim was made by the king in conversation with Repnin on May 3, 1767. Minutes of royal conferences, B.Cz. 659, pp. 574-584. See below, chapter IV, p. 93.

¹¹⁹ Dyaryusz, session 43, Nov. 29.

of the Sejm's legislation, the document nevertheless set down rules of conduct for clergy and laity alike. Armand de St. Saphorin, the Danish resident, though it gave the dissenters "une entière tolérance et les soustrait aux irregularités; aussi ceux qu'il regarde n'y trouvaient-ils d'inconvénient que celui de laisser encore leur cu lte sous la dépendence".¹²⁰ Had the Russians been prepared to compromise, they, too, might have found it satisfactory and Catherine would have found little trouble in persuading Voltaire, Diderot and company to proclaim a new triumph. Yet the Empress could not find the 'Articles' satisfactory, because they accorded the dissenters no new political weight. Instead, she chose to regard them as a piece of inadmissible interference on the part of the bishops.¹²¹

By the end of 1766, for all parties, Russia was the supreme arbiter of Poland, whose status was fast approaching that of a mere province. The Poles had been forbidden to establish permanent diplomatic relations with France or Austria.¹²² In the duchy of Courland, a Polish fief, Russian troops did as they pleased to bolster the position of Catherine's nominee, duke Biron.¹²³ Catherine herself let the king know that if he encountered any difficulties, he should consult her minister, who would intervene in her name.¹²⁴ During the Sejm, the sole positive achievements were limited to the reform of the currency, which had been in a chaotic state since Frederick II had flooded Poland with debased coinage during the Seven Years' War¹²⁵ and the introduction of a new 10% excise on alcohol, the general *czopowe* and *szelężne* (*czop* — bung, *szeląg* — a small copper coin). Against this, the general duty had been abolished, the *liberum veto* restored in full, the General Confederacy dissolved. If, in large measures, the malcontents had contributed to the reformers' debacle their poor performance at the *sejmiki*, the continuing existence of the commissions, and their own continued exclusion from power, heightened their aggravation. Relations between the

¹²⁰ St. Saphorin to Bernstorff, Dec. 10, 1766. RA Cop. TKUA Polen A III 45.

¹²¹ Note, written by Catherine II, Dec. 20/31, 1766. Sb. vol. 67, no. 1465.

¹²² Panin to Repnin, Nov. 28/Oct. 9, 1765, *ibid.* vol. 57, no. 1248.

¹²³ Russian troops were quartered indiscriminately on the lands of Biron's opponents; Biron was allowed to make no appointments without Russian approval. N. D. Chechulin, *Vneshnyaya politika Rossii v nachale tsarstvovaniya Ekateriny II* (St. Petersburg 1869), p. 145.

¹²⁴ Catherine II to Stanisław August, May 5/16, 1766. Sb. vol. 57, no. 1344.

¹²⁵ In 1757, Frederick II had captured the Polish dies in Dresden, where Polish coinage was minted. He flooded Poland with debased currency, leading to a drain of good Polish money to Prussian-held territories. Poland lost some 200,000,000 zlotys in this way during the Seven Years' War. Wł. Konopczyński, *Fryderyk II a Polska* (Poznan 1947), pp. 79-82.

king and his uncles had further deteriorated because of the latter's rapid abandonment of Zamoyski's bill. Relations with Russia were almost at breaking point. Thomas Wroughton feared the Empress would use force to restore the dissenters, an affair in which she might "think her honour engaged . . . But if the Empress should resolve to come to hostilities, she might easily find in the innovations introduced since the late king of Poland's death, many plausible excuses for such a demarche; and, in that case, she would infallibly find three fourths of the nation willing to confederate themselves with her, and having them thus in her power, partly by threats, partly by application of promises and some money, she may find means and opportunities of replacing the Dissidents in ease and authority, and probably the rest of Europe will be afraid, or unwilling, to interfere, and may stand aloof . . ."126

CHAPTER IV

RUSSIA'S SEARCH FOR SUPPORT IN POLAND AFTER THE SEJM OF 1766

The events which led to the formation of the General Confederacies of malcontents at Wilno and Radom, in June, 1767, are best seen within the framework of separate, but parallel negotiations between the Russian ambassador and the interested parties, from December, 1766, to May, 1767: with the dissenters (culminating in the establishment of dissenters' confederacies at Thorn and Sluck, in March, 1767), with prince Karol Radziwiłł and with the magnates of the Crown and Lithuania. In the winter of 1766/67, the Russians also negotiated with the Czartoryskis for their support, and, from May, the resumption of active co-operation between the king and Replin assumed growing significance. The fear that Russian intervention might spark off a new European war continued to loom in the background.

A full understanding of the later vicissitudes of the various confederacies demands a detailed knowledge of these complex dealings. Unfortunately, the paucity of available material presents a major obstacle. Much of this preparatory work was in the nature of conspiracy and intrigue; much was accomplished by word of mouth and

¹²⁶ Wroughton to Conway, Nov. 26, 1766. PRO/SP 88/92.

not a few of the letters that survive terminate with the injunction to the addressees to burn them. Thus, scarcely any materials remain from the exchanges between Repnin, Panin and the dissenters. Rather more details are available for the Russian negotiations with the 'Family', the Crown malcontents, Radziwiłł and the king, but gaps remain. In particular, no traces of correspondence between the magnates and their immediate subordinates and clients, at local level, before June, 1767, survive. Only conjecture and circumstantial evidence permit progress towards filling in the blanks.

In forcing the dissolution of the General Confederacy and the *liberum veto*, the Russians deprived not only the Poles, but themselves, of the means of conducting any positive policy in the Commonwealth. Frederick II hoped that St. Petersburg would abandon the dissenter business entirely.¹ With the veto fully restored, future Sejmy would simply reject all concessions, no matter how often Russia raised the matter.² Thomas Wroughton believed that, while a new confederacy could overcome the problem, St. Petersburg would be unwilling to form one, as the Poles "appeared disposed to make so bad a use of it lately."³ Yet this was the very solution which Panin embraced, for there was no alternative. He brushed aside Frederick's protests that no one was actually disturbing the dissenters in the exercise of their faiths, that their exclusion from public office was "une vraie bagatelle qui ne mérite jamais d'en faire de si grands remuements" as well as his warnings that too much interference might provoke armed Austrian intervention.⁴ Panin claimed that neither Prussia nor Russia could now withdraw, for their treaty obligations, incurred at Oliva and elsewhere, bound them to support the dissenters. He maintained that the rebuff at the Sejm had been engineered by only a small part of the nation, anxious to deprive the two courts of that influence "qu'elles devaient avoir et conserver dans leur république." Withdrawal would not only lose that influence, but might equally upset his Northern System.⁵ He pooh-pooed the possibility of Austrian or other third party intervention—though should Austria unexpectedly meddle, he counted on Frederick's military assistance. All he really required was Benoit's co-operation with Repnin.⁶ The king was sufficiently

¹ Frederick II to Benoit, Dec. 6, 1766. PC. XXV 16 382.

² Frederick II to Solms and to Rohde, both dated Dec. 17, 1766, *ibid.* 16 398, 16 400; to Benoit, Jan. 4, 1767, PC XXVI 16 429.

³ Wroughton to Conway, Feb. 28, 1767. PRO/SP 88/94.

⁴ Frederick II to Solms, Dec. 28, 1766, PC XXV 16 418.

⁵ Solms to Frederick II, Dec. 9, 1766, reporting a conversation with Panin, Sb. vol. 22, no. 288 and PC XXV 16 413n.

⁶ *ibidem.* Solms to Frederick II, Dec. 16, 1766, stresses that Panin merely wanted Frederick's verbal co-operation, Sb. vol. 22, no. 294.

mollified to agree to present a modest declaration on the dissenters' behalf in Warsaw, in support of the Russian ambassador's efforts.⁷

It was Panin's intention that the dissenters should confederate under the protection of Russian troops to press their claims.⁸ He had entertained the possibility of such a confederacy since at least April, 1764, but it quickly became plain that, despite Russian military support, the dissenters were too weak to take independent action.⁹ Before and during the 1766 Sejm, Repnin complained strongly of their timidity and lack of co-operation. The lack of outstanding individuals among the Greek Orthodox particularly worried him.¹⁰ In turn, the dissenters accused Repnin of failing to consult them adequately and of alienating the Catholics by his brutality. They questioned the sincerity of their Russian and Prussian backers and feared they would be abandoned to the Catholics, in return for the resuscitation of the *liberum veto*.¹¹

The dissenters were internally divided. The Greek Orthodox, who regarded the Protestant as heretics in the first place, were genuinely concerned to make new converts or win back members of their denomination who had adopted, or been forced to adopt, Catholicism,¹² whereas the politically more sophisticated Protestant *szlachta* sought access to public office and regarded simple toleration good enough only for artisans.¹³ St. Saphorin, who had closer contacts with the Protestants than any other diplomat in Warsaw, save Repnin, thought their leaders, the Goltz brothers—Georg Wilhelm (d. April, 1767), *starosta* of Tuchola, major-general August Stanisław (d. c. 1788) and Henry (1720-c. 1780)—more extreme than the other dissenters and very strongly in favour of Russian military assistance.¹⁴ He considered August Stanisław motivated by the ambition of heading a new Russian party. A. S. Goltz, conscious of the numerical weakness of his co-religionists, certainly favoured a confederacy of dissenters which would be supported by Mniszech,

⁷ Frederick II to Solms, Dec. 28, 1766. PC XXV 16 418.

⁸ Solms to Frederick II, Dec. 9, 1766, Sb. vol. 22, no. 288.

⁹ Imperial rescript to Keyserling and Repnin, April 5/16, 1764, Sb. ol. 51, no. 887 (see also above, chapter II, p. 34); Solms to Frederick II, May 13, 1766, Sb. vol. 22, no. 236.

¹⁰ Essen to Flemming, Oct. 1, 1766, SLHA 3561 IIIb ff. Repnin to Panin, May 25/June 5, 1764, Solov'ev, vol XXVI, p. 48; Repnin to Panin (n.d.), Solov'ev, vol. XXVII, p. 432.

¹¹ St. Saphorin to Bernstorff, Oct. 8, Nov. 21, Nov. 29, 1766. RA Cop. TKUA Polen AIII45.

¹² L.R. Lewitter, 'Peter the Great and the Polish dissenters' *Slavonic and East European Review*, vol. 33, no. 80 (1954) p. 88.

¹³ St. Saphorin to Bernstorff, Oct. 8, 1766. RA Cop. TKUA Polen AIII45.

¹⁴ St. Saphorin to Bernstorff, Oct. 8, Nov. 19, 1766, *ibid*.

the *hetmani* and other malcontents. Its prime aim was to be the full restoration of the dissenters, but the malcontents, Goltz envisaged, would be kept firmly in a subordinate position. However, he accepted that the powers of the *hetmani* could be restored and the king's brothers excluded from the *hetmanships*. If possible, Poniatowski was to be deposed and replaced by the landgrave of Hesse, a Catholic ruler who would be an ineffective figurehead. Though the Goltzes had made their careers under the Saxons and were known to be strong Saxon supporters, they thought the Wettins too tied to anti-Russian courts to stand a serious chance of restoration. The dissenters were sufficiently optimistic to believe that the Republicans would not object to admitting a certain number of them to public office; they banked on the guarantee of Russia or other powers to safeguard their position by a permanent settlement of the form of the Polish constitution.¹⁵

The malcontents' attitude was the reverse. Their most active representatives had sided with the Russians during the Sejm, encouraged by them to think that their demands on the dissenters would be lowered. After the Czartoryskis had supported the restoration of the veto, at the 1766 Sejm, the malcontents feared the 'Family' and Replin would be inseparable.¹⁶ The malcontents were fragmented: ". . . if Saxony claimed the (Polish) crown, I assure you, there would be as many parties as Saxon princes."¹⁷ though, if pressed, they would probably have declared for prince Albert (1738-1822) "parcequ'on ne voit rien de significatif."¹⁸ Their closest supporters lacked confidence in them. They wanted Saxon rule in the hope that they might enjoy Saxon pensions, the protection of a Saxon army without the expense of financing their own and profit from the distribution of offices.¹⁹ Self-interest, greed, vengeance and envy drove them: "Chacun pensant à son intérêt particulier va regarder la Russie comme la seule puissance de qui il pourra espérer

¹⁵ The most detailed account of the Goltz brothers' political programme is contained in St. Saphorin's despatch to Bernstorff, Dec. 31, 1766, *ibid.* See also his despatches to Bernstorff, Nov. 29, Dec. 17, 1766, *ibid.* Somewhat later, colonel Psarski confirmed, from Moscow, that the Goltzes were among the inspirers of the Catholic confederacies, in order to mobilise wider support for the dissenters. Psarski to Ogrodzki, Sep. 16, 1767, AGAD/ZP 84, pp. 186-189.

¹⁶ Wielhorski to Mniszech, Nov. 23, 1766, B. Cz. 3861, no. 118; Twardowski to Mniszech, Nov. 25, 1766, *ibid.* no. 119.

¹⁷ S. Radziwiński (Saxon agent in Warsaw) to major Seyffert (a.d.c. to prince Xavier), late Nov. 1766, BP. 69, p. 81; to Seyffert, Jan. 21, 1767, *ibid.* p. 95.

¹⁸ Sołtyk to Mniszech, Kielce, April 7, 1767, B. Cz. 3862, no. 60.

¹⁹ Radziwiński to Seyffert, late Nov. 1766, March 25, 1767. BP. 69, pp. 81-82, 105.

le redressement de ses griefs, de quelque nature qu'ils soient." Those without real grievances "seront flattés de voir humiliées des gens dont ils ont vu si longtemps avec envie leurs succès et la prépondérance . . . Peu d'entre eux réfléchiront qu'en se livrant . . . sans réserve à la Russie, ils s'exposeront à être continuellement le jouet des caprices de cette Cour . . . Uniquement affectés des avantages qu'ils croient apercevoir dans le moment présent, l'avenir n'entre pour rien dans leurs calculs."²⁰ Count Flemming thought them outmanoeuvred and discredited by the 'Family', incapable of producing anyone of the calibre of Michael Czartoryski. Essen agreed that the Czartoryskis constituted "l'unique groupe . . . des gens raisonnables, par lesquels on peut manoeuvrer en Pologne," whereas, among the numerous patriots, "il n'y a pas une seule tête, point de conseil et beaucoup de discorde."²¹ "We are as divided in our minds *quod capita tot sensus*," bewailed bishop Sołtyk, appraising his Republican companions.²² These opinions, it should be emphasized, were their own or those of their friends. Frederick II found it a mystery that they could co-operate with the Russians at all.²³

Although Repnin never broke off the liaison he had begun with the malcontents during the Sejm of 1766, he and Panin preferred to use the Czartoryskis. The ambassador saw the opposition united only by its hatred of the court. He thought that bishops Sołtyk and Massalski, chiefly responsible for agitation against the dissenters, lacked any following in the country at large. He had no confidence in either of them. He warned his court that the dissenters' business cost it many potential supporters. In the circumstances, he concluded it was best to employ the 'Family'.²⁴ The king and his brothers had compromised themselves by their prolonged resistance to the restoration of the veto.²⁵ Only the Czartoryskis remained a

²⁰ Gérault to Choiseul, April 18, 1767. AE. Pol. 289 f. 319.

²¹ Flemming to Essen, Dresden, Jan. 7, 1767, SLHA 3562 IVa f. 18; Essen to Flemming, Jan. 21, 1767, *ibid.* f. 51. This disunity was compounded by divisions among the Saxons. Xavier's agents in Poland distrusted Flemming as pro-Czartoryski. His elder brother, Jan Jerzy (1699-1771), as grand treasurer to Lithuania (a post he resigned in 1765, to become palatine of Pomerania), had married Michael Czartoryski's daughter, Antonina. His daughter, Isabella, had married August Czartoryski's son, Adam Kazimierz. She was also Repnin's mistress. On January 24, 1767, Essen wrote directly to Xavier, urging him to press for the Polish throne, but warned him to keep the communication a secret from Flemming. BP. 71, pp. 107-110.

²² Sołtyk to Mniszech, Kielce, Feb. 28, 1767, B. Cz. 3862 no. 24 (all dates subsequently given are 1767, unless otherwise stated).

²³ Rescripts to Benoit, March 30/31, April 10/11. DZA 9/27-179, ff. 49, 55.

²⁴ Repnin to Panin, Nov. 3/14, 1766. Solov'ev, vol. XXVII p. 498.

²⁵ Panin to Repnin, Dec. 24, 1766/Jan. 4, 1767. Sb. vol. 57, nos. 1473, 1474.

viable instrument for St. Petersburg, but Repnin continued to warn Panin that securing concessions for the dissenters exceeded even their strength. They had given way on plurality, he argued, to which they were far more attached than to the rights of the dissenters; had a real chance of obtaining concessions existed, they would surely have co-operated.²⁶

Catherine and Panin disregarded their ambassador's warnings. They claimed that Russia's dignity, interests and obligations required them to bring the issue to a successful conclusion, if necessary, by the application of force. This could be avoided if the Czartoryskis co-operated.²⁷ A separate Russian party, independent of the court, was to be set up under their leadership: as the wealthiest and most powerful political grouping in Poland, it was in their interest to support Russia. The dissenters, after forming a confederacy, were to present their demands to an extraordinary Sejm held under the Czartoryskis' direction. This Sejm would also decide on a final form of government and of the *liberum veto*.²⁸ Panin decreased the number of projected dissenters' confederacies from the originally proposed four to a more realistic two, one in the Crown and one in Lithuania. Initially, they were to be covered by the 7,000 Russian troops already in Poland under general Soltikov, but more troops would enter in late February, just as the confederacies were forming.²⁹ He granted that the Poles might be sufficiently provoked to attempt a massacre of the dissenters, but Repnin was to give fair warning that, in retaliation, Catherine would devastate Poland from one end to the other.³⁰ The dissenters had already presented a draft act of confederacy to Repnin, which was now (early January, 1767) given St. Petersburg's full approval. To encourage them, the ambassador was to inform the dissenters of the efforts made to enlist the Czartoryskis' support.³¹

While Panin thought the uncles' help indispensable,³² he realized that it might not be forthcoming. Irrespective of the attitude they chose to adopt, he ordered Repnin to secure new friends, independent of them and the court, who would ultimately swell the Czartoryskis' support or constitute a totally separate party. Should the

²⁶ Repnin to Panin (n.d.) Solov'ev vol. XXVII p. 440.

²⁷ Imperial rescript to Repnin, Dec. 24, 1766/Jan. 4, 1767. Sb. vol. 67, no. 1472.

²⁸ *ibid.* nos. 1472, 1473.

²⁹ *ibid.* no. 1473.

³⁰ Panin to Repnin, Dec. 22, 1766/Jan. 2, 1767, *ibid.* no. 1469.

³¹ *ibid.* no. 1472. For their part, the dissenters had already expressed some confidence in the Czartoryskis' aid. St. Saphorin to Christian VII, Nov. 5, 1766. RA. Cop. TKUA Polen AIII45.

³² Panin to Obreskov, Jan. 11/22. Sb. vol. 67, no. 1488.

'Family' prove unhelpful, Repnin was to come to an agreement with the *hetmani*, especially J. Kl. Branicki, who should welcome the opportunity to regain the powers they had enjoyed before the interregnum. The Russian court had decided to use the reversal of the post-1764 reforms as bait for the discontented.³³

In issuing these dispositions, Panin was flatly disregarding his own ambassador's warnings, which should have made the difficulties of a dissenters' restoration abundantly plain. Although it was the malcontents who had most bitterly opposed all religious concessions, Panin still wanted to know if they would make common cause with the dissenters from the outset, or whether they would initially have to form separate anti-court confederacies, which would only later combine with the dissenters.³⁴ Such were his reflections, even as he worried lest those selfsame malcontents unite to launch a *levée-en-masse* against the dissenters.³⁵ St. Petersburg was living in a political dreamland.

In a letter to the Czartoryskis, enclosed with his New Year's instructions to Repnin, Panin complimented them for their conduct during the Sejm, and severely criticized that of the king and his brothers. In the Empress' name, he invited the uncles to contribute to the success of a new Sejm, which would pacify all religious and civil discontent in Poland, partly by the final abolition of the reforms. As a preliminary, the dissenters would confederate. If the Czartoryskis refused their assistance, Russia would proceed without them, but her immediate steps would depend entirely on the Czartoryskis' reply.³⁶

The letter reached Warsaw on January 12, 1767. On January 25, the Czartoryskis gave their answer: a polite, but definite, refusal. Deploring the fanaticism of the last Sejm, they counselled against a dissenters' confederacy: "La noblesse dissidente qui seule peut confédérer forme à peine un nombre de cinq à six cents personnes". Once dispersed, the dissenters would be exposed to the vengeance of the multitude. No Sejm would pass legislation in their favour. If Russia used force, she would have to contend with the stubbornness of every individual Pole. They hoped, therefore, Catherine would re-

³³ *ibid.* nos. 1469, 1472, 1473.

³⁴ *ibid.* no. 1473.

³⁵ *ibid.* no. 1469.

³⁶ 'Projet de lettre aux Princes Czartoryski,' St. Petersburg, Dec. 20/31, 1766, *ibid.* no. 1466. Panin himself asked Catherine to delay until the reply came. *ibid.* no. 1473.

frain from some of her demands. They themselves could not undertake a task beyond their strength.³⁷

Their refusal may have been partly motivated by an over-sanguine assessment of the situation. It was widely believed that Russia would not go to extremes on the dissenters, nor support their demands to their full extent.³⁸ Michael Czartoryski, believing that Russia sought only an honourable retreat from the business, suggested a compromise could be reached through the mediation of England and Sardinia.³⁹ Possibly the Czartoryskis overestimated their own value to Russia, a natural error, in view of the quality of their opponents: the prince-chancellor told Repnin that, in the past, Russia had invariably found their appraisal of a situation to be the correct one and that they were her most dependable allies.⁴⁰ In the final analysis, Panin ought to have known that he was asking the impossible. As A. S. Goltz complained, by asking the 'Family' to complete the dismemberment of their own reform programme, he made their refusal a certainty.⁴¹

Though Repnin's hands were tied until he received further instructions from his court, immediately after he despatched the Czartoryskis' letter, the dissenters' leaders who remained in Warsaw left to begin the final preparations for their confederacies in Royal Prussia and Lithuania.⁴² On February 23, a courier brought Repnin fresh orders. He was authorized to draw 100,000 roubles through Tepper, the Protestant banker in Warsaw, in order to provide the dissenters with financial backing. They were to confederate on March 20, the date they themselves had suggested. More concrete support would appear in the form of three Russian corps, which were to enter Poland around March 16. The ambassador was to keep a tight rein on the dissenters. They were to issue no proclamations or enactments without his authorization; the texts of these were not to differ from those already agreed on with the Russian court. In return for Russia's help, the dissenters were to conduct themselves in a moderate fashion, without burdening the Empress with importunate demands. Repnin was to ensure that all their official enactments were published and registered in the *grody*,

³⁷ The Czartoryskis to Panin, Jan. 25, *ibid.* vol. 37 no. 311. Repnin despatched their reply on Jan. 30. Wroughton to Conway, Jan. 31. PRO/SP 88/94.

³⁸ Betański to Choiseul, Białystok, Jan. 30/Feb. 1. A.E. Pol. 289 f. 248. Jakubowski to Gerard, Warsaw, Feb. 27, *ibid.* f. 282. 'Przyjacieli' [general Zboiński] to Sołtyk, Warsaw, March 7, B. Cz. 3862 no. 30.

³⁹ St. Saphorin to Bernstorff, March 18. RA. Cop. TKUA Polen AIII46.

⁴⁰ St. Saphorin to Bernstorff, Jan. 24, *ibid.*

⁴¹ *ibidem.*

⁴² St. Saphorin to Christian VII, Jan. 24, *ibid.*

in due legal form, lest their validity be questioned. To encourage the dissenters, he was to publish an *Exposition des droits des Dissidents, joints à ceux des Puissances Intéressés à les maintenir*, a tract which had been prepared and published in St. Petersburg, in December, 1766. As soon as news of the confederacies and troop entries was received in Warsaw, Repnin would deliver an Imperial declaration, which Panin enclosed with his despatches. Benoit would also present a declaration from Frederick II. Repnin was to distribute copies of his declaration and of an explanatory open letter from Panin (addressed to the ambassador), for public consumption. The purpose of the letter was to reassure the malcontents that the Russian court was as much concerned for all anxious for the welfare of their country, as for the dissenters.⁴³ The confederacies were to be buttressed by the Protestant-controlled towns of Royal Prussia and the predominantly Protestant *szlachta* of Courland.⁴⁴

Panin realized that the very establishment of a dissenters' confederacy might be sufficient to frighten off the malcontents. If there were no other way of securing their help, they should form their own, independent confederacy, taking his open letter as a basis of reassurance.⁴⁵ His open letter and the Imperial declaration were, in fact, to furnish continuous justification for the malcontents' and dissenters' actions. Once they had formed their confederacies, they constantly appealed to both documents as the definitive statements of Russian intentions, without which they would not have given Repnin their co-operation.

Both documents made Russian determination to restore the rights of the dissenters explicit. In his letter, Panin stated openly that he wished to see a fixed number of dissenting deputies admitted into the Sejm. Both documents treated the restrictions on dissenters' rights as an attack on the equality of the *szlachta* as a whole. The Imperial declaration upbraided the deputies of the 1766 Sejm, who wished not so much to defend the Catholic Faith, as to strengthen the monopoly of privilege of a small number of individuals. The open letter, which, in general, accorded much greater weight to the malcontents' grievances, claimed that the restoration of the dissenters' rights was necessary to revivify the threatened principle of equality. The declaration censured the bishops' amendment on the

⁴³ Imperial rescript to Repnin, Jan. 31/Feb. 11. Sb. vol. 67, no. 1497; Panin to Repnin, Jan. 31/Feb. 11, *ibid.* no. 1499.

⁴⁴ Panin to Repnin, *ibid.* no. 1500; to Simoln (Russian resident in Mittau, Courland), *ibid.* no. 1501; to Rebinder (Russian resident in Danzig), *ibid.* no. 1502, all dated Jan. 31/Feb. 11.

⁴⁵ *ibid.* no. 1497.

dissenters as a blatant irregularity, on the supposed grounds that they possessed no civil authority. Declaration and letter alike condemned the Czartoryskis (though not by name), for their reforms, which threatened to lead to despotism, especially through the narrowly-avoided definitive establishment of plurality. Panin singled out the army and treasury commissions for further criticism. He accused the 'Family' of artificially fomenting the issue of the dissenters, to divert attention from their political ambitions. He pointed to Karol Radziwiłł, the reformers' arch-enemy, as a poignant example of those driven from their country because they would not countenance the assault on liberty. Both documents proposed the assembly of an extraordinary Sejm, to settle all the grievances of the Polish nation to the satisfaction of all parties and under the Empress' guarantee. Catherine even declared her readiness to guarantee Poland's territorial integrity, to show she was inspired by no selfish or material interests.

Panin went to some lengths to reassure the Catholics over his religious plans. The fixed number of deputies, the retention of patronage powers in the hands of a Catholic king, would always keep the dissenters decently constrained within the Polish state. Catherine would always keep the special position of the Catholic faith in high esteem, indeed, if it were ever threatened, she would be the first to defend it. On the draft of Panin's open letter, the Empress noted "*Voilà une lettre admirable en tout point*".⁴⁶

The letter and the declaration may well have owed much to Saxon inspiration. Essen was determined to exploit the rift between Russia and the reformers to the advantage of the Wettins. On December 10, 1767, he had written to his colleague in St. Petersburg, Karl, count of Osten-Sacken,⁴⁷ a letter meant ultimately for Panin. He emphasized the need to make Russia's break with the 'Family' clear to the Poles. He, too, accused the king of deliberately inspiring religious agitation in order to distract attention from the plurality issue. He also claimed that, at bottom, the bishops, many senators and (most astonishingly of all) "*surtout le parti anti-Czartoryski*" would probably have supported the dissenters if the uncles had not let it be known that those who did so would be regarded as heretics and Russian partisans. Thus, the bishops were forced "*malgré eux*" to adopt an unyielding attitude. Essen advised the Russians to push the dissenters into the background and, instead, drum up support

⁴⁶ Text of the Open Letter, Sb. vol. 67, no. 1511; of the Imperial declaration of March 26, Theiner, pp. 151-155.

⁴⁷ Saxony's minister plenipotentiary in Russia, from December, 1763, to June, 1768.

by employing “un prétexte populaire”, before securing religious concessions by an unexpected *coup de main*.⁴⁸

Essen was right to think that his friends were not mere bigots, but were at least partly unable to support concessions for fear of grass roots feeling among the *szlachta*. Yet, if he thought they could, on another occasion, disregard it, he strongly underestimated it. He failed to allow that Mniszech, Sołtyk, Adam Krasiński *et alii* were themselves partly responsible for generating anti-dissenter feeling and that, during the last Sejm, his own court had unsuccessfully tried to restrain them.⁴⁹ It may well have been correct to say that some bishops had no personal objections to religious concessions; what Essen, a Protestant himself, could not or would not realize, was that as high-ranking, Catholic, ecclesiastical functionaries, in a strongly Catholic state, it was part of their duty to resist religious concessions. If Sołtyk and his friends opposed the dissenters less out of religious feeling than out of hatred for the reformers and all their works, they could still not publicly dare to declare support for the dissenters. A few days after writing to Sacken, Essen admitted to Flemming that the party of the malcontents “s’est... rendu odieux et . . . méprisable à [la Russie] qui le regardera comme un assemblage de cagots et de fanatiques persécuteurs”.⁵⁰ Essen could only pursue the task he had begun at the 1766 Sejm, of effecting a rapprochement between the malcontents and the Russians, by consciously misrepresenting his friends’ situation to St. Petersburg, by painting it in the rosiest of colours. Some of Essen’s observations are echoed in declaration and open letter, though it is possible that Panin was thinking along the same lines independently. If Panin assigned the dissenters more prominence in these documents than Essen would have wished, he may well have been influenced by Essen’s wildly over-optimistic assessment.

The *Exposition des droits des Dissidents* was intended less to convince the malcontents of the justice of the dissenters’ claims than to convince the latter of the reality of foreign protection and to justify Russian intervention before other courts.⁵¹ The Russians explained their intervention by the ties of neighbourhood. These links, they claimed, were exceptionally strong in the case of Poland and Russia, as witnessed by the intervention of Peter the Great,

⁴⁸ Essen to Sacken, Dec. 10, 1766. SLHA 3561 IIIb ff. 708-714.

⁴⁹ Essen to Flemming, Oct. 8, 1766, *ibid.* ff. 363-364. Osten-Sacken to Essen, St. Petersburg, Nov. 14, 1766, *ibid.* f. 677.

⁵⁰ Essen to Flemming, Jan. 7. SLHA 3562 IVa ff. 18-19.

⁵¹ Panin to Replin, Jan. 20/31, Sb. vol. 67 no. 1491; to Prince Golitsyn (Russian ambassador in Vienna), Jan. 20/31, *ibid.* no. 1492; to Obreskov, March 21/April 1, *ibid.* no. 1521.

Anne and Catherine herself during the interregnum. All the restrictions on the dissenters had been unilaterally and illegally imposed by the Catholics. A number of *pièces justificatives*, extracts from original documents, closed the argument. Several of these, though genuine, lacked any legal basis in Poland; some were products of the imagination or carelessness (for example, assertions that dissenters had access to the Sejm, Tribunals and public offices as late as 1733). Insofar as Catholic publicists took any notice of the *Exposition*, they refused its arguments to their own and to the Catholic *szlachta*'s satisfaction.⁵² Russia's real case boiled down to that of might is right, with no regard for the Commonwealth's right to frame its own laws independently of outside interference.

The same cavalier attitude characterised the declaration and Panin's open letter. It was nonsense to claim the anti-dissenter laws were the expression of a small group wishing to restrict or monopolize *szlachta* privileges, when the vast majority of Polish nobles unequivocally supported these laws. It was nonsense to deny the bishops civil authority: as *ex officio* members of the Senate, they were also members of the Sejm, the sovereign legislative body of the Commonwealth, which had, moreover, fully approved their statement on the dissenters. The reforms of 1764, so violently criticized, had been approved by the majority of the sejmiki (see below, chapter V, p. 133), and confirmed by the Coronation Sejm. Their validity could be denied only by denying the Sejm's right to constitute Poland's laws — which, of course, was precisely what Russia was implicitly denying. The declaration and letter were a rag-bag of specious arguments, designed to appeal to the most politically backward and frustrated elements in Polish life. They remained conveniently vague: if Russia committed herself to placing some dissenters in the Sejm, she also committed herself to a settlement acceptable to the nation as a whole. Beyond that, they contained much criticism, but little definite undertaking. What the Russians wanted was still open to interpretation. Most likely, they did not know themselves.⁵³

Equally, in his supplementary instructions, Panin failed to go beyond generalities. Repnin had requested definite details on the extent to which the dissenters were to be restored — were they to

⁵² For a full discussion, see Wł. Konopczyński, *Polscy Pisarze Polityczni XVIII w.* (Warsaw 1966), pp. 256-260.

⁵³ "Je crois qu'ils [the Russians] ne découvriront le but qu'ils se sont proposé jusqu'à ce qu'ils n'ayent achevé les Confédérations," Psarski to Ogrodzki, Moscow, June 24. AGAD/ZP 84 p. 151; Psarski to Stanisław August, June 24, *ibid.* p. 149. Henry Shirley (British chargé d'affaires in Moscow) to Conway, June 7/18. PRO/SP. 91/78.

be excluded from the *hetmanship*, were their numbers in the Sejm to be limited or were they to have total parity with the Catholic *szlachta*?⁵⁴ The answer, Panin wrote, depended on who posed the question. Repnin was to tell those who had not yet committed themselves in any direction that, in the religious sphere, Russia wanted the dissenters to enjoy full freedom of worship; in the political sphere, she merely wished to negotiate a settlement on reasonable terms. To those who wished to form a separate anti-court party under Russian protection, which would furnish the basis for a formal confederacy, Repnin was to explain, by reference to the open letter, that Catherine meant no harm to the Catholic faith. Indeed, by fixing legally the respective positions of the various denominations, the position of Catholicism would be strengthened, for it would now be grounded in the law, not in the numerical superiority and physical preponderance of the Catholics. The highest positions of state, the *hetmanship* and ministries, would remain a Catholic preserve; but room should be made for a limited number of dissenters in the Sejm (Panin seems to have had ten to fifteen in mind)⁵⁵ and in the Tribunals and other courts. Panin repeated the argument that a Catholic king would never use his powers of appointment to permit the dissenters to become a danger to the Catholics. Repnin should spur on the malcontents by letting them know it was time to destroy the spirit of domination infecting the entire royal family. Privately, Panin ordered Repnin to secure the maximum possible restoration of dissenters' rights and to create a permanent basis of Russian influence.⁵⁶ He gave him a free hand to take whatever steps he judged necessary not to add to Russia's troubles.⁵⁷ Panin thus rendered his subordinate's already arduous task more difficult still. He failed to define clearly his ultimate objectives; he ordered him to pursue three lines of approach over the dissenters, frequently at variance with each other; he gave Repnin very wide, but undefined, discretionary powers to act as he felt circumstances demanded. Repnin received too much authority, too little guidance.

Panin foresaw that the king might try to crush the dissenters' confederacies with Polish troops. For want of any better arguments Panin fell back on the rhetoric of the Enlightenment. Repnin was to declare any such attempt a blatant assault on the rights of citizens, "which, dissolving all common bonds between the members

⁵⁴ Panin to Repnin, Jan. 31/Feb. 11, Sb. vol. 67, no. 1496.

⁵⁵ Panin to Obreskov, Jan. 11/22, *ibid.* no. 1488.

⁵⁶ *ibid.* no. 1496.

⁵⁷ Panin to Repnin, Jan. 31/Feb. 11, *ibid.* no. 1497.

of the Commonwealth, by denying . . . their very existence, restores every citizen to the original state of nature, thus giving every citizen full freedom to look to his own well-being and to determine his own destiny . . .” He would order the Russian troops to defend the confederates, and, if necessary, take the offensive themselves. He was to do the same if the king tried to launch a counter-confederacy against the malcontents.⁵⁸

Panin need not have worried, Stanisław August does seem initially to have contemplated some form of preventive action against the dissenters,⁵⁹ but, after his chargé d’affaires in St. Petersburg, Maurice Glaire, managed to leak the text of the declaration and open letter to him in advance, he decided “that he had only one part to act, which was to sit still”.⁶⁰ Suggestions that Heinrich and August Goltz be transferred with their regiments to Kamieniec Podolski or that August Goltz be court-martialled, were discarded as impractical.⁶¹ It is noteworthy that even at this late stage, Panin did not entirely rule out the possibility of an accommodation with the king or the Czartoryskis — their co-operation would still be welcome.⁶²

From now on, Russia’s main effort was concentrated on the formidable task of yoking the dissenters and the malcontents together. There was no lack of those anxious to form an anti-court, anti-reformist confederacy. Two Potockis, Marian (d. after 1768) and Ignacy (d. 1793), *starosta* of Kaniów, had set up an abortive confederacy in the county of Halicz, in 1764, in protest at the Convocation reforms. Antoni Strzemeński, *starosta* of Hadziacz, had formed a similarly short-lived, Republican confederacy in the palatinate of Podolia, in the summer of 1764.⁶³ Wessel considered the possibility

⁵⁸ *ibidem*.

⁵⁹ On Jan. 21, Benoit told Frederick II that Stanisław August probably suspected a confederacy of dissenters and might be banking on the help of Catholic powers to suppress it. DZA 9/27-179, ff. 17-18. Essen suspected Kazimierz Poniatowski of wanting to form a party of Catholic *szlachta* to oppose Russia. Essen to Flemming, Dec. 31, 1766. SLHA 3561 IIIb, f. 733. See also Bratkowski (Saxon agent in Warsaw) to Xavier, Jan. 14. BP 72, p. 1077.

⁶⁰ Wroughton to Conway, Feb. 28, PRO/SP. 88/94. Glaire seems to have obtained the documents in the confusion caused by the Russian court’s preparations for its move to Moscow in mid-February. Panin to Repnin, Moscow, Feb. 23/March 6, Sb. vol. 67, no. 1517. The move took place in connection with Catherine’s proposed legislative commission.

⁶¹ Benoit to Frederick II, March 18. DZA 9/27-179 f. 45.

⁶² Sb. vol. 67, nos. 1497, 1510.

⁶³ Akta XXV, nos. 309, 310; memoranda from Antoni Strzemeński to Repnin, July, 1767. AGAD/AKP V 85/2, ff. 110, 111 (NB. for the exact relationships between and within leading Polish families, such as the Potockis, the reader is referred to the appropriate genealogical tables in W. Dworzaczek, *Genealogia* (Warsaw 1959)).

of an anti-court confederacy in March, 1766; Michael Suffczyński, castellan of Czersk, wished to form one to anticipate the Sejm of that year,⁶⁴ but none of these projects had a chance of success without Russian backing, for which realistic prospects appeared only during the course of the 1766 Sejm.

During that Sejm, too, the fate of Karol Radziwiłł had assumed new significance. Once perhaps the most powerful magnate in Lithuania, the prince had been forced into exile by the Czartoryskis' confederacy in August, 1764. He was stripped of his honours and estates; his palatinate of Wilno was given, with Catherine II's personal approval, to Michael Ogiński, Michael Czartoryski's son-in-law; his lands were apportioned among his numerous creditors; the guardianship of his younger brother, Hieronim, was vested in a board of trustees. Karol himself was allowed an annual pension of 10,000 zlotys, quite insufficient for his exuberant and unrestrained life-style.⁶⁵ He spent his exile in Moldavia, Hungary and Austria, before arriving in Dresden, in February, 1766, much to the discomfiture of the Saxon government. Radziwiłł, a stupid, drunken, homicidal boor, was an embarrassment in any company, but the Saxons, disgusted by him as they were, could scarcely throw him out, for, he had, after all, lost his fortune fighting in their cause. As he retained enormous popularity among the Lithuanian *szlachta*, for all his defects he was not without potential value to a court which had a strong interest in the Commonwealth.⁶⁶

At first, the Russians were wary of the prince's sojourn in Saxony, suspecting him of intrigues against their policies in Poland and ordered their ambassador, prince Andrei Beloselski, to keep a close watch on him.⁶⁷ So embarrassed were the Saxons, that Flemming applied directly to Beloselski, begging him to secure Catherine's support for Radziwiłł's repatriation. Radziwiłł was ready to return

⁶⁴ Wessel to Mniszech, Pilica, March 27, 1766, B. Cz. 3861 no. 49; Essen to Flemming, June 21, Sept. 6, 1766. SLEA 3561 IIIa, b, ff. 576-583, 171.

⁶⁵ For the judgement on Radziwiłł, see J. Kitowicz, *Pamiętniki czyli Historia Polski*, ed. P. Matuszewska (Warsaw 1971), pp. 136, 700n. He would have been given an annual income of 40,000 zlotys if he had agreed to reside in Poland under supervision.

⁶⁶ Flemming to Essen, Feb. 14, 1766, SLHA 3561 IIIa, f. 141. Jędrzej Kitowicz writes "...Prince Karol Radziwiłł... by nature differed scarcely from a madman, but, when drunk, he was completely berserk... It was nothing to him to shoot a man like a dog, though such incidents were very common in the house and family of the Radziwiłłs" (Kitowicz was a Radziwiłł sympathiser). His débauchery, quite fantastic generosity—he was capable of giving whole villages as presents—retained him enormous popularity. *Opis Obyczajów za panowania Augusta III*, ed. R. Pollak (Wrocław 1951), pp. 461-463.

⁶⁷ Instruction to Beloselski, May 18/29, 1766 Sb. vol. 57, no. 1348.

and acknowledge Poniatowski as his lawful king, provided he was fully reinstated to his former position. The king and the 'Family' rejected such terms. Radziwiłł then promised Beloselski, that if he were accorded Catherine's protection, he would devote himself wholly to furthering her interests.⁶⁸ Panin was sufficiently interested to consider the prince a useful instrument: if Repnin felt that Radziwiłł would form a counterweight to the Czartoryskis, he was authorized to work for his return — "ce serait un coup mortel" for the 'Family' and their supporters.⁶⁹ The malcontents strongly supported his return. *Hetman* Branicki persuaded the *sejmik* of the county of Bielsk to demand his restoration;⁷⁰ Mniszech urged him to turn directly to the Russian court.⁷¹ Essen and Jean d'Aloy (d. 1786), Charles of Courland's resident in Warsaw, lent their assistance, although Essen sternly warned Radziwiłł he had to mend his drunken ways if he was to receive real help.⁷² The dissenters were interested in harnessing him to their cause. A. S. Goltz discussed the possibility of his return with his stepmother, princess Anne Radziwiłł (1729-1771). The prince himself wrote directly to Ernest Gontaryn Goltz, who, from mid-December, 1766, represented the dissenters at the Russian court, requesting his assistance. Goltz replied that he would be restored, provided he and his friends actively assisted Catherine's political programme in Poland, including the satisfaction of the dissenters' claims. He hinted that Radziwiłł should dispose his supporters to assist the planned confederacy of Lithuanian dissenters at Słuck.⁷³

Early in the New Year, the Russians seem to have demanded a general assurance from Radziwiłł that he would support their demands concerning the dissenters, to which, after some wavering, he agreed. He also agreed to urge his supporters in Lithuania to

⁶⁸ Beloselski to Panin, Dresden, Aug. 15/26, 1766. Sb. vol. 67, no. 1388. Radziwiłł to his stepmother, Dresden, Oct. 18, 1766, K. S. Radziwiłł, *Korespondencja 1762-1790*, ed. K. Waliszewski (Cracow 1888) no. XLII; Radziwiłł to colonel J. Fryczyński, Dec. 31, 1766, AGAD/ARIV 20/257.

⁶⁹ Panin to Repnin, Oct. 7/18, 1766, Sb. vol. 67, no. 1420; St. Saphorin to Bernstorff, Dec. 17, 1766. RA. Cop. TKUA Polen AIII45.

⁷⁰ J. Kl. Branicki to Radziwiłł, Bielsk, Oct. 14, 1766. AGAD/ARV 30/1334.

⁷¹ Fryczyński to Radziwiłł, Warsaw, Oct. 20, 1766. *ibid.* 87/3902.

⁷² Fryczyński to Radziwiłł, Oct. 18, Nov. 8, 1766, *ibid.* A. Gietulewicz to Radziwiłł, Dec. 6, 1766, *ibid.* 92/4126. Flemming advised Essen to be discrete, lest he offend Stanisław August. Flemming to Essen, Oct. 28, 1766, SLBA 3561 IIb f. 461.

⁷³ Radziwiłł to (E.G.) Goltz, Jan. 13, *Korespondencja...* no. XLV; E.G. Goltz to Radziwiłł, Feb. 10, AGAD/ARV 96/4420.

co-operate with Russia.⁷⁴ When the Czartoryskis rejected Panin's overtures, these conditions were increased. Radziwiłł had to promise "qu'il sera toujours du parti russe," to follow all the Russian court's orders "sans la moindre opposition directe ou indirecte." He even asked to be assigned a Russian officer in a supervisory capacity, who would transmit the imperial court's wishes directly.⁷⁵ He agreed to do all he could for the dissenters. If any of his creditors were subjects of the Empress or enjoyed her protection, he would give priority to satisfying their claims. He abandoned his own claims to the palatinate of Wilno, conscious that its actual holder, Ogiński, enjoyed Catherine's protection. In return, he besought her help to quash the 1764 edicts against himself, restore his properties and redress his wrongs.⁷⁶ Radziwiłł threw himself blindly on the mercy of the Russian court. He gave it *carte-blanche* to do with him as it pleased, without securing any reciprocal guarantees, other than vague assurances. The only alternative was to humiliate himself before the king and the 'Family'. If he stayed out of Poland much longer, he ran the risk of being imprisoned by his foreign creditors.⁷⁷

Harsh as their terms were, the Russians were still unsatisfied. In April, Panin insisted that the prince further agree to the restoration of all runaway Russian serfs on his lands, the full restoration of all former Greek Orthodox and Protestant churches on his properties, and consent not to levy any taxes or dues on Russian merchants passing through his estates. Panin emphasized that Catherine's continued protection depended on his zeal in her service. He appointed Colonel Karr to be the prince's 'guardian'. Charles of Courland, overcoming Radziwiłł's reluctance, persuaded him to accept.⁷⁸ On May 10, Radziwiłł received a courier from Replin; on

⁷⁴ Radziwiłł to Essen, Feb. 9, *Korespondencja...* no. XLVII and to Aloy, March 4, *ibid.* no. XLIX; Aloy to Radziwiłł, Feb. 11, AGAD/ARV 3/103. Radziwiłł to prince Albert Radziwiłł, *starosta* of Rzeszyca; to A. Pocij, palatine of Troki; to L. Pocij, seneschal of Lithuania; to L. Pocij, camp-marshal of Lithuania; to A.M. Pac, grand notary of Lithuania; to Gorski, castellan of Żmudz and others. All dated Dresden, Feb. 13, *Korespondencja...* no. XLVIII.

⁷⁵ It is noteworthy that in 1716, the two pro-Russian *hetmani*, Sieniawski and Pocij, asked to be assigned accredited Russian representatives to show they were under Russian protection. Wł. Konopczyński, *Dzieje Polski Nowożytnej* (Londyn 1959), vol. II p. 173.

⁷⁶ Radziwiłł to Aloy, March 4, *Korespondencja...* no. XLIX.

⁷⁷ *ibidem.* Podoski to Radziwiłł, Warsaw, March 15, AGAD/ARV 275/11989; Radziwiłł to Fryczyński, n.d., but probably Nov. 11 or 15, 1766, *ibid.* ARIV 20/257.

⁷⁸ Panin to Replin, March 27/April 7, Sb. vol. 67, no. 1525; to Radziwiłł, same date, *ibid.* no. 1530. Radziwiłł to Replin, Dresden, April 25, *Korespondencja...* no. LII.

15, still not fully convinced he could trust Russia, he left Saxony for Danzig.⁷⁹

Radziwiłł was a symbol of the old Sarmatian order. If, as he himself admitted, he had only limited influence in the Crown,⁸⁰ he was a rallying-point for almost every discontented magnate in Lithuania. More, his recall was a guarantee to the malcontents in general that Russia was serious in her professed aims and would not abandon them.⁸¹ Yet, important as the negotiations with him were for these reasons, they played a subsidiary role in relation to those between Repnin and the malcontents in Poland, for it was through these that the political events of the immediate future were shaped.

While Repnin was trying to conclude a rapprochement with the Czartoryskis, he did not abandon his newly-found links with the malcontents. His initial hopes in them seem to have been pinned on Mniszech and Wielhorski, with whom he found it easier to co-operate than with the more volatile Sołtyk.⁸² After the 1766 Sejm, Repnin made increasing use of Essen, Aloy and especially the grand ecclesiastical referendary, Gabriel Podoski⁸³ to widen his contacts among the Patriots. Podoski did not hide Catherine's determination to restore the rights of the dissenters, but he made it clear that the malcontents should exploit the situation to their own advantage, "mais il faudrait se dépouiller de certains préjugés." He was positive in his assurances that Repnin wished to form a new, independent party and that he counted on Mniszech to elicit a more favourable attitude to the dissenters from Sołtyk.⁸⁴

⁷⁹ William Carroll, British chargé d'affaires in Dresden, to David Hume, undersecretary of state for the Northern department, May 13, 17. PRO/SP. 88/95. On May 15, Radziwiłł ordered colonel Fryczyński to raise a loan for him, in case he was not reinstated and the Sejm again declared him a public enemy. K. S. Radziwiłł, *Korespondencja 1744-1790*, ed. Cz. Janowski (Cracow 8198) no. XXIV.

⁸⁰ Radziwiłł to Aloy, April 23. K. S. Radziwiłł, *Korespondencja 1762-1790*, ed. K. Waliszewski, (Cracow 1888) no. LI (unless otherwise stated, the abbreviation *Korespondencja*... refers to this edition of Radziwiłł's letters).

⁸¹ Benoit to Frederick II, April 3. DZA 9/27-179, ff. 59-60.

⁸² Wielhorski to Mniszech, Nov. 23, 1766, B. Cz. 3861, no. 118; Twardowski to Mniszech, Nov. 25, 1766, *ibid.* no. 119.

⁸³ For the referendaries, see above, p. 61, n. 102. Podoski was an old Saxon supporter of undoubted talents (he was private chancellor to the Saxon princes), but his immoral life — he kept a Lutheran mistress — earned him much disapprobation. Matters of faith were indifferent to him. He caused a scandal under Augustus III by allowing dissenters to erect new churches in the *starostwo* of Spisz (Zips), which he administered for a time on behalf of count Brühl. J. Korytkowski, *Arcybiskupi Gnieźnieńscy, Prymasowie i Metropolici Polscy, 1000-1821*, vol. V (Poznań 1892), pp. 72-75.

⁸⁴ Podoski to Mniszech, Jan. 14, 22. B. Cz. 3862 nos. 10, 14.

The first step towards welding the congeries of discontented Republicans into an united political front had to await the Czartoryskis' rejection of Panin's proposals. Podoski and Repnin then decided to assemble as many Patriots as possible at the town of Kielce, in mid-February, where they would draft a list of grievances to be sent to Catherine. Besides Mniszech and Sołtyk, Podoski wanted bishop Adam Krasiński, F. S. Potocki and the influential Catherine Kossakowska (c. 1720-1800), *châtelaine* of Kamieniec Podolski, to attend. Referring to the impending entry of Russian troops, the referendary assured the malcontents that they could count on Russian military and financial aid.⁸⁵

In order to secure the Patriots' co-operation, Repnin allowed Podoski to present the most favourable image of his court's intentions: that it would relax its demands concerning the dissenters, that their claims were negotiable, "que la couronne chancellait sur la tête de Stanislaus Auguste".⁸⁶ The ambassador himself declared his intention to restore the powers of the *hetmani* and the treasurers and to bring back Radziwiłł.⁸⁷ On February 5, Podoski left Warsaw to call on the leading malcontents.⁸⁸ The names of all the persons he visited are uncertain, but his hosts included Sołtyk, Mniszech, Wessel, Joseph Ossoliński (d. 1780), palatine of Volhynia and several of the Potockis. Mniszech and doubtless others (not Sołtyk, who was ill in Kielce) participated in the general meeting of malcontents Podoski had proposed, which was re-scheduled for the end of February and took place in Cracow, not Kielce, as originally proposed.⁸⁹ Its main achievement, a draft of complaints to be presented to Catherine II, proved acceptable to the malcontents in general, for it was to form the basis of the 'Gravamina' which were presented to the Empress by the Confederacy of Radom in the autumn of 1767.⁹⁰

⁸⁵ Podoski to Mniszech, Jan. 31, *ibid.* no. 15.

⁸⁶ Essen to Flemming, reporting Podoski, March 7, SLHA 3562 IVa, f. 222.

⁸⁷ Jakubowski (French agent) to Choiseul, Warsaw, Jan. 20, AE. Pol. 289, f. 241; Betański (secretary to J. Kl. Branicki) to Gérard, Białystok, Jan. 30/Feb. 1, *ibid.*, ff. 248-251.

⁸⁸ Essen to Flemming, Feb. 7, SLMA 3562 IVa, f. 121.

⁸⁹ Known participants included Mniszech, Podoski, Joseph Pułaski, *starosta* of Warka—see 'Minuta Gravaminów...' PAU 313, ff. 124-129, with Mniszech's annotations; Ignacy Zboiński, castellan of Płock, Essen to Flemming, March 7, SLHA 3562 IVa, f. 222. Perhaps also Piotr Małachowski (d. 1799), *starosta* of Oświęcim, who had agreed to co-operate with Podoski. Benoit to Frederick II, Feb. 4, DZA 9/27-179, ff. 22-24.

⁹⁰ 'Minuta Gravaminów projective ułożonych w miesiącu Februar. roku 1767, kilka miesiącami przed zaczęciem Konfederacji,' PAU 313, ff. 124-129. For a comparison with the final version, see *ibid.* ff. 1-18 or AGAD/ML-IX 36, ff. 93-104.

The prime aim of the 'Minuta Gravaminów' was to secure the deposition of Stanisław August Poniatowski, not by a direct demand, but by attempting to convince the Empress of the dangers of a native Polish ruler or 'Piast'. This was in line with the policy of the Saxon court, which, as its maximum programme, postulated a restoration of the Wettin dynasty to the Polish throne, but refrained from presenting this demand outright, constantly and correctly suspecting that Catherine had no intention of dethroning Poniatowski. Fearing to compromise themselves, the Saxons preferred to work through their Polish supporters (as a minimal programme, the Saxons wanted the provision of appanages for Xavier and Charles of Courland, which would at least secure them a definite foothold in the Commonwealth).⁹¹

The 'Minuta' opens with a diatribe against the ingratitude of the Czartoryskis to Augustus III, even during that monarch's life-time, charging them with deliberately misrepresenting the condition of Poland to the Empress. It accused the 'Family' of using its private militia to institute a reign of terror during the interregnum. The uncomfortable fact of Russian assistance for the Czartoryskis was glossed over by the claim that the excesses supposedly perpetrated had been contrary to Catherine's intentions. The uncles had paved the road to despotism by the "destruction of the powers of the marshals [sic! corrected in the final version to *hetmani*] and treasurers," which had hitherto maintained the balance between king and nation. The commissions were but a disguise for despotism, for, the 'Minuta' claimed, the appointment of the commissioners had been entrusted to the king.⁹² The new taxes imposed since 1764 were criticized on the grounds that the reformers had introduced them purely for their own benefit. Although the malcontents were forced to admit that some of these measures "might be useful under a just rule," they should be abolished because they had been illegally

⁹¹ Mniszech to Osten-Sacken, March 16, B. Cz. 3862, no. 35; Flemming to Essen, Feb. 14, SLHA 3562 IVa, ff. 141-142. Flemming suspected a secret agreement between the king and Catherine. Flemming to Essen, Feb. 11, *ibid.* f. 131.

⁹² This was a gross exaggeration. The Convocation Sejm had clearly ruled that the army and treasury commissioners were to be elected by a majority decision of the Sejm. The king could nominate new members only to replace those who had died; his nominees sat only until the expiry of the commissions' current biennial term of office. Vol. Leg. VII, pp. 20, 29. The 1766 Sejm allowed the king to nominate four candidates to each place in the commissions, from among whom the Sejm chose the actual commissioners by majority vote. *ibid.* p. 201. This did give the king somewhat more power, but nowhere near as much as the malcontents would have had Catherine think.

introduced. The judgement against Radziwiłł was cited as proof of the persecution of Polish citizens. The introduction of the general duty, despite its ephemeral nature, was condemned for the supposed burdens it had imposed on the towns of Royal Prussia. The legality of the Coronation Sejm was denied, as it had met in Warsaw, not Cracow, the customary place of coronation. A complaint was even thrown in against the transfer, in 1765, of the state archives from Cracow to Warsaw. The interregnum laws were condemned en bloc, as having been deliberately framed to mislead Catherine's ministers. A virulent invective against the abortive plurality bill introduced by Zamoyski at the 1766 Sejm attempted to explain away the generally wide support it had received by reference to supposed royal intimidation of the deputies.

After cataloguing these and other sins, the 'Minuta' flatly declared Poniatowski's election invalid. Such transgressions, it went on, could never occur under a foreign king, who was prevented, by Polish laws (concerning foreigners) from using his powers of appointment to benefit his own family — consequently, he was more likely to use them to reward truly deserving individuals. A foreign king was constantly held in check by the fear that, should he try to introduce hereditary domination, his own lands might be attacked by jealous neighbours. A foreign king had more innate dignity than a 'Piast'. The latter, profiting from his familiarity with internal conditions, could easily introduce absolutism through adroit use of his patronage powers; his capacity to do so had been enormously expanded by the interregnum reforms. The balance of power between king and Commonwealth had been destroyed. "We may boldly affirm, that the power of the most absolute monarch will never match that which the court, the family of the princes Czartoryski and their friends have secured." The Patriots appealed to Catherine to restore their liberties. They expressed their readiness to do all that honour, the laws and their treaty obligations permitted in the dissenters' favour, who, in return, they hoped, would not overstep the bounds of law and justice in their claims.

Mniszech despatched an even sharper version of these remarks to Repnin and to Osten-Sacken, to be shown to Panin. Presenting the Poniatowski-Czartoryski system as a permanent menace, he urged the restoration of Radziwiłł as a counterweight. He was equally anxious to avoid a confederacy of dissenters, which, he warned, would only attract universal execration. For the time being at least, Russia ought to shelve the religious issue and refrain from taking any final decisions without the concurrence of Catholic powers. In conclusion, he recommended an extraordinary Sejm to

make all final arrangements. These, he agreed, should be guaranteed by Russia.⁹³

In all this programme, there is no trace of any positive suggestion. The malcontents wanted only to put the clock back, to enjoy power without responsibility. Yet they had to concede that even this was more than they could expect. They could not ignore the widespread support the reforms, or some of them, had attracted. Benoit noted that there was general agreement inside Poland on the dangers of unlimited powers for the *hetmani* and treasurers. As a compromise, the Republicans were ready to retain the commissions, but they wished to restore a measure of real power to the ministers concerned.⁹⁴ Under duress, Wessel and J. Kl. Branicki were themselves ready to accept this, provided royal influence was wholly excluded from the commissions.⁹⁵ These, however, remained only minor qualifications to a programme of thorough-going negativism. The malcontents were a loose assemblage of persons who had come together solely for the purpose of destroying the reformers' achievements. Any constructive propositions would have cast them back into their natural, fragmented state.

In the end, the Cracow meeting decided only on a provisional commitment to the Russians. Despite Podoski's assurances, neither Sołtyk nor Mniszech trusted him. Although in the 'Minuta', the malcontents had agreed to accord the dissenters their legal due, their idea of this differed greatly from the views of Russia or the dissenters themselves. Sołtyk was convinced that Russia intended to give the dissenters parity of political rights and that a Patriot confederacy would be a mere pretext for securing this. It was Russia's intention, he warned, to make Poland a tributary kingdom. The Patriots could make no further moves without compromising themselves by aiding and abetting the dissenters and ruining Poland by calling in foreign troops. Convinced that Repnin was plotting with the king, he urged a policy of inactivity, until the situation clarified itself.⁹⁶

To ascertain Repnin's precise intentions, the Cracow conspirators sent one of their number, Ignacy Zboiński, castellan of Plock, to see Repnin. The ambassador almost wrecked his own undertaking before it had begun. At a first interview, on March 5, he made it

⁹³ Mniszech to Osten-Sacken, March 16. B. Cz. 3862, no. 35.

⁹⁴ Benoit to Frederick II, June 17. DZA 9/27-179, ff. 90-91.

⁹⁵ Benoit to Frederick II, April 29, *ibid.* ff. 66-67. Betański to Gérard, Białystok, July 2, enclosing 'Réflexions patriotiques... à l'égard de l'autorité et des prérogatives de la charge de Grands Généraux,' AE. Pol. 289 ff. 399, 400-402. See also below, chapter VI.

⁹⁶ Sołtyk to Mniszech, Kielce, Feb. 10, 28. B. Cz. 3862, nos. 19, 24.

plain that the restoration of Poland's former rights and liberties depended on the concession of equal rights to the dissenters, including their entry into the Senate and the chamber of deputies. He would only let that the malcontents to form their own, independent confederacy in defence of the Catholic faith and the laws, provided they stated their intent to accord justice to the dissents. To support the malcontents, Repnin would send 2,000 troops into each palatinate. Zboiński could not accept these proposals. Repnin was unable to move him by showing him the Imperial declaration and Panin's open letter. Although Zboiński was impressed by their forcefulness, he was struck by the lack of reference to the king.⁹⁷ The situation was saved by Benoit and Podoski, who persuaded Repnin that he had expressed himself too harshly. At a second interview, Repnin took back much of what he had said. He assured Zboiński that the dissenters would be kept out of the Senate and that their other demands were negotiable.⁹⁸ Sołtyk, for one, remained sceptical. He even fired off a letter to Maria Theresa, appealing to her to defend Catholicism in Poland. But he was favourably disposed to a suggestion from the ambassador for a second, plenary meeting of malcontents in Warsaw, to be held on April 10, for further consultation.⁹⁹

Early in March, three columns of Russian troops, 24,000 men, entered Commonwealth territory, from Livonia, Smolensk and Kiev. With the forces Russia already had in Poland, this made a total of some 30,000,¹⁰⁰ or approximately twice the numbers of the poor quality Polish forces. On March 20, two confederacies of dissenters were established, at Thorn, under Georg Goltz and at Słuck, under general Jan Grabowski (d. 1789). If the Russians had hoped for an enthusiastic response from the dissenters, they must have been sorely disappointed. The dissenters were still afraid that Russia would again give priority to constitutional issues.¹⁰¹ The act of confederacy of Thorn bore only 227 signatures, that of Słuck 253; even though there

⁹⁷ Essen to Flemming, March 7. SLHA 3562 IVa, ff. 222-225. Copy of a letter from a 'Friend' (Zboiński) to Sołtyk, March 6, enclosed with a letter from Sołtyk to Mniszech, March 10. B. Cz. 3862, no. 30.

⁹⁸ *ibidem*, enclosing a letter from Zboiński, dated March 7. Essen to Flemming, March 15. SLHA 3562 IVa, ff. 256-257.

⁹⁹ Podoski to Mniszech, March 19, B. Cz. 3862, no. 38; Sołtyk to Mniszech, March 27, *ibid.* no. 52. Sołtyk appeased Repnin over his letter to Maria Theresa by claiming he had written it before any concrete proposals for a malcontent confederacy. Benoit to Frederick II, March 25, DZA 9/27-179, f. 50.

¹⁰⁰ Macartney to Conway, St. Petersburg, March 6. PRO/SP 91/78.

¹⁰¹ St. Saphorin to Bernstorff, Feb. 11, RA. Cop. TKUA Polen AIII46.

were subsequent accessions, these figures cannot begin to compare with those of the future Catholic confederacies.¹⁰² The numbers of Thorn confederates were swelled by their Protestant brethren from nearby Frederician Prussia. Many of the dissenters wished to be left in peace or feared Catholic reprisals and acceded only when persuaded by general Soltikov's troops, who, in the process, also forced many Catholics to sign.¹⁰³ At Słuck, the sole major representative of the Greek Orthodox, apart from petty *szlachta* drummed out of their hamlets for the occasion, was bishop Komisski.¹⁰⁴ The towns of Royal Prussia, despite Protestant control of their administrations, were most unwilling to associate themselves with the confederacies. The three major towns, Danzig, Thorn and Elbing acceded towards the very end of March, only after the Russians had threatened to billet troops on them. The lesser towns had still not all acceded as late as the end of July.¹⁰⁵

On March 26, the day the news of the confederacies reached Warsaw, Repnin and Benoit presented their courts' declarations in favour of the dissenters. The Prussian declaration avoided the polemics of the Russian and, confining itself to the religious issue, expressed general support for Catherine's action in Poland.¹⁰⁶ Repnin hoped that the declarations and Panin's letter would counter the unfortunate impression caused by the troop entries and confederacies,¹⁰⁷ but the reaction was discouraging. Twardowski, palatine of Kalisz and Mniszech's confidant, while approving much of the Imperial declaration, thought it completely marred by its pro-dissenter bias. Catholic leaders, including field *marshal* Waclaw Rzewuski and bishop Sołtyk, felt the problem was not so much of extending the

¹⁰² Both acts of confederacy and their signatories are given by A. Kraushar, *Książę Repnin i Polska*, vol. 1, 2nd. edition (Cracow 1898), pp. 375-385. For a discussion of the numbers involved in the Catholic confederacies, see below, chapter V.

¹⁰³ Łuniewski to Mniszech, March 25, B. Cz. 3862, no. 46; abbot J. Rybiński to Mniszech, Mosty, April 30, *ibid.* no. 86; St. Saphorin to Bernstorff, March 25, RA Cop. TKUA Polen AIII46; Archibald Gibsone (British citizen residing in Danzig) to Sir Andrew Mitchell, April 8, BL. Add. Mss. 6828. Claude Rulhière, *Histoire de l'Anarchie de Pologne*, vol. II (Paris 1819) pp. 358-359.

¹⁰⁴ Rulhière, *ibidem*. Copy of a report from the commander of the garrison at Słuck, March 10-21, AGAD/AR II 20/2913.

¹⁰⁵ St. Saphorin to Bernstorff, March 25, April. RA. Cop. TKUA Polen AIII46; Rybiński to Mniszech, April 3, 10. B. Cz. 3862, nos. 61, 66. T. Grygier, *Konfederacja dysydencka w Toruniu 1767 r.*, (unpublished Ph. D. thesis, Toruń 1951) pp. 117-153.

¹⁰⁶ A Latin text of the Prussian declaration is in Theiner, p. 157.

¹⁰⁷ Wroughton to Conway, March 21. PRO/SP 88/94; St. Saphorin to Bernstorff, March 28, RA. Cop. TKUA Polen AIII46; Podoski to Mniszech, April 11, B. Cz. 3862, no. 67.

bounds of purely religious toleration, which the *szlachta* might have accepted. The unpalatable crux of the issue was the admission of dissenters to public office.¹⁰⁸ The mood of the country was ugly. Rumours of malcontent confederacies led by Mniszech, Felix Czacki or Wielhorski proliferated, but these were supposedly directed towards the suppression, not the support, of the dissenters' associations. The bishops arranged public prayers to safeguard the faith.¹⁰⁹ There was widespread support for an initiative by the court to crush the dissenters as rebels. The court actually had to restrain the overzealous Masovian *szlachta* from marching against the Thorn confederacy.¹¹⁰

The Russians were fully alive to this mood. Panin moved his troops into Poland earlier than he had originally planned because he feared the court might mount a confederacy of its own to crush the dissenters.¹¹¹ Gérault, the French unofficial agent in Warsaw, pointed out that there were now more Russian troops in the Commonwealth than there had been during the interregnum — such numbers were necessary solely to quell the anticipated religious fanaticism.¹¹² The now publicised Russian support for the dissenters alarmed the discontented magnates. Early in March, Mniszech had written to Repnin, reiterating the need to disguise the religious issue, but the ambassador made it clear that the dissenters have to be given satisfaction. In addition, at a time when the malcontents were increasingly hopeful of Poniatowski's dethronement, the ambassador stressed that the king was inviolate.¹¹³

This was too much for the magnates, most of whom showed their dissatisfaction by boycotting the meeting Repnin had planned for April 10. Of the more important, only Wessel came, reluctantly. Ossoliński, palatine of Volhynia, sent his son, Joseph (d. c. 1790) *starosta* of Sandomierz. F. S. Potocki refused to come, but assured

¹⁰⁸ Twardowski to Mniszech, April 12, *ibid.* no. 70; Waclaw Rzewuski to Mniszech, Podhorce, April 20, *ibid.* no. 76; Archibald Gibsone to Sir A. Mitchell, Danzig, March 28, BL. Add. Mss. 6828; Sołtyk to prince Antoni Lubomirski, palatine of Lublin, early April, B. Cz. 687, pp. 525-526.

¹⁰⁹ Luniewski to Mniszech, March 18, 19, April 1, B. Cz. 3862, nos. 36, 37, 58; Rybiński to Mniszech, April 3, *ibid.* no. 61; Essen to Flemming, March 25, April 8, SLHA 3562 IVa, ff. 286-287, 344.

¹¹⁰ Benoit to Frederick II, March 18, DZA 9/27-179, f. 45; Bratkowski to prince Xavier, March 18, BP. 72, p. 1131; J. W. Orański, *podkomorzy* of Starodub, to Adam Chmara, attorney-general of Lithuania, April 21, BJ. 6667; Sołtyk to Mniszech, Kielce, March 20, B. Cz. 3862, no. 39.

¹¹¹ Panin to Repnin, Moscow, Feb. 23/March 6, Sb. vol. 67, no. 1517.

¹¹² Gerault to Choiseul, Feb. 28. AE. Pol. 289, f. 286.

¹¹³ Mniszech to Repnin, Dukla, March, B. Cz. 3862, no. 49; Repnin to Mniszech, March 25, *ibid.* no. 48; Sołtyk to Mniszech, April 7, no. 60; Bratkowski to prince Xavier, April 8, BP, 72, p. 1153.

Repnin he could count on his co-operation. Mniszech pleaded that Repnin had not fully clarified his intentions and that he was afraid of what action the king might take. *Hetman* Branicki sent his factotum, general Andrew Mokronowski (1713-1784), to work for a full restoration of his former powers. Suspicion lingered that the ambassador was having clandestine dealings with Stanisław August.¹¹⁴

In spite of the lack of enthusiasm, the meeting of April 10 achieved some positive results. Joseph Potocki (d. 1802), *krajczy* of the Crown, agreed to form a confederacy in the area of Lwów.¹¹⁵ The basic tactics for forming local confederacies were provisionally decided: a detachment of Russian troops would enter each palatinate and oblige the leading local senator to assemble the *szlachta*, ostensibly to discuss questions of provisioning the Russians. Only then would an act of confederacy be produced and all present be expected to sign: reprisals would be taken against the recalcitrant.¹¹⁶ Evidently, neither the Russians nor the malcontents were confident of enthusiastic *szlachta* support. Repnin ordered general Krechetnikov, commander of the Russian forces in Małopolska, to encourage the malcontent confederacies and prepare the ground for them by publicising the Imperial declaration and Panin's open letter.¹¹⁷ To reassure the magnates, the ambassador sent word through Joseph Potocki that he intended to make Karol Radziwiłł marshal of the General Confederacy which would be formed close on the establishment of the local confederacies, an appointment designed to demonstrate the impossibility of any secret understanding between the Russians and the king or Czartoryskis.¹¹⁸ The real reason behind the magnates' hesitation, maintained Stanisław Radziwiński, one of prince Xavier's agents in Warsaw, was that they wished to make Repnin fully conscious of their indispensability, in order to persuade him to co-operate on their terms. If so, the ambassador was ready to proceed without them, or even, as Essen feared, revert to his alliance with the Czartoryskis.¹¹⁹

¹¹⁴ Essen to Flemming, March 28, SLHA 3562IVa; Sołtyk to Mniszech, April 7, B. Cz. 3862, no. 60; Mniszech to Repnin, n.d. and April 8, *ibid.* nos. 65 (both); Bratkowski to prince Xavier, April 8, BP. 72, p. 1153; Repnin to Panin (n.d.), Solov'ev, vol. XXVII, pp. 473-474.

¹¹⁵ Essen to Flemming, April 15, SLHA 3562, IVa, f. 360.

¹¹⁶ Sołtyk to Mniszech, March 10. B. Cz. 3862, no. 28.

¹¹⁷ Repnin to Krechetnikov, April 10/21, *Pis'ma k general-maioru i kavaleru P. N. Krechetnikovu*, ed. O. M. Bodyansky (Moscow 1863) pp. 5-6.

¹¹⁸ Solov'ev vol. XXVII, p. 474; Joseph Ossolinski to his mother, April 15. B. Oss. 2651.

¹¹⁹ Radziwiński to Seyffert, April 8, BP. 69, p. 117; Essen to Flemming, April 11, SLHA 3562 IVa, ff. 344-345.

Repnin found the Lithuanian malcontents more tractable. Their overriding concern was the restoration of Karol Radziwiłł, in order to break the hold the 'Family' had established on the Grand Duchy since his expulsion. These negotiations, scarcely any of the details of which survive, were conducted independently of those of the Crown. The onus of the work was undertaken by Ludwik Pociąg (d. 1771), seneschal of Lithuania, and Stanisław Brzostowski (1733-1769), *starosta* of Bystrzyca.¹²⁰ Already in March, Brzostowski had been earmarked to lead the Lithuanian confederacy.¹²¹ Radziwiłł, probably afraid of letting another Lithuanian family rise to eminence, rejected a proposal from Pociąg to form and head the Confederacy at his own expense.¹²² Even as the Crown magnates were supposed to be convening in Warsaw, in April, Repnin gave Brzostowski an advance of 3,000 ducats to prepare his Confederacy, tentative work on which had already begun in March.¹²³ The local confederacies of Lithuania were scheduled to be formed on May 22 and to unite into a General Confederacy on June 2.¹²⁴

Repnin was impatient to make similar progress in the Crown. He insisted that the malcontents convene in Warsaw on May 1, to finalise their plans.¹²⁵ Instead, some of the leaders, including Joachim Potocki (d. 1796), *podczaszy* of Lithuania, Waclaw Sierakowski (1740-1806), archbishop of Lwów, and Felix Czacki, *podczaszy* of the Crown, met to discuss their course of action at F. S. Potocki's residence of Krystynopol. Mniszech, Wielhorski and others were kept informed of their discussions.¹²⁶ They conferred under the shadow of violent incidents at Kalisz and Sieradz, where dissenters, assisted by Russian escorts, had clashed with the local *szlachta*, when trying to register their acts of confederacy in the *grody*.¹²⁷ Those present at Krystynopol were under no illusions that the Imperial declaration and the open letter were little more

¹²⁰ Brzostowski was married to the daughter of Karol Radziwiłł's step-mother.

¹²¹ Copy of a letter from Warsaw, March 20 (author and addressee unknown), B. Cz. 3862, no. 40.

¹²² Flemming to Essen, March 25, SLHA 3562 IVa, ff. 274-275; Essen to Flemming, May 2, *ibid.* ff. 421-422.

¹²³ Sołtyk to Mniszech, April 7, B. Cz. 3862, no. 60; Essen to Fleming, April 15, SLHA 3562 IVa, ff. 360-358; Radziwiłł to Zabiello, *lowczy* of Lithuania, Dresden, March 23, AGAD/AB 26/385.

¹²⁴ St. Brzostowski to Radziwiłł, Wilno, May 19, AGAD/ARV 36/1516.

¹²⁵ Repnin to Mniszech, April 11, B. Cz. 3862, no. 69.

¹²⁶ Joachim Potocki to J. Kl. Branicki, Krystynopol, May 3, AGAD/Ros XVIII-3.

¹²⁷ Siemacki to Mniszech, Kalisz, April 24, B. Cz. 3862, no. 79; At Kalisz, four cossacks and one Catholic *szlachcic* were killed. Hussarzewski to Ogrodzki, Danzig, May 5, B. Cz. 703, ff. 69-70.

than a cosmetic, designed to present Russian intentions in a form palatable to the Catholic *szlachta*. Felix Czacki, who, in April, had registered a *manifest* against the dissenters' activities, was particularly opposed to any confederacy under the Russian aegis. The participants decided to go to Warsaw in mid-May, to bring pressure on Replin to lower his demands over the dissenters.¹²⁸

Their apprehension would have been greater, had they known that Panin, banking on a renewal of assistance from the king and his uncles in order to salvage their authority, had authorised Replin to win Stanisław August's co-operation and to assure him of the security of his personal position; if he proved amenable, the Empress would restore her friendship and favour "which may prove as advantageous to him in the future as they have been hitherto".¹²⁹ Early in the year, the king had entertained hopes of some kind of support, diplomatic or military, from Constantinople, Vienna or Versailles, but by March, it had become obvious that this could only be wishful thinking.¹³⁰ A council of the Senate, held on March 20, to discuss the Russian troop entries, could decide only to send colonel Jakub Psarski to Moscow, to take up the Commonwealth's vacant diplomatic representation.¹³¹ Senators finding themselves in Warsaw, summoned to a council on April 2, in response to the dissenters' confederacies, could recommend only the assembly of a plenary council of the Senate for May 25.¹³² Such reactions, tantamount to an admission of utter helplessness, betrayed the total inability of the Commonwealth's institutions to handle a major crisis.

On April 1, Replin demanded a royal audience for the dissenters, at which they could present their grievances. Stanisław August demurred at officially receiving delegates from men whom he and his ministers regarded as common rebels. Replin gave him fifteen days to reconsider. On 15th, the ambassador informed Jacek Ogrodzki (1711-1780), grand secretary of the Crown and Andrew Młodziejowski, bishop of Przemyśl and vice-chancellor of the Crown (1717-

¹²⁸ Joachim Potocki to J. Kl. Branicki, May 3, AGAD/Roś XVIII-3. For Czacki's *manifest*, see the newsletter (sender unknown) to Ewaryst Kuropatnicki, castellan of Belz, April 26, B. Oss. 583, ff. 30-31.

¹²⁹ Panin to Replin, March 27/April 7, SB. vol. 67, no. 1524.

¹³⁰ Jakubowski to Choiseul, Jan. 20, AE. Pol. 289, f. 243; Choiseul to Jakubowski, Feb. 15, *ibid.* f. 270. Benoit to Frederick II, March 11, DZA 9/27-179, ff. 43-44. According to Bratkowski, the Polish court hoped for a Russo-Turkish war, which would lead to Catherine II's deposition. Bratkowski to prince Xavier, Feb. 4, BP. 72, p. 1106.

¹³¹ B. Cz. 867, p. 75 (record of meetings of the council of the Senate). Jakub Psarski was Poland's chargé d'affaires in Russia, April 1765—Aug. 1766, and minister resident, May 1767—March 1774.

¹³² *ibid.* p. 76.

1780), that if the audience were not granted, his court would break off diplomatic relations and take military reprisals against the defenceless Commonwealth.¹³³ Despite pressure from the Czartoryskis in particular, who argued that by granting an audience, the king would acknowledge the legality of the confederacies, Stanisław August gave way.¹³⁴

The audience, which took place on April 28, did nothing to clarify the exact nature of the dissenters' or the Russians' demands. The delegates' speeches, prepared in consultation with Repnin,¹³⁵ complained pathetically but vaguely of the privations suffered by the dissenters since 1717—not since 1660 or 1686, the dates of the treaties on which Prussia and Russia based their claims to intervention. Since then, they said, the dissenters had been unjustly excluded from public office. They implored the king's help, but put forward no detailed demands.¹³⁶ To have done so, would have been to alarm the Catholics still further. In 1717, the dissenters barely had access to the chamber of deputies (the last dissenting deputy was expelled in 1718). In 1660 or 1686, they had much wider prominence. 1717 represented a compromise date, even if it ignored the fact that the anti-dissenter laws of that year had the approval of Peter the Great.¹³⁷ The king referred them to the decision of the Sejm and allowed the delegates to kiss his hand: "c'est . . . par cet acte que la légitimité de leur confédération a été reconnue, qui aurait pu être sans cela traitée, comme on dit ici, de *gupa de swawolnych ludzi* [bunch of hooligans]".¹³⁸ By this act, the king did rather more. He pleased the Empress and cleared the way for a new rapprochement with the Russian court, even at the cost of some personal humiliation.¹³⁹

The Crown malcontents gave Repnin no cause for confidence. Those on whom he had most counted had not arrived for his meeting of April 10. When his second deadline, Ma y1, passed the magnates were conferring in the provinces. On the evening of May 3, a

¹³³ Visconti to Torrigiani, April 18, Theiner, pp. 210-211; Gérard to Choiseul, April 25, AE. Pol. 289, ff. 329-330.

¹³⁴ Wroughton to Conway, April 18, PRO/SP. 88/94.

¹³⁵ Gérard to Choiseul, April 25, AE. Pol. 289, ff. 329-330.

¹³⁶ Speeches of Paul Grabowski, *starosta* of Czchowa, delegate of the Thorn confederacy and of Felicjan Zaremba, delegate of the Słuck confederacy, both published as fly-sheets, Warsaw, 1767.

¹³⁷ See above, chapter I, pp. 19-20.

¹³⁸ Essen to Flemming, April 29, SLHA IVa, f. 403. On May 22, the primate, Władysław Łubiński was forced to grant the dissenters a similar audience.

¹³⁹ Wroughton to Conway, April 22, PRO/SP 88/94; Psarski to Stanisław August and to Ogrodzki, May 20. AGAD/ZP 84, pp. 134, 136-139.

worried Stanisław August demanded of Repnin if it was true that malcontents' confederacies were being arranged. The ambassador reluctantly confirmed this, but he assured the king that his position was safe; the confederacy was "essential for the Catholics to break the ice in the dissenter business". Poniatowski protested that such a confederacy was unnecessary, because, in view of the Empress' obvious determination, a confederated Sejm would be adequate to secure the required concessions. If the malcontents' confederacies went ahead, they could only be assumed to be directed against himself or legislation he had always supported. Repnin observed that the king's greatest concern was for the commissions and his powers of appointment. "I have made no promises to my partisans in this or in any other matter, for I do not wish your Majesty's personal humiliation . . ." he assured. "But I cannot win the confidence and trust of the malcontents except by permitting them these confederacies, because only thus will they feel that we, the Russians, are committed to them. Up to now, they continue to suspect me of some agreement with the Czartoryskis . . ." The king insisted that they must have been encouraged with some assurances. Repnin was forced to admit that he had held out hopes that the members of the commissions and the local *podkomorzy* would be elected by the *sejmiki*, a suggestion the king found repugnant. Repnin promised he would make no decision on this or on any other matter, "sans se concerter avec Votre Majesté". He went on to say that his court would guarantee the form of Poland's government by treaty. The dissenters' claims were to be satisfied and the majority vote ruled out permanently. The king angrily harked back to a promise which the ambassador had apparently made towards the end of the last Sejm, to restrict unanimity to military and tax matters, leaving the Poles a free hand in all other spheres, regardless of Wielhorski's law. Repnin agreed to introduce a definite distinction at the Sejm, whereby only the so-called *materiae status* (whose scope was not at this stage specified) would be subject to unanimity. When he expressed annoyance at the king's unswerving hostility to the confederacies, the latter complained that, unless his friends acceded to the confederacies, they would be excluded from the Sejm, or, even if they acceded, they would never be returned as deputies. "Then let Your Majesty give me a list of all those whom you wish to see elected and I guarantee, they will be returned to a man . . ." No-one would be forced to join the confederacy, nor would reprisals be taken against non-confederates. Besides, the acts of confederacy would be so framed that "even the most faithful of Your Majesty's subjects will be able to accede". Stanisław August vainly endeavoured to persuade Repnin to announce merely the formation of two General

Confederacies (for the Crown and Lithuania respectively), on the Thorn-Słuck model, without convening local ones. He could only persuade him to allow Ogiński to retain the palatinate of Wilno (which the Russians intended to do, anyway) and to leave Radziwiłł's artillery at the disposition of the Commonwealth's army, which had taken it over at the prince's expulsion. Repnin agreed to show the king a copy of the proposed act of confederacy and reiterated his promise to consult him before making any political changes: ". . . I will in no way be obliged to the malcontents and I shall remain their absolute master". He re-emphasized that his court could never tolerate the full, permanent restoration of plurality, but, if the need arose, there was no reason why such a confederacy should not be extended throughout his reign.¹⁴⁰ To win the king's co-operation, Repnin was tempting him with the bait of the *de facto* satisfaction of his political ambitions—maintenance of plurality through a confederacy—just as he was tempting the malcontents with illusory hopes of Poniatowski's dethronement and a relaxation of his courts's demands on the dissenters.

The contents of the conversation were communicated, with Repnin's knowledge, to the king's closest advisers: Xavier Branicki, Andrew Zamoyski and Jan Borch (1715-1780), palatine of Livonia, but not to the Czartoryskis, from whom the king promised to keep the affair secret. The king wrote to Psarski in Moscow, to try to dissuade the Empress from embarking on the confederacies, but the appeal had no effect.¹⁴¹ The king and his circle discussed what to do, if they were unable to persuade Repnin to moderate the text of the act of confederacy. In that case, they decided, they would try to infiltrate their own supporters into the confederacies, even as marshals "to maintain our primacy in the country".¹⁴²

On May 5, Repnin showed Stanisław August a draft of the act of confederacy. At this stage, of the malcontents, only Podoski, who had helped draw up the act as early as March,¹⁴³ seems to have been privy to the document. How far, if at all, the king succeeded in influencing the final wording of the act, is impossible to say. Only the king's observations survive, not the text as shown him by the ambassador. The king wanted the more outspoken criticism of the

¹⁴⁰ The account is based on minutes of royal conferences, B. Cz. 653, pp. 574-584 and is largely reproduced in Poniatowski, *Mémoires*, pp. 470-476. See also Solov'ev, vol. XXVII, p. 475.

¹⁴¹ See B. Cz. 798, ff. 668-672, remarks written in the king's hand. Psarski to Stanisław August, May 20, AGAD/ZP 84, pp. 134-136.

¹⁴² B. Cz. 798, f. 668.

¹⁴³ Essen to Flemming, March 21, SLHA 3562 IVa, f. 277; Radziwiński to Seyffert, July 22, BP. 69, p. 159.

reforms dropped and replaced by a declaration of intent to “perfectionner” the commissions at the extraordinary Sejm. In this, he may have succeeded, as the final text speaks only of the need to reform the commissions’ supposed abuses. The clause on the restoration of Karol Radziwiłł may have been recouched in more moderate language. Certainly, the malcontents were later to charge the king with having approved and corrected the act,¹⁴⁴ but he was unlikely to have influenced the drafting to any significant extent. On May 5, Replin reaffirmed his promises more strongly than ever: “Au bout du compte, tout cela n’est qu’un jeu. Il me faut induire les mécontents par les appos [sic] qui peuvent contester leur sottise ou leur méchanceté . . . Ce n’est que la fin de l’oeuvre qui sera décisive. Moins vous chicanerez sur les mots à présent, pour ne pas vous faire de mauvaises querelles à ma Cour, et plus vous gagnerez dans les choses essentielles à la fin avec Nous. Je répète, qu’à la Diette, je ne ferai pas un pas, je ne mettrai rien en avant, sans en être préalablement convenu avec Votre Majesté, j’en donne ma parole”. These conversations “furent la clef de toute la conduite du Roi pendant cette année”.¹⁴⁵

Replin was being less than honest in his assurances. He egged on the malcontents, not just by hints of constitutional change, but of Stanisław August’s deposition.¹⁴⁶ As he had explained, it was necessary to exploit their malice and stupidity to harness them to his aims. It was not until May 9 that Republican leaders began arriving in Warsaw. Between May 10 and 13, Replin held a series of conferences with, among others, Mniszech, F. S. Potocki, Wielhorski, bishop Adam Krasiński and Andrew Mokronowski. The final details of the Crown Confederacy were hastily forged (by contrast, the details of the Lithuanian Confederacy had long been settled. Brzostowski was ready to form his local confederacies on May 15, but was asked by Replin to delay until 22nd, so that the news would reach Warsaw just as the plenary council of the Senate met.¹⁴⁷ The delay in arranging the Crown confederacies must have been a consideration of at least equal importance). The chief obstacle Replin encountered was not so much reluctance, as the mutual jealousy of the malcontents. Each wanted a major role at the expense of the others. The ambassador cut short their squabbles by announcing

¹⁴⁴ *ibid.*, p. 161.

¹⁴⁵ B. Cz. 698, ff. 669-670. For the king’s glosses on the text Replin gave him, see *ibid.* ff. 671-672.

¹⁴⁶ Essen to Flemming, May 16, SLHA 3562 IVa, ff. 475-477; Radziwiński to Seyffert, May 13, BP. 69, pp. 131-133.

¹⁴⁷ *ibidem*; Stanisław Brzostowski to Radziwiłł, May 19, AGAD/ARV 31/1516.

that he alone and no-one else, would give orders.¹⁴⁸ From amongst themselves, they offered three contenders for the general-marshalcy: Czacki, Wielhorski and Mokronowski. Unable to decide, they fell in the more readily with Repnin's demand to give the place to Radziwiłł, whom he preferred as the most likely to be totally dependent on Russia (Radziwiłł himself would have liked the post to go to the *krajczy*, Joseph Potocki).¹⁴⁹ In his report to Panin, Repnin claimed that he had finally put an end to the malcontents' hopes of deposing the king,¹⁵⁰ but in fact, when the discussions ended, they were more than ever convinced that Stanisław August was done for. In a memorandum dated May 17, composed for Maria Antonia, electress-dowager of Saxony, prince Xavier and prince Charles of Courland, Wessel and Krasiński declared outright that Catherine wished to depose the king and that Repnin had been given the necessary orders. The dethronement would supposedly take place after the Confederacy had sent an embassy to Moscow. The Empress, they claimed, had not yet decided on a successor, but they suggested that Xavier could facilitate his candidature by marrying an English princess, an action which would also please Prussia. On May 23, Essen forwarded to Dresden a French version of the 'Minuta Gravaminów' which had been discussed in February, with the news that a moderate version of this had recently been despatched to Moscow; it was to be followed by a similar document from the assembled General Confederacy.¹⁵¹

It is hard to appreciate the stupidity and ignorance of those responsible. Princes Albert, Charles, Xavier and the elector himself, Frederick August, still a minor, were all possible contenders and rivals for the Polish throne. Wessel and Krasiński then let Charles and the elector's formidable mother know of their personal preference for the prince administrator, Xavier (though it is uncertain whether they were speaking for themselves or on behalf of all the malcontents). Frederick II loathed the English ever since they had abandoned him during the Seven Years' War. He was resolutely opposed to Saxon rule in Poland. Nothing could have pleased him less than a marriage between an English princess and a future Wettin king of Poland.

They had based their hopes on hints and allusions thrown out by

¹⁴⁸ Solov'ev, vol. XXVII, pp. 474-475.

¹⁴⁹ *ibid.* p. 475. Radziwiłł to Aloy, Dresden, April 23, *Korespondencja*, no. LI; Gérard to Choiseul, May 16, *AE. Pol.* 289, ff. 342-344; Betański to Gérard, Białystok, May 22, *ibid.* f. 349; Jakubowski to Choiseul, Białystok, May 25, *ibid.* f. 354.

¹⁵⁰ Repnin to Panin (n.d.), Solov'ev, vol. XXVII, p. 475.

¹⁵¹ Essen to Flemming, May 23, *ibid.* ff. 506-507, 510-513.

Repinin, which they believed because they wished to believe them. Flemming told Essen that the move was premature, its authors of little account; that they had committed a blunder in not addressing themselves to Xavier alone; that their hopes for a dethronement were unfounded and that by insisting on it, they would alienate Russia and permanently scuttle Saxony's chances. Essen was to restrain his own enthusiasm and that of his friends, who should even stop referring to themselves as the Saxon party. Until Russia herself decided to remove Poniatowski, Saxony would adopt an essentially passive attitude.¹⁵²

As the May conferences inflated the malcontents' hopes, so they set the seal on the establishment of their confederacy. They agreed to accept the act of General Confederacy, the separate act for the local confederacies and the proclamations which their marshals were to issue to arouse *szlachta* support. As Repnin had assured the king, the terms of the General and local acts were sufficiently broad to permit royalists to adhere. The interpretation of neither act was at all clear. Both condemned the post-1763 innovations. The 'Family' was attacked, albeit not by name, for planning to introduce despotism under the cover of artificially created religious agitation. Karol Radziwiłł was instanced as "an unhappy example, but daily threatening us all". The benevolent and disinterested intervention of the Russian Empress, which found concrete expression in her declaration and Panin's letter, presented an opportunity of national salvation. The dissenters were included among those whom Catherine intended to succour. The general act made this point especially strongly, acknowledging the legality of the Thorn and Słuck confederacies and making great play of the threat to *szlachta* equality inherent in religious discrimination. As a sop to Catholic sentiment, both acts stressed that no harm was intended to the Catholic faith or clergy. The efforts to restore the pristine integrity of the constitution were to be crowned by an extraordinary Sejm "under the protection and guarantee of Her Imperial Majesty, which we urgently beseech". Both acts contained a clause strongly affirming the confederates' loyalty to the king, indeed, expressing the hope that he would second their patriotic intentions.¹⁵³

The *szlachta* were expected to put their signatures to the acts of confederacy. The instruments of persuasion were to include separate proclamations, to be issued by the local marshals and the

¹⁵² Flemming to Essen, May 30, *ibid.* ff. 555-557.

¹⁵³ For the text of the act of General Confederacy, see appendix I; master texts of the act of local confederacy and of the local proclamation, B. Cz. 834, pp. 67-68, 69-70.

marshals of the General Confederacies of the Crown and Lithuania, respectively. Both proclamations studiously avoided all reference to the dissenters, concentrating instead on the constitutional issues. "Some of our citizens" were castigated in the local proclamation for intending "to abolish the *liberum veto*, the quintessence of our liberty", a charge repeated in the general proclamation. The acts, as opposed to the proclamations of confederacy, were, however, so framed as not to make any definite undertakings concerning constitutional issues. Neither act mentioned the veto by name. For all its strictures, the local act did not explicitly refer to the commissions. The general act confined itself to demanding the reform of all the "*vitia* and *abusus* introduced by the army and treasury commissions", without going so far as to seek their dissolution. What the right hand of the proclamations hinted at to the malcontents' hoped-for supporters, the left hand of the acts kept tantalisingly out of reach.

At the conferences of May 10-13, the tasks of forming the local confederacies were parcelled out, on the basis of local influence. Thus, the Potockis were to confederate the south-east, Mniszech Wielkopolska (for a detailed breakdown, see appendix II). Repnin hoped they would be ready by May 25.¹⁵⁴ The acts and proclamations of the local confederacies were to be promulgated without departing from the agreed texts. The act was to be registered in the *grody*, so that all who wished might sign. Russian troops would remain at hand to lend assistance, where necessary. As soon as each local confederacy was formed, Repnin was to be notified, through Podoski. The marshals and their subalterns, the councillors, were to assemble at Radom by June 25 (originally, June 18) for the election of the marshal-general.¹⁵⁵ In order to qualify Radziwiłł for this position in the Crown, *hetman* Branicki agreed to secure his return as marshal of the confederacy of his pocket palatinate of Podlasie, but, beyond promising a simple accession to the Confederacy, he refused to co-operate more actively.¹⁵⁶

The course of the General Confederacy was roughly mapped out. The senators, ministers and primate would be invited to accede. A notificatory delegation would assure the king "du respect, soumission et fidélité qui lui sont dus." The marshal-general would request the Empress' guarantee and the ambassador's protection. The Confederacy would formally invite the grand *hetman* and grand treasurer to accede and to administer a new oath to their respective

¹⁵⁴ Essen to Flemming, May 16, SLHA 3562 IVa, f. 469.

¹⁵⁵ 'Informacja' accompanying the master-texts of the act of local confederacy and proclamation, B. Cz. 834, pp. 71, 67-68, 69-70.

¹⁵⁶ Betański to Gérard, Białystok, May 22, AE. Pol. 289, ff. 347-348.

commissions. Courts of law would continue to function normally (confederacies customarily assumed their judicial functions themselves), on the understanding that the Confederacy would retain supervisory rights. When the General Confederacies of the Crown and Lithuania united, they were to appoint an embassy to Catherine II, to thank her for her assistance, request her guarantee and present the nation's grievances. Finally, the Confederacy would invite the dissenters to negotiate the restoration of their former rights.

In everything, the final say rested with Replin. No changes were permissible in the texts he authorised. The Confederacy could intervene in the administration of justice only with his consent. Although the general act spoke of the restoration of the oppressed, nothing could be done towards this without prior consultation with the ambassador. "Il est recommandé généralement, avec les instances es plus sérieuses, de ne faire aucun pas quelconque par cette Confédération, sans la participation & le consentement du Prince Ambassadeur."¹⁵⁷

The malcontents had placed themselves in the same position as Karol Radziwiłł: they had committed themselves to be the instruments of a foreign power which they mistrusted, without securing any reciprocal guarantees. Part of the explanation of their conduct lay, as has been seen, in their ability to convince themselves that Russia ultimately intended Poniatowski's deposition, even though the schedule and documents associated with the Confederacy gave every indication to the contrary. Time, they felt, was running out for them. The possibility of lasting domination by their rivals was a source of real concern to the Republicans. F. S. Potocki, claiming that the Czartoryskis had filed 150 civil suits against the *krajczy*, Joseph Potocki, alone, was afraid they would use the courts to break his family in the same way they had broken Radziwiłł.¹⁵⁸ The malcontents were confident that even if Replin stood in their way, their aims would be attained once they sent an embassy to Moscow.¹⁵⁹ Nor was the ambassador above the judicious application of blackmail. He told Joseph Ossoliński that if he co-operated, he could be sure of the Empress' protection; but, if not, he could be "sur d'être entre deux chaises, et qu'il ne pouvait pas me répondre de l'avenir pour moi."¹⁶⁰ The confederates later complained that they

¹⁵⁷ 'Marche de la Confédération Générale de la Couronne' (n.d.) B. Cz. 3862, no. 111. Similar, but separate, arrangements must have been made for Lithuania.

¹⁵⁸ Essen to Flemming, May 16, SLHA 3562 IVa, f. 473.

¹⁵⁹ Gérard to Choiseul, May 16, A.E. Pol. 289, f. 343.

¹⁶⁰ Joseph Ossoliński to his parents, Samborzec, May 29, B. Oss. 2651.

had gone ahead because Repnin had threatened to show the king the names of those who had signed their recent letter to Moscow, in favour of his dethronement,¹⁶¹ but this may have been done out of sheer spite after it had become obvious, even to the malcontents, that they would not be given a free hand. According to Radzimiński, one of Repnin's most fervid, if not better-informed apologists, the ambassador showed the malcontents a different text of the version of the clause relating to the dissenters in the act of General Confederacy, from that actually presented to them at Radom.¹⁶² Whatever the truth, the malcontents hoped that, once their Confederacy had been formed, they would be able to exert enough pressure on Repnin to yield to their demands.¹⁶³ In the final analysis, they confederated for two reasons: because they had no choice, for Repnin was determined to pursue his plans regardless of their attitude and because they were shortsighted enough to want to believe his assurances.¹⁶⁴

The plenary council of the Senate met from May 25 to 27. Of over 140 senators and ministers, only 40 took part, mainly royalists or 'Family' partisans.¹⁶⁵ As they debated, the news of malcontent confederacies poured in from all sides, only to be resolutely ignored. Discussions were confined predominantly to the dissenters and the council broke up after deciding to summon an extraordinary Sejm — specifically to settle the issue of the dissenters, not the malcontents — for October 5.¹⁶⁶

As Russian activity in Poland intensified in the course of 1767, it became increasingly obvious that the Empress wanted an exclusive stake in the Commonwealth. St. Saphorin, Wroughton and even Benoit were little more than spectators of Repnin's actions.¹⁶⁷ The ambassador's closest contact in the diplomatic corps was Essen, a mere errand boy for summoning and reassuring malcontents, a man whose indiscreet enthusiasm for Stanisław August's dethronement provoked his own court's apprehensions. The Russians appreciated Saxony's role, but they were not prepared to be as generous

¹⁶¹ S. L. Geret, Promemoria to the Evangelical Council of Thorn, Warsaw, Aug. 8, in *Neue Preussische Provinzial Blätter*, vol. XI (Königsberg 1866), pp. 82-84. Geret was Thorn's official resident in Warsaw.

¹⁶² Radzimiński to Seyffert, July 22, BP. 69, p. 159.

¹⁶³ Essen to Flemming, May 16, 30, June 3 SLHA 3562 IVa, ff 475, 543, 562.

¹⁶⁴ Flemming to Essen, May 23, *ibid.* ff. 517-518.

¹⁶⁵ Gérard to Choiseul, May 23, 30, A.E. Pol. 289, ff. 352, 357.

¹⁶⁶ B. Cz. 867, pp. 76-77. Wł. Konopczyński, *Geneza i Ustanowienie Rady Nieustającej* (Cracow 1917), p. 367.

¹⁶⁷ Benoit to Frederick II, May 27, DZA 9/27-179, f. 80.

in their gratitude as Dresden hoped in its more optimistic moments. "The Saxon court," wrote Panin to Repnin, in July, ". . . has been of real help in bringing its friends over to us." But, in return, the Russian court would restrict itself to securing appanages for princes Xavier and Charles and even that would be dependent on a satisfactory dissenter settlement.¹⁶⁸

Frederick II's direct interest in Poland was on an altogether less grandiose plane than Russia's. His fears of reformist tendencies were as strong as ever. Suspicious of the Warsaw court's efforts to lend a favourable interpretation to Wielhorski's law on the *liberum veto* or to raise loans abroad, he urged his ministers to sow mistrust between Panin and the reformers.¹⁶⁹ When the city of Danzig issued a decree forbidding Prussian recruitment on its territories, Frederick furiously ordered Benoit to persuade Repnin to secure the decree's withdrawal.¹⁷⁰ This, he admitted, "me touche plus que tout le reste".¹⁷¹ Even the economic consequences of a restoration of the dissenters' rights no longer perturbed him, for he reasoned that the situation would relapse as soon as Russian troops left Poland.¹⁷²

Above all, Frederick was worried by the possible international repercussions of Russian intervention — war with Austria. He was not ready for war. He needed at least two years of peace to recover from the last one.¹⁷³ The Austrians were equally opposed to war, but felt that if the Russians went too far, there could be no alternative. During the winter of 1766-67, they began concentrating troops in Bohemia and Moravia.¹⁷⁴ When the pace of their military build-up showed no sign of slackening, Frederick became seriously alarmed. He saw a link between these concentrations and the return of Andrew Poniatowski to Vienna, in December, 1766 and foresaw that he might find himself caught in a conflict between Austria and Russia.¹⁷⁵ To safeguard himself, he proposed a new secret convention "dans laquelle nous pouvons régler

¹⁶⁸ Panin to Repnin, June 26/July 7, Sb. vol. 67, no. 1541.

¹⁶⁹ Benoit to Frederick II, Jan. 10, DZA 9/27-179, f. 9; rescript to Benoit, Jan. 19/20, *ibid.* f. 22; Benoit to Frederick II, Jan 28, PC. XXVI 16 479 n., Frederick II to Benoit, Feb. 4, *ibid.* 16 479 and to Solms, Feb 12, *ibid.* 16 493.

¹⁷⁰ Frederick II to Benoit, April 29, May 20, June 24, *ibid.* 16 628, 16 661, 16 701; to Hertzberg and Finkenstein, June 24, 28, *ibid.* 16 702, 16 706.

¹⁷¹ Frederick II to Benoit, July 1, *ibid.* 16 710.

¹⁷² Frederick II to Benoit, Feb. 4, *ibid.* 16 479.

¹⁷³ Frederick II to prince Henry of Prussia, March 26, *ibid.* 16 566.

¹⁷⁴ A. von Arneth, *Geschichte Marias Theresias*, vol. VIII (Vienna 1877), p. 128; A. H. Loebel, 'Oesterreich und Preussen, 1766-1768,' *Archiv für österreichische Geschichte*, vol. 92 (1903), pp. 417-418.

¹⁷⁵ Frederick II to von Rohde, in Vienna, Jan. 25, PC. XXVI 16 462.

les choses entre nous relativement . . . à la guerre qui me paraît inévitable, et aux dédommagements que je suis en droit de prétendre pour les dépenses et les risques que j'aurais à courir." He suggested that the Austrian Ambassador to Russia, prince Lobkowitz, may have persuaded his court that the Russians would bow to a show of strength. Against this eventuality, he advised them to concentrate 60,000 troops near the Hungarian border. The most likely possibility, against which Catherine had to be particularly on her guard, was of a palace revolution which the Austrians might hope to engineer in St. Petersburg.¹⁷⁶

The Russians received the proposal of a convention warmly. The extent of Austrian concentrations surprised them and they shared Frederick's views as to the possible consequences. Panin thought Fredericks' proposal of compensation for himself reasonable, unlikely to furnish any difficulty "fût-il même en augmentation du Pays." On February 19, Frederick sent a draft of the proposed convention to Solms, who was given plenipotentiary powers to conclude it. The negotiations were to be kept secret.¹⁷⁷

Frederick's real attitude continued to be the object of much suspicions in the courts of Europe, but, throughout January and most of February, he managed to lull the Austrians, for all their preparations, into a sense of security.¹⁷⁸ On February 10, he was able to write to his brother, prince Henry (1726-1802), that Austrian military activity seemed to be dying down. Still, everything depended on the entry of Russian troops.¹⁷⁹ Already, on the following day, he wrote to von Rohde, his envoy in Vienna, that if Maria Theresa was counting on Russian moderation, "les choses parviendront à une rupture, et c'est proprement ce que je crains qu'il arrivera."¹⁸⁰ In turn, the Austrians, alarmed by news that Frederick had ordered remounts for his cavalry, began to intensify their preparations even more.¹⁸¹

Frederick was particularly worried that the Austrian and Polish courts might have already reached some kind of agreement, but, on March 11, Benoit reported that a courier from Vienna had brought news that the Poles could count on no help from the Austrians.¹⁸²

¹⁷⁶ Frederick II to Solms, Jan. 26, *ibid.* 16 464.

¹⁷⁷ Solms to Frederick II, Feb. 6, *ibid.* 16 506n. Frederick II to Solms, Feb. 19, *ibid.* 16 506.

¹⁷⁸ Stormont to Conway, Jan. 10, Feb. 25, PRO/SP 80/204.

¹⁷⁹ PC. XXVI 16 487.

¹⁸⁰ *ibid.* 16 490.

¹⁸¹ Frederick II to prince Henry, March 9, *ibid.* 16 534.

¹⁸² Frederick II to von Rohde, Jan. 28, *ibid.* 16 467; to Benoit and to von Rohde, both March 18, *ibid.* 16 550, 16 551.

Frederick was able to relax, for the time being. On April 4, Lord Stormont reported to Conway that the Russian declaration accompanying their troop entries into Poland had done much to reassure Turkey and Austria. Fears arising from Frederick's military preparations were also subsiding.¹⁸³ On April 8, Frederick was further reassured by news that Catholic confederacies would soon be established — he felt this would help contain the *szlachta's* feelings against the dissenters.¹⁸⁴

On April 23, the 'Convention secrète concernant les Dissidents' was signed in Moscow. Part of its provisions had already been overtaken by events. Frederick would support Catherine's efforts on behalf of the dissenters only by a ministerial declaration, to avoid upsetting the Catholic powers, in particular Austria (article 1). Benoit had, of course, delivered this declaration almost a month previously. Frederick would only send troops into Poland, or give financial assistance, if Austria or Turkey intervened militarily (articles 2 and 4). If Austria's allies became involved, Catherine would give Frederick full armed assistance. She also undertook to procure him "un dédommagement convenable pour les frais immenses de cette guerre, sur lequel les deux parties contractantes pourront se concerter en temps et lieu" (article 3).¹⁸⁵

The atmosphere was too tense for suspicion to die away altogether. The Austrians remained quiet when the Russian troops entered Poland, but, on April 2, Frederick confided to Solms his fear that Joseph II was preparing to answer an appeal for help from the Poles.¹⁸⁶ The Austrians, he was sure, suspected an agreement between himself and Catherine to partition Poland.¹⁸⁷ News of the incident at Kalisz between the Russians and the Poles seriously upset him.¹⁸⁸ A report from von Rohde that Austria was pulling back four divisions from Italy fanned his misgivings. On May 18, he warned Solms "la moindre circonstance pourrait occasionner un grand incendie."¹⁸⁹

Then, tension relaxed. In reply to an Austrian request for subsidies for a Polish war, Versailles would agree, only if Austria her-

¹⁸³ PRO/SP. 80/204.

¹⁸⁴ Frederick II to von Rohde, April 8, PC. XXVI 16 600.

¹⁸⁵ Text in *Recueil des Traités et Conventions conclus par la Russie avec les Puissances étrangères*, ed. F. Martens, vol. VI (St. Petersburg 1883), pp. 37-48.

¹⁸⁶ PC XXVI 16 613.

¹⁸⁷ Frederick II to von Rohde, April 26, *ibid.* 16 622.

¹⁸⁸ Benoit's report, April 29, *ibid.* 16 638n. and Frederick's reply, *ibid.* 16 638.

¹⁸⁹ von Rohde to Frederick II, May 2, *ibid.* 16 643n., Frederick to von Rohde, May 10, *ibid.* 16 643; Frederick II to Solms, May 18, *ibid.* 16 656.

self were attacked.¹⁹⁰ Maria Theresa categorically assured von Rohde she had no intention of intervening in Poland “depuis qu’on a rétabli le *liberum veto* . . . au maintien duquel je suis intéressée aussi bien que les autres voisins, je ne me mêlerai pas dans [l’affaire] des Dissidents . . .”¹⁹¹ Frederick’s fears abated, though Russian conduct during the Sejm was to revive them.

Where Frederick feared war with Austria, Russia feared it with Turkey. The Russians were fortunate. Neither the Sultan, Mustafa III, nor his ministers wanted war. Musin Zade, Grand Vizier from March, 1765, to August, 1768, was anxious for any pretext to avoid hostilities — his predecessor, Mustafa Bahir, had been dismissed for favouring a more aggressive posture. Divan politics were notoriously unstable and the Russians were particularly worried by the activities of the French ambassador, Charles Gravier Vergennes. Obreskov, the Russian resident, was given ample funds to counter French intrigues, a task much facilitated by the Porte’s opposition to any reform in Poland. The Russians were “so solicitous of keeping up a good correspondence, that everything relative to the affairs of Poland has been regularly communicated to the Grand Vizier.”¹⁹² On March 21/April 1, Panin sent Obreskov a copy of the Czartoryskis’ rejection of Russian offers of co-operation, plus several copies of the Imperial declaration and his open letter, to show the Turks. Russia, he was to explain, was bound by her treaty obligations to embark on her actions in Poland and to protect a Catholic confederacy which wished to annul the post-1763 innovations.¹⁹³ To allay Turkish suspicions further, Russian troops in Małopolska were forbidden to approach to within twenty-five miles of the Turkish frontier with Poland. By these means, Russia achieved the desired effect. The Porte remained deaf to later Polish appeals for help until October, 1768.¹⁹⁴

Of the other courts of Europe, only the Vatican showed serious concern for events in Poland. The nuncio, Visconti, was a moderate man who sympathized with Stanisław August’s position. Although he spoke out at the 1766 Sejm against concessions to the dissenters, he made no effort to intensify the clerical agitation of Sołtyk, Masalski or Krasiński.¹⁹⁵ During 1767, he admitted the need for compromise. In accordance with Stanisław August’s wishes, he urged

¹⁹⁰ Frederick II to Solms, May 21, *ibid.* 16 662.

¹⁹¹ von Rohde to Frederick II, May 23, June 21, *ibid.* 16 672n., 16 697.

¹⁹² Macartney to Mitchell, March 10, BL. Add. Mss. 6826.

¹⁹³ Sb. vol. 67, no. 1521.

¹⁹⁴ Wł. Konopczyński, *Polska a Turcja, 1683-1792*, (Warsaw 1936), pp. 193-195.

¹⁹⁵ Essen to Flemming, Aug. 16, 1766. SLHA 3561 IIIb, ff. 92-101.

the bishops to adopt a conciliatory attitude towards the dissenters.¹⁹⁶ To his superiors, he stressed the helplessness of the Poles in the face of Russian demands.¹⁹⁷ To stem the tide, on April 18, Clement XIII issued letters to the king and to the primate, Łubieński, urging resistance to the dissenters' pretensions.¹⁹⁸ At the end of the month, he launched an appeal to the Catholic rulers of Europe to defend the faith in Poland.¹⁹⁹ His entreaties fell on deaf ears. Maria Theresa told von Rohde that she had no intention of taking any action and that the Pope's wishes were irrelevant. "Nous ne sommes plus dans le temps où les ordres du Vatican sauraient ébranler les puissances," observed Frederick.²⁰⁰

In Poland, Visconti's tour of duty was coming to an end. At Stanisław August's request, the Vatican agreed to appoint Mgr. Angelo Maria Durini his successor — the king hoped he would share Visconti's restraint.²⁰¹

CHAPTER V

THE *SZLACHTA* AND THE MALCONTENT CONFEDERACIES

Contemporary observers had little doubt of the immense popularity of the malcontents' undertaking. On June 3, 1767, Essen estimated that 80,000 *szlachta* had already acceded to the local confederacies. He attributed "ce prodige" to "la haine générale contre le Roi et la Famille." In Lithuania, he claimed accessions were on such a scale that no more were wanted.¹ Frederick II was delighted. He, too, ascribed the rapid progress of the confederacies to widespread discontent with Stanisław August's policies.² J. Kl. Branicki's

¹⁹⁶ Benoit to Frederick II, April 22, DZA 9/27-179, f. 63; Wroughton to Conway, April 29, PRO/SP. 88/94.

¹⁹⁷ Visconti to Torrigiani, April 1, 8, 18. Theiner, pp. 209-211.

¹⁹⁸ *ibid.* pp. 158-159.

¹⁹⁹ Letters to Louis XV, Maria Theresa, Joseph II and Charles III of Spain, dated April 29, 30, *ibid.* pp. 160-161.

²⁰⁰ von Rohde to Frederick II, May 23, PC XXVI 16 672; rescript to Benoit, May 30, DZA 9/27-179, f. 77.

²⁰¹ M. Loret, 'Rzym a Polska w początku panowania Stanisława Augusta,' *Przegląd Współczesny*, no. 68 (1927), pp. 509-515.

¹ Essen to Flemming, June 3, 16. SLHA 3562 IVa, ff. 560-562, 591-600.

² Rescript to Benoit, June 7/9, DZA 9/27-179, f.84.

secretary, Betański, claimed the confederacies were an easy success even in districts which were supposedly Czarotorski strongholds and that the presence of Russian troops was nowhere necessary.³ Modern historians have endorsed these views. In the picturesque words of Władysław Konopczyński, “the *szlachta* were possessed, like a flock of maddened sheep: the slogan of Catholicism and the cry of the defence of liberty, the certainty of Russian support summoned some 74,000 persons to accede [to the confederacies] . . .” “The Confederacy (of Radom) was popular among the misguided *szlachta*, excited by propaganda against Warsaw’s innovations and by religious slogans,” writes Professor Emanuel Rostworowski. Most recently, J. K. Hoensch affirms “. . . gelang es Repnin mit Unterstützung der russischen Truppen, anfangs die Gegner des Königs, bald die überwiegende Mehrheit der Szlachta zum Beitritt zu der am 23 Juni 1767 proklamierten Konföderation von Radom zu bewegen.”⁴ Yet neither the king nor the Czarotorskis had worked in a vacuum. The *sejmiki* which preceded the Coronation Sejm had wholeheartedly approved the reforms of the Convocation. Only a sprinkling of deputies had actively supported Wielhorski’s restoration of the *liberum veto*. Early in 1767, Stanisław August complained bitterly to Benoit that his own nation hated him “de ce qu’il n’avait rien pu faire pour la tirer de son état d’avilissement et pour mettre la Pologne au niveau des autres puissances.”⁵ Republicans and reformers alike felt that their undertakings could count on more or less extensive *szlachta* support.

The penetration of the opinions and prejudices of the *szlachta* masses is a difficult and unsatisfactory task. Their voices are rarely heard directly. Nevertheless, a mass of propaganda tracts, pamphlets, open letters and, for the years 1764 to 1767, *sejmiki* instructions survives, which at least permits us to see the kind of stimuli to which the *szlachta* responded.⁶ In preparation for the 1766 *sejmiki*, the Republicans took their stand mainly on the issue of religious change. Until the Sejm itself, the problem of the restoration of the veto remained secondary. Religion was an issue on which they could

³ Betański to Gérard, Białystok, late May, AE. Pol. 289, f.363.

⁴ Quotations, in order, from: Wł. Konopczyński, *Dzieje Polski Nowożytniej*; vol. II (London 1959), p. 300; E. Rostworowski, *Ostatni Król Rzeczypospolitej* (Warsaw 1966), p. 54; J. K. Hoensch, *Sozialverfassung und politische Reform — Polen im vorrevolutionären Zeitalter* (Cologne — Vienna 1973), p. 207.

⁵ Benoit to Frederick II, Jan. 21, DZA 9/27-179, f.17.

⁶ For the sources of the instructions and other important acts issued by the *sejmiki*, the reader is referred to appendix III. Some of the themes treated in this chapter, particularly in relation to popular propaganda, will be further developed in chapter VIII.

carry the whole political nation. For their part, the Russians could not have chosen a worse means of trying to establish their influence within the Commonwealth.

It is facile to accuse the *szlachta* of bigotry or religious fanaticism. Certainly, they were important, but, when the Russians sought to persuade the Poles of the need to distinguish between the religious and temporal aspects of the restoration of the dissenters' rights, they were undertaking an impossibility. We may leave aside the consideration that, before the French Revolution, there was not a government in Europe which would even contemplate granting religious minorities statutory rights on the scale proposed in Poland. In Poland, the fabric of Catholicism and the state was so intimately intertwined that it was impossible to make any distinction. The Commonwealth was a secular theocracy, in which any attack on the dominant religion was an attack on the state as a whole.

For the *szlachta*, the Catholic faith and their peculiar brand of liberty were inseparable. In his letter to the Cracow *sejmik*, in August, 1766, bishop Sołtyk reminded his listeners "that our kings received . . . their crown with the Catholic faith, with the Catholic faith were our frontiers enlarged and new provinces added, we gained famous victories, prestige among nations and, finally, our golden liberty and all our freedoms".⁷ "The maintenance of the Holy Catholic Faith," ran the instruction of the *sejmik* of Dobrzyń, for that year, "is the aim of our happiness and it is the duty of each one of us to defend its security." For the county of Ciechanów, in Masovia, Catholicism was "the most powerful stronghold of the Polish nation for the maintenance of its laws and liberties." Kiev, Sieradz and Cracow agreed it was "a fortress of liberty and law." Not a single instruction in 1764 or 1766 advocated any major modifications in the dissenter laws. The Catholic faith was the common link between Poles of all political complexions. No-one could or would openly advocate any restraints on, or changes in, its position. Any political movement appealed axiomatically to the authority of the Catholic faith. The Czartoryskis' General Confederacy of 1764-1766 was formed as a matter of course in defence of "all the statutes of the orthodox Roman Catholic Church."⁸ Their local confederacies and the short-lived counter-confederacies of their opponents were likewise formed ostensibly to safeguard the rights of Catholicism.

In a state normally 'governed' (for want of a better word) in accordance with the unanimity principle, the introduction of the

⁷ Sołtyk to the Cracow *sejmik*, Aug. 15, 1766, PAU 314, f.41.

⁸ Vol. Leg. VII, p.7.

dissenters into the legislature was seen as an inevitably disruptive factor. Catholic propagandists dwelt at length on the turmoil caused, not just in Poland, by the accordance of political parity to religious minorities. Rome, Sweden, Hungary and Norway were held up as examples of states falling into slavery through the introduction of different faiths. For the same reasons, France, England and Poland herself had been afflicted by great internal discord, on occasion. If even strong, absolutist states experienced disastrous religious turmoil, “what perils may not free nations expect, whose happiness depends on the efficaciousness of unanimity? Nothing divides hearts and minds more than differing faiths. Faith is the inspiration of all thought and action and demands its propagation from its practitioners. Hence the spread of differences, hatreds, discord, public quarrels, civil wars and confusion, culminating in the collapse of a nation or the exchange of freedom for slavery.”⁹ In Poland’s wars with Charles X and Charles XII of Sweden, the dissenters, openly co-operating with the aggressor, had shown themselves to be traitors. Before the Convocation Sejm assembled, the Płock *sejmik* argued that they should be accorded no new privileges, precisely because they were wont to appeal to foreign powers during interregna. This view was not without justification. Catherine and Panin did indeed see in the dissenters their own instruments of policy. The dissenters did directly invoke foreign intervention, over the head of the Sejm. “The dissenters,” fretted the anonymous author of a ‘Reply to the dissenters’ Petition at the 1766 Sejm’ (*Odpowiedź na Supplikę Panów Dyssydentów*), “end as they should have begun, by addressing their supposed complaints to the Commonwealth. Contrary to the law of nations, they have turned to foreign courts first, subjects appealing to a foreign master, traitors and rebels who should be tried and punished, who should be recognized *pro perduellibus*, seeking protection in foreign courts, contrary to the laws and dignities of the Commonwealth.” The polemicists did not consider that, in the paralyzed state of Poland’s government, the dissenters, if they were to achieve any results, had little alternative. Nor did the polemicists consider that, for Poles of all complexion, it was standard practice to appeal to foreign powers to attain their ends.

It was never the king’s intention to accord the dissenters full

⁹ ‘Reflexje nie pozwalające na wprowadzenie różności Wiar’. See also ‘Respons no Monitora kartę 53’, ‘List anonyrne pisany do jednego ex Collegio Episcopati’, ‘Uwagi przeciwko pretendowanej różności Wiar’ and ‘Odpowiedź na Supplikę Panów Dyssydentów’; all contemporary brochures, PAU 314.

political rights.¹⁰ He and his fellow-reformers saw them primarily as a vehicle for the improvement of the Polish economy. Contemporary cameralist and physiocratic theory, stressing the importance of population as a factor in economic activity, attached great weight to immigration. The Poles looked to Germany's large Protestant population for potential colonists.¹¹ Stanisław August tried to create a favourable climate for economic change, by linking it with religious toleration, in particular through the newly-established reformist press-organ, the *Monitor*. Between 1764 and 1767, it featured a series of articles on the need to introduce crafts and manufactures on a wide scale. These, it claimed, could flourish only in an atmosphere of religious toleration, for they required numerous Protestant immigrants. The *Monitor* denied that freedom of religion entailed any danger to the state. Such industry as already existed in Polish towns stemmed largely from the efforts of dissenters or German colonists. At present, the Commonwealth, though "exceptionally bounteously endowed by nature, cannot compare in prosperity with even the smallest country in Europe."¹²

These arguments were lost on the *szlachta*, whose economic notions were limited and tinged with xenophobia. The main economic concern of the *sejmiki* was the reform of the coinage, following Frederick II's massive debasements and forgeries during the Seven Years' War. Most *sejmiki* were parochial in outlook. They complained of the inadequacy of local road and river communications, of the lack of a uniform system of weights and measures.¹³ Almost without exception, the instructions of 1764 and 1766 demanded the enforcement of long-standing sumptuary laws, partly to prevent the outflow of specie, but partly also out of envy of the commoners, whose dress and life-style could be more opulent than that of the *szlachta*.¹⁴ Some *sejmiki* offered suggestions which were positively harmful. In 1766, that of Brześć Kujawski and Inowroc-

¹⁰ Stanisław August to Mme. Geoffrin, Dec. 22, 1764, *Correspondence inédite du Roy Stanislas — Auguste Poniatowski et de Madame Geoffrin, 1764-1777*, ed. C. de Mouy (Paris 1875), no. VIII.

¹¹ J. Michalski, 'Sprawa dysydencka a zagadnienie gospodarcze w opinii publicznej w pierwszych latach panowania Stanisława Augusta', *Przegląd Historyczny*, vol. 40 (1950), p. 157.

¹² Quoted *ibid.* p. 158. For the royalist arguments, see *ibid.* passim, pp. 156-163. See also R. Kaleta, M. Klimowicz, *Prekursorzy Oświecenia* (Wrocław 1953), pp. 145-147.

¹³ Convocation instructions of Chełm, Dobrzyń (Republicans), Płock, Łomża, Nur, Sandomierz; Coronation instructions of Chełm, Sandomierz; 1766 instructions of Cracow, Lublin, Ciechanów, Wizna, Wyszogród, Sandomierz, Volhynia and Wieluń.

¹⁴ See especially the 1766 instructions of Ciechanów, Płock, Ruthenia and Sieradz.

law wanted to ban fairs and markets on Sundays and Saints' days. The nobility of Halicz, Sieradz and Wieluń proposed to boost live-stock exports by the artificial creation of markets in frontier towns, not to export Polish produce directly or to encourage the growth of a native merchant class, but to attract foreign traders.¹⁵ The *szlachta's* attitude towards the towns, one of the key areas of proposed dissenter colonization, was indifferent or unhelpful. Of the forty three instructions examined for 1764-1766, only sixteen make more than passing reference to urban problems. Several *sejmiki* bewailed the dilapidated condition of the towns, but could suggest only ineffective remedies. The pre-Convocation *sejmik* of Sandomierz, expressing the hope that the new monarch would restore the towns, neglected to say how this might be done. The Ruthenian *szlachta* wanted the Convocation Sejm to appoint a commission to investigate the causes of the ruinous state of the town of Przemyśl, but their prime concern was not to revive industry or commerce, but to enable the town to pay its taxes. The *szlachta* could not, or would not, admit that one of the main causes of the urban decline was their own constant interference in the towns' administration and the proliferation of *szlachta*-owned town dwellings, exempt from the jurisdiction of the municipal authorities. To have done so would have been to accept voluntarily the necessity of a restriction of their own privileges. A few *sejmiki* proposed useless half-measures to alleviate the situation. In their Convocation instructions, the nobles of Chełm, Płock, Łeczyca and Sieradz recommended the abolition of the practice of giving free, *ex officio* lodgings to certain officials, particularly Tribunal judges. In 1766, Ciechanów and Ruthenia boldly affirmed that external interference in urban administration lay at the root of the general decline. But the Ruthenians made not the *szlachta*, but the Jews, responsible; Ciechanów made the Church its scapegoat. Though Ciechanów declared its support for urban manufactures, it was adamant that Jews should be excluded. The few instructions voicing concern for the economy as a whole remained content to draw attention to its plight, but offered no positive suggestions, beyond general injunctions on the need for improvement.¹⁶

The *szlachta* masses thought about their nation's economy only inasmuch as it affected their immediate, everyday needs. Their unresponsiveness to propaganda in favour of the dissenters on eco-

¹⁵ Coronation instruction of Wieluń; 1766 instructions of Halicz and Sieradz.

¹⁶ Convocation instructions of Różan and Sandomierz; 1766 instructions of Chełm, Kiev, Oświęcim and Zator, Liw, Wizna.

conomic grounds is not, therefore, surprising. In 1764, only the Wieluń *sejmik* recommended the Convocation to grant economically useful dissenters the right to erect private oratories. In 1766, only four *sejmiki*, besides that of the royal pocket constituency of Warsaw, advocated religious concessions in order to encourage manufactures and trade. The Belz *szlachta*, among whom the Poniatowski family enjoyed long-standing popularity,¹⁷ agreed that although dissenters were to be excluded from all public office and forbidden to erect new churches, dissenting immigrants should be allowed to build private oratories and hold silent services. The Halicz *sejmik*, controlled by Xavier Branicki,¹⁸ passed a similar resolution. In Lithuania, only the *sejmiki* of Grodno and Kowno, under the thumb of the court treasurer for the Grand Duchy, Antoni Tyzenhauz, supported these views.¹⁹ Sieradz and Volhynia wished to encourage manufactures and colonists, but, as almost everywhere else, strongly opposed any religious concessions whatever.

The reaction to the *Monitor's* precepts is seen most clearly in the *szlachta's* own counter-propaganda. The author of the 'Reply to folio 53 of the *Monitor*' ('Respons na Monitora Kartę 53'), confidently proclaimed that "the happiness of a country does not lie in its wealth, nor its strength in the numbers of its inhabitants, but in the virtue and unity of its citizens . . .", two qualities unattainable amid a plurality of faiths. The writer of 'Reflections against the introduction of divers Faiths' ('Reflexje nie pozwalające na wprowadzenie różności Wiar'), agreed. "All the wisest lawgivers, Lycurgus, Solon, Minos and others, most assuredly forbade excessive trade in their Commonwealths, for it brings riches, and thus, luxuries, laxity and other vices pernicious to virtue, the guardian and foundation of liberty . . . the complaints of statesmen that, in Rome, the riches flowing from trade destroyed virtue and overthrew liberty, urge caution on us." On a more realistic note, he complained that the causes of Poland's economic backwardness lay in the disregard of urban rights, that commerce was hampered by internal tolls and duties. He claimed that France and, rather less credibly, Spain, Portugal and Italy were the scene of flourishing towns and trade, although they were Catholic states which did not tolerate religious freedom. Besides ". . . In the last resort, let there be less trade and industry, but let my True Faith be saved and with it, our liberty and freedom."

¹⁷ Poniatowski, *Mémoires*, pp. 370-371.

¹⁸ Stanisław August to Xavier Branicki, Jan. 10, AGAD/AB 170.

¹⁹ Repnin to Panin, Aug. 21/Sept. 1, 1766, Sb. vol. 67, no. 1396; S. Kościalkowski, *Antoni Tyzenhauz*, vol. I (London 1970), pp. 79-80.

‘A letter written anonymously to one of the College of Bishops’ (‘List anonyme do jednego ex Collegio Episcopati’) offered a more sober appraisal. “*Liberum Exercitium Religionum*” it pointed out, was not an economic panacea. The real remedy lay in the provision of equal justice for rich and poor alike. In particular, the exploitation of the serfs should be curbed “and both internal prosperity and populousness will be the fruits of such a just undertaking.” The Poles, like the Spartans, should educate their own craftsmen, especially as their Protestant neighbours, Brandenburg and Sweden, would be unwilling to provide colonists. Indeed, during the Seven Years’ War, “foreign powers, to our great detriment, took back many of their own citizens [who had settled in Poland] and also took thousands of our own subjects.” If this pamphlet helped blunt the edge of royalist propaganda, its reasonably accurate assessment of the economy failed to find a wider echo among the *szlachta*, who had no intention of abandoning their privileges or relaxing their hold on their serfs.²⁰

Foreign intervention on behalf of the dissenters angered the *szlachta*, if only because the very powers which preached religious freedom in Poland did not practise it at home. “Is there a single Catholic even in the humblest public office in England, where they will not take him even as a common soldier? And is not this so in Sweden, Denmark and in Holland, that paradigm for all Republics?”²¹ England, Denmark, Prussia and Russia lacked any moral basis to interfere in Poland’s religious affairs. The *szlachta* were right to realise this. Many of their arguments against the introduction of religious equality had a firm logical and historical basis. But the *szlachta* lived in a world of their own. In their propaganda, they failed to realize that Poland was in no state to resist the determined pressure of her neighbours.

The Poles had more mundane reasons to distrust religious change. The missionary activities of the Greek Orthodox clergy were viewed with concern by the *szlachta* of the south-eastern palatinates. Since at least the mid-seventeenth century, the Polish Ukraine had been a powder-barrel, with a turbulent peasantry for ever at odds with its Polish landlords. Religious differences (the *szlachta* were mainly Roman-Catholic, the peasants Greek Catholic or Orthodox), and, at the beginning of Stanisław August’s reign, a vigorous prosely-

²⁰ Convocation instructions of Halicz, Lublin, Płock, Czersk, Nur, Różan, Warsaw, Wyszogród, Sochaczew, Sandomierz, Sieradz; Coronation instructions of Dobrzyń, Cracow, Płock, Czersk, Sieradz; 1766 instructions of Bełz, Halicz, Lublin, Łęczyca, Oświęcim and Zator, Płock, Łomża, Sochaczew, Sieradz, Volhynia and Wieluń.

²¹ ‘List anonyme do jednego ex Collegio Episcopati’.

tizing campaign conducted by Melchisadech Jaworski, *i humen* (father-superior) of the Orthodox monastery of Motrenin, in the palatinate of Kiev, exacerbated these mutual antagonisms. The serfs, theoretically Uniates, had frequently adopted the rite under pressure from their Catholic masters. They needed little urging to apostatize, identifying a reversion to Orthodoxy with the abolition of their serf-dues — hence the disorders usually accompanying such conversions. The *szlachta* of the Ukraine felt they could not afford any religious concessions.²²

Professor E. Rostworowski has pointed to the phenomena of overpopulation and underemployment among the *szlachta* of Stanisław August's day.²³ By the mid-eighteenth century, the framework of occupations considered acceptable for the Polish nobility was bursting at the seams. The army was too small to furnish employment, the posts available in the judiciary and administration too few. Social and ideological taboos, the law itself, prevented the *szlachta* from pursuing industrial and commercial activities. Where possible, the *szlachta* sought to consolidate and extend their position, but everywhere, they were in constant conflict with other social groups. The nobility were on the defensive over their very position as the dominant estate within the Commonwealth against outsiders who sought entry into their privileged ranks. In 1766, the *sejmik* of Brześć Kujawski and Inowrocław voiced a widespread fear, protesting against new ennoblements, "lest the greatest prerogative of our nation, *status nobilitaris*, be debased by frequent admissions." 'Family' supporters protested at Dobrzyń in 1764 against ennoblements "because of the many *szlachta* in the Commonwealth who need employment and advancement." The illegal infiltration of commoners and Jews into the noble estate, much facilitated by the lack of a heraldic register, gave rise to particular concern.²⁴

These fears found concrete expression in heavy criticism of the employment of foreigners, commoners, Protestants and Jews in the administration of the treasury, of the crown and Table lands, of

²² Précis du rapport de la starostie de Czerkassy . . . du 31 Mars, 1766, B.Cz. 752; E. Dworzański to I. Woronicz, steward of Żytomierz, March 22, 1767, B. Nar. 6917. See also C. Łubieńska, *Sprawa Dysydencka 1764-1766* (Cracow-Warsaw 1911), pp. 73-76; W. Serczyk, *Hajdamacy* (Cracow 1972), *passim*, esp. pp. 265-289.

²³ E. Rostworowski, *Sprawa Aukcji Wojska na tle sytuacji politycznej przed Sejmem Czteroletnim* (Warsaw 1957), pp. 110-116.

²⁴ Convocation instructions of Lublin, Sieradz, Łomża (Republicans), Warsaw, Sandomierz; Coronation instructions of Brześć Kujawski and Inowrocław, Dobrzyń, Czersk, Nur, Warsaw, Ruthenia; 1766 instructions of Chełm, Cracow, Lublin and Łomża.

the postal and customs services. The Sandomierz Convocation *sejmik* complained that the growing practice of employing commoners in the chancelleries of the *grody* made it difficult for the *szlachta* youth to find work. 'Family' supporters at Łomża wanted foreigners and commoners excluded from all posts within the treasury, "so that the *szlachta* might enjoy the means and financial resources to maintain themselves." "The Ruthenians wished the Convocation Sejm to institute a commission for the investigation of "*personae acatholicae et ignobiles*" in the administration of the treasury, customs and Table lands, where they were employed to "the detriment of the *szlachta* estate." The frequency of these complaints testifies to their ineffectiveness, as well as to the lack of suitably qualified *szlachta* for such posts.²⁵

The same applies to the army, with its large proportion of dissenting officers below, and including, general rank. The Dobrzyń electors, recommending an expansion of the army, wanted it officered only by Catholics, "whence the *szlachta* youth will derive a means of fitting advancement."²⁶ In 1766, the Cracow and Łęczyca *sejmiki* adopted a relatively moderate attitude, the former arguing that dissenters should not be promoted above the rank of ensign (*chorąży*), the latter that they should not be made generals — an implicit recognition of the dearth of officer material among Catholic nobles. Yet, as a rule, *sejmiki* favoured the total exclusion of dissenters and foreigners from the army.²⁷

The struggle for offices and honours was by no means limited to that against outsiders. There was fierce competition among Catholics themselves. A common demand during the interregnum was that not above two *starostwa* or other crown land tenancies, or offices or dignities, be vested in any one individual.²⁸ 'Family' supporters at Dobrzyń pleaded for a just distribution of offices. In 1766, the Sieradz *sejmik* emphasized that only the deserving should be appointed to offices and vacancies. Before the Coronation Sejm and again in 1766, the Wyszogród *szlachta* demanded the restoration of the so-called *avulsa* (lands encroached on illegally) to crown

²⁵ Convocation instructions of Brześć Kujawski and Inowrocław, Chełm, Dobrzyń (Republican and 'Family' parties), Halicz, Lublin, Łęczyca, Płock, Czersk, Łomża (Republican and 'Family' parties), Nur, Różan, Warsaw, Wizna, Wyszogród, Sandomierz, Sieradz, Wieluń; Coronation instructions, Cracow, Nur, Warsaw, Wizna; 1766 instructions, Łęczyca, Volhynia, Wizna.

²⁶ Dobrzyń instruction for the Electoral Sejm, July 23, 1764, Kluczycki X, p. 333.

²⁷ Convocation instructions, Halicz, Łęczyca, Płock, Sandomierz, Sieradz, Wyszogród; 1766 instructions, Ciechanów, Wieluń.

²⁸ Convocation instructions, Dobrzyń ('Family' party), Halicz, Łęczyca, Płock, Sieradz, Czersk, Łomża.

lands, in order to increase the king's power of reward. This was matched by demands to expand the number of offices available. The county of Chełm and the palatinate of Lublin, which returned two and three deputies respectively, demanded of the Convocation Sejm approval to elect four and six. For the Coronation and again in 1766, the electorate of Brześć Kujawski and Inowrocław requested seven, not four, representatives, one for each of the districts making up the two palatinates. The Republican *szlachta* of Dobrzyń wanted an overall (unspecified) increase in the number of Sejm deputies, as well as an increase in the number of local offices and dignities available.²⁹

On the defensive in the military and civil spheres, the *szlachta* tried to take the offensive in trade. Despite legal restrictions on commercial activities, the nobility developed "a peculiar casuistry" of "goods befitting the *szlachta* estate" in order to secure a monopoly of trade in agricultural, forestry, and livestock produce.³⁰ "In trades befitting them, the *szlachta* meet many obstacles from persons of commoner condition and also from Jews; therefore, the deputies will seek to enforce, by law, that no-one of commoner condition and that no Jew shall conduct any trade befitting the *szlachta* estate," asserted the Dobrzyń *sejmik*, in October, 1764, and in August, 1766. That is, according to the Halicz *sejmik*, in 1766, trade in cattle, horses and wine.³¹ With equal lack of success, the *szlachta* campaigned against the acquisition of landed property, by lease or purchase, by commoners, Jews and ecclesiastics.³² Vis-à-vis other groups, they were gripped by a siege mentality. To have given the dissenting *szlachta* equal rights at a time when their Catholic brethren were only with difficulty holding on to what was legally theirs would have been to give an outside group an importance out of all proportion to its numbers and to make an already trying situation for the Catholics impossible.

The dissenters and their Russian protectors made great exertions

²⁹ Some of the districts making up these palatinates did not have the full hierarchy of offices and dignities below the rank of *podkomorzy*. Convocation instruction, Sieradz; Coronation instructions, Dobrzyń, Sieradz; 1766 instruction, Dobrzyń.

³⁰ J. Jedlicki, *Klejnot i Bariery Społeczne* (Warsaw 1968) pp. 68-69.

³¹ The Convocation instruction of Nur extended this to forestry produce; the Coronation instructions of Płock and Cracow to hides; see also the Convocation instructions of Lublin, Czersk, Różan, Wyszogród, Sandomierz; Coronation instructions of Halicz, Czersk and Wizna; 1766 instructions of Cracow, Płock, Łomża, Ruthenia, Sandomierz, Volhynia.

³² Convocation instructions of Brześć Kujawski and Inowrocław, Chełm, Płock, Łomża (Republican party), Różan, Wyszogród, Ruthenia, Sandomierz, Sieradz; Coronation instructions of Dobrzyń, Oświęcim and Zator; 1766 instruction of Sochaczew.

to overcome this problem, by stressing their equality with the Catholics, as members of the *szlachta* estate: hence, by the *szlachta's* own standards, discrimination against them was unjust. "We protest against the statutes enacted since 1717, as contrary and unfitting to the equality of our estate and the condition of earlier laws," declared the dissenters in their act of confederacy of Thorn.³³ The dissenters' delegates, at their royal audience of April 28, struck a similar note in their speeches.³⁴ The Russians, for want of better justification for their policies, were especially keen to promote their desire to defend equality. Panin hoped, at the outset of his court's involvement in the dissenters' affair, that the Poles could be made to see for themselves "that by the oppression of some of their citizens, they destroy the liberty and equality of all."³⁵ The declaration delivered by Repnin to the Sejm in 1766 stated that "... L'Egalité entre la noblesse est le fondement de la liberté polonoise et l'appui le plus sûr de ses constitutions." Statutes which deprived the dissenters of their rights were the work of individual groups anxious to elevate themselves at the expense of fellow-citizens. In his open letter of February, 1767, Panin claimed the restoration of dissenters' rights was necessary "pour revivifier les principes d'une égalité qui disparaîtra insensiblement..." The dissenters' faith was "naturellement indifférent à la nation; mais les avantages temporels qui naissent de la condition de citoyen égal dans la République, pourraient gêner quelques ambitieux pour lesquels l'égalité est un joug difficile à porter." These appeals reached their climax in the act of the Confederacy of Radom, which maintained that all citizens should enjoy the equal protection of the laws. "For how may a *szlachcic* be a *szlachcic*, if he is not party to the laws of his own estate...?" The act warned that "Many Commonwealths have fallen, by beginning to destroy the equality of even a handful of their people. Ours, too, would have met this end, had we wished to modify the law of equality in any way."

If these arguments were not devoid of merit in themselves, they were completely out of touch with the reality of the Commonwealth. Since at least 1658, when the Sejm had decreed the banishment of the Arian brethren, including many members of the *szlachta*, "*szlachta* society confirmed... that it placed the good of religion above considerations of the solidarity of its own estate."³⁶ In the eighteenth century, the tendency was not towards the affirmation of

³³ Text in A. Kraushar, *Książę Repnin i Polska*, vol. I, 2nd edition (Cracow 1898) pp. 375-376.

³⁴ P. Grabowski's and F. Zaremba's speeches, published as fly-sheets, Warsaw 1767.

³⁵ Panin to Repnin, Oct. 31/24, 1764. Sb. vol. 57, no. 1601.

equality, if it ever had been, but towards its denigration. True, the *sejmiki* instructions spoke of equality. Before the Convocation Sejm, Płock and Sieradz declared, without qualification, that all *szlachta* were equal. The *sejmiki* of Halicz and Warsaw demanded an end to the acceptance of foreign orders, honours and titles, because, as the latter put it, "they are offensive to the equality of Polish *szlachectwo*." This was mere lip-service. The Convocation *sejmik* of Wizna demanded that all *szlachta* attend the Election Sejm *viritim* — in person, as any other arrangement would be harmful to equality. Five months later, acceding to the General Confederacy, the county announced that *viritim* attendance was unnecessary, because of the expense involved. The hostility towards foreign titles was a real one, for they endowed the holder with an unfair advantage over the majority, who had access only to Polish honours. For all the talk of equality, the *szlachta* were as anxious as the nobility anywhere in Europe to distinguish themselves from the common run of their fellows. The legal terminology of business transactions recognized the reality of differences by according the appellation 'Illustres et magnifici' to the magnates, 'magnifici' to the middle-ranking *szlachta*, 'generosi' and, finally, 'nobiles' to the rest.³⁷ Competition for Polish titles was intense. On official documents, even the children of the lowest officials noted a diminutive version of the father's rank next to their signatures. According to a statute of 1717, the chancellors were not to issue more than one diploma for any one office or dignity. Yet among the 1764-1766 *sejmiki*, the Convocation assembly at Halicz was exceptional in demanding enforcement of the law, warning that the frequent practice of issuing more than one patent for the same office was bringing the system into disrepute. To take a few examples: in Ruthenia, in 1764, two swordbearers (*miecznik*) of Lwów and two cellarers (*częśnik*) of Żydaczew acceded to the Czartoryskis' confederacy. Sandomierz produced two cupbearers (*podczaszy*) of Smoleńsk, Łęczycza another one. The county of Liw, in addition to its own steward (*stolnik*), counted a further two in the palatinate of Kiev. The proliferation of offices, to satisfy the *szlachta*'s appetite, ran through the Commonwealth.

It was rare for untitled or poorer *szlachta* to be elected deputies

³⁶ J. Tazbir, 'Problemy Wyznaniowe', *Polska XVIII Wieku*, ed. J. Tazbir (Warsaw 1969), p. 201.

³⁷ J. Bielecka, *Kontrakty lwowskie w latach 1768-1775* (Poznań 1948), p. 100.

³⁸ J. A. Gierowski, *Sejmik Generalny księstwa mazowieckiego na tle ustroju sejmikowego Mazowsza* (Wrocław 1948), pp. 50-63; H. Olszewski, *Sejm Rzeczypospolitej Epoki Oligarchii, 1652-1763* (Poznań 1966), pp. 101-104.

or marshals.³⁸ The *sejmiki* of Warsaw, Brześć Kujawski and Inowrocław, and Braclaw had barred landless *szlachta* from voting.³⁹ The Convocation *sejmiki* of Halicz, Chełm and Łęczyca, the Coronation *sejmik* of Nur demanded that local offices and dignities be reserved for landowners. The Chełm *szlachta* wished to restrict the vote at all *sejmiki* to landowners, "who are obliged by service to no-one..." Equality was a totally bankrupt aspect of *szlachta* ideology, kept alive by the magnates, who saw in it the means of mobilising the masses of petty nobility. It was not meant to be used as a bridge into the honours' system, either by the dissenting or the lesser Catholic brethren. The demand for honours, preferments and promotions within the Commonwealth grossly exceeded the supply. Even among the Catholic *szlachta*, the tendency was towards the exclusion, not the inclusion, of groups. To appeal for a restoration of the dissenters' rights on the basis of equality was to embark on a fool's errand.

The Commonwealth and its Catholicism were indivisible. Their relation ran deeper than a Church-state identification. Stanisław Lubomirski, grand marshal of the Crown, noted that before the 1766 Sejm, priests would give absolution only to those deputies who swore not to allow concessions to the dissenters,⁴⁰ yet they would hardly have been able to do this, had not the deputies been appropriately disposed in the first place. Despite their attachment to their religion, the *szlachta* were strongly anti-clerical, being in competition with the Church as much as with other groups in Polish society. The main areas of dispute were over tithes, jurisdiction and land. Most *sejmiki* complained that the clergy took either excessive tithes, or tithes in kind, whereas the *szlachta* found it easier to pay in cash, largely because of the vast amounts of debased coinage in circulation. In February, 1764, the Lublin assembly demanded the exemption of *szlachta* from tithe altogether, but most *sejmiki* were content to restrict their demands to an end to the tithe in kind.⁴¹ The nobility were particularly angered by summonses to the ecclesiastical courts, the consistories, which exercised a wide jurisdiction over tithes, endowments and testaments made by, or in favour of, clergy, monies owing the clergy, disputes over Church property and over divorces

³⁹ *ibid.* p. 67.

⁴⁰ 'Tableau des événements et des révolutions auxquelles l'entreprise pour le rétablissement des Dissidents en Pologne a donné lieu en 1767'. AGAD/APP 82, vol. II. p. 306.

⁴¹ Compare the demands for an end to the tithe in kind by Brześć, Kujawski and Inowrocław, Chełm, Łęczyca, Sochaczew, Sandomierz, Sieradz, Czerny, Wizna, Wyszogród before the Convocation Sejm; by Płock, Sieradz and Łomża before the Coronation; and by Cracow, Oświęcim and Zator, Sandomierz in 1766.

and benefices, even though some of these matters, such as tithe payments, belonged, strictly speaking, to the lay courts.⁴² The instructions abound with remonstrations against summonses before the consistories. The Halicz electors complained to the Convocation Sejm that the clergy made excessive use of excommunication in litigation with laymen and they demanded that the jurisdiction of the consistories be confined to divorce suits. At Łęczyca and elsewhere, the *szlachta* wanted all boundary and land disputes involving clerics to be restricted to lay courts.⁴³ Acceding to the General Confederacy in 1764, the Nur *szlachta* issued a blanket condemnation of clerical oppression and, in their Coronation instruction, went on to ascribe the decay of the town of Nur to the exactions of the bishop of Płock. Their brethren at Różan claimed that the equality of their estate was being destroyed by clerical litigation and the illegal use of excommunication. They proposed a 25% tax on clerical income, to spend on the army monies which the clergy “expends, in its vanity, on luxuries, exotic dress, rich foods, expensive carriages, quite unbecoming the clerical estate and which the clergy would do better to spend on the defence of the Commonwealth and themselves.”⁴⁴

Polish law forbade the Church as a whole, as well as individual clergymen, to acquire landed property. The law was regularly ignored, either by direct purchases, by endowments or by the acquisition of leases and mortgages. The Chełm *sejmik* demanded enforcement of the ban at the Convocation Sejm and the confiscation of all ecclesiastical lands illegally acquired. At Łomża, Republican *szlachta* complained that clergy should not accumulate landed property “since our brother-*szlachta* cannot enlarge their own possessions and lack the means *vitae et fortunae* and therefore *depau-perantur*.” At Cracow, in 1766, the electors argued that the provision of new endowments for the clergy led to the impoverishment of lay heirs. The Wyszogród Convocation *sejmik*, besides demanding an end to all clerical acquisitions of land, wanted the reversion

⁴² J. Kitowicz, *Opis Obyczajów za Panowania Augusta III*, ed. S. Pol-lak (Wrocław 1950), p. 260. Z. Gloger, ‘Dziesięciny’ *Encyclopedia Staro-polska*, vol. II (Warsaw 1972), pp. 104-107.

⁴³ See also the Convocation instructions of Chełm, Płock, Sochaczew, Czersk, Warsaw, Wyszogród; Coronation instruction of Nur; 1766 instruction, Sandomierz.

⁴⁴ Convocation instruction, Różan. In 1766, Łomża and Sandomierz wanted to impose a “*subsidiium charitativum*” on the clergy, for the army. Wyszogród demanded a 25% tax on clerical income.

of possessions of dead priests to be reserved exclusively for laymen.⁴⁵

The Polish nobility sought to expand their influence within the ecclesiastical estate, to the detriment of non-*szlachta*, as much as they tried to limit the activities of other groups in trade and the administration. At Cracow, the *szlachta* wanted the Coronation Sejm to order bishops to forbid the entry of serfs into seminaries, unless they could show a patent of emancipation: landlords were losing too many serfs this way. Wyszogród and Rózan protested to the Convocation Sejm against the incursions of commoners into the Church. At the same time, Brześć Kujawski and Inowrocław complained that the Crown, unlike Lithuania, frequently promoted ecclesiastics to its chancellorships; in future, they recommended, only laymen should be appointed chancellors and vice-chancellors.

Not all instructions were unfriendly to the clergy. In 1766, Brześć Kujawski, Lublin and Wyszogród opposed any new taxes on ecclesiastics. The Chełm *szlachta* warned against any diminution of clerics' rights and urged support for the efforts of the Uniate metropolitan, Felicjan Wołodkiewicz, to counter the spread of Orthodoxy. These manifestations came mainly in 1766, at the height of the agitation against the dissenters. The nine other instructions examined for that year which treat Church matters in any detail, all bear points in some respect hostile.⁴⁶ In October, 1764, the Halicz *szlachta* pressed, unsuccessfully, for the re-affirmation of all Greek Catholic rights and privileges (which included access to the Senate for Uniate bishops, who, since a royal decree of 1443 had enjoyed theoretical equality with Roman bishops): their neglect discouraged many Orthodox from conversion to the Union. In this respect, of course, the interests of the Ukrainian *szlachta* and the Church coincided exceptionally neatly. But, for the majority of the Roman Catholic nobles, the Greek Catholics were as much a source of potential and unwelcome competition as the dissenters and it was not until the end of Stanisław August's reign that progress began to be made towards eradicating the second-class status of the Uniates.

Although the instructions are hardly amicable towards the dissenters, they do point to a very high degree of *de facto* toleration with the Commonwealth. Dissenters were numerous in the administration of the customs, the treasury, the crown and Table lands and, by no means least, in the army. Their position in these fields

⁴⁵ See the Convocation instructions od Dobrzyń ('Family' party), Lublin, Łęczyca, Płock, Ruthenia, Sandomierz, Sieradz, Czersk, Nur, Warsaw, Wyszogród; Coronation instruction, Sandomierz; 1766 instructions, Cracow, Oświęcim and Zator, Warsaw and Sandomierz.

⁴⁶ Instructions of Cracow, Oświęcim and Zator, Sochaczew, Ruthenia, Sandomierz, Ciechanów, Łomża and Wizna.

was comparable to that of dissenters in England's industrial revolution, who took the load among contemporary entrepreneurs, partly because of their superior education. Equally, the education received by Polish dissenters generally surpassed that of the Catholic *szlachta*.⁴⁷ The sheer ramshackle inefficiency of the Polish Commonwealth was conducive to toleration. The Catholic *szlachta* were not at all concerned to restrict dissenters' rights of worship any further. In February, 1764, the *sejmik* of Brześć, in Lithuania, referred to the dissenters "as *sub aequali sorte nati, educati et possessionati*, because *pacifice se gerunt nilque novi praesumunt*, let them be maintained undisturbed *circa iura sua et immunitates*." Not a single *sejmik* advocated repressive legislation against their freedom of worship. Archibald Gibson, a British resident in Danzig, wrote, in March, 1767, "as for the point of free exercise of religion, or tollerance [sic], as its termed here, most of the nobility & and gentry & even of the clergy, men of since [sic], being for it & only the bigotted part against it, I believe it will be obtained without difficulty . . ." ⁴⁸ The Ukrainian and White Russian peasantry suffered forcible conversion to Catholicism, but the oppression of peasantry was hardly a feature peculiar to Poland. The pressure to exclude dissenters from the army and administration, in any case unsuccessful, was due less to bigotry than to the inadequacy of the Commonwealth's structure in providing suitable and sufficient outlets for the *szlachta's* natural expansion. There was no attempt to deny the *szlachectwo* of the dissenting brethren, but they remained an out-group, an obstruction to Catholic *szlachta* energies, just as commoners, Jews, foreigners and even the Catholic clergy were. Conversely, the dissenters found themselves in the classic revolutionary situation: as men better educated than their Catholic counterparts, they played an important, but restricted and insecure, part in the Commonwealth. Qualified for a larger role, they were held back by their numerical inferiority. If they were to maintain, let alone improve their existing position, they had no choice but to appeal to the Russians, who made up for their lack of numbers. In this, of course, they did no more and no less than the Polish Catholic magnates themselves.

Left to themselves, the Poles might well have ignored the religious issue, but equally, they would never have achieved any constitutional reforms. Stanislaw August and the Czartoryskis needed Russian support in the first place to gain power. Thus, they had no

⁴⁷ See above, chapter I, p. 26 n. 41.

⁴⁸ Archibald Gibsons to Sir Andrew Mitchell, March 28, BL. Add. Mss. 6828.

way of ignoring Catherine's wishes over the dissenters. The king, the 'Family' and their supporters were much more closely concerned with reform. The regeneration of the Sejm and the abolition of the *liberum veto* were central to their preoccupations. Between 1760 and 1763, the Piarist, Stanisław Konarski, had published the four books of *O Skutecznym Rad Sposobie* (*On the Means to Efficacious Councils*), the first and most telling all-out attack on the principle of unanimity. Despite his formidable arguments against the veto he did not succeed in discrediting it entirely. However, many of his countrymen agreed the Commonwealth was in dire straits. The *sejmiki* of the interregnum abound with complaints against the ineffectiveness of the Sejm. It was true, said the Halicz electors, that Divine Providence had preserved Poland in the midst of strong and warring powers "although not without many tribulations . . . For 27 years we have been without a Sejm and thus, without councils, without strength, without justice, without external security and internal order."⁴⁹ The Wizna *szlachta* lamented to the Convocation Sejm "that continually disrupted Sejmy have almost brought the Commonwealth *ad detestandam anarchic statum*," while Wyszogród urged the Sejm to find "a means *concludendorum consiliorum*, that is, in Sejmy which cannot be broken." It was a European scandal, thundered the Sandomierz *sejmik*, that, for almost thirty years, no Sejm had reached a successful conclusion — "we are dying in anarchy." Some instructions contained a frontal assault against the veto. "Both for the common good and the consideration of the *szlachta* estate, *pluralitas votorum* is necessary," declared the Chełm nobles to the Convocation. Their neighbours, at Lublin, recommended their representatives "to consult and discuss . . . *cum sensibus Senatus* and other deputies *ad amplutendam votorum pluralitatem*." The reformers' bitterest opponents occasionally conceded that right was on their rivals' side. In his letter to the Cracow *sejmik*, in 1766, bishop Sołtyk recommended a cumbersome method of majority voting at Sejmy. His brother Thomas Sołtyk, palatine of Łęczyca, proposed a two-thirds majority to approve all legislation, excepting "the Holy Faith and our Liberty," which were to remain subject to unanimity.⁵⁰ Felix Czacki, considered by the court to be one of the most fanatical supporters of the veto and one of the most fervent advocates of Wielhorski's bill for its restoration, admitted to a correspondent that unanimity was "more harmful

⁴⁹ Convocation instruction, Halicz. The last Sejm to have passed legislation in Poland had sat in 1736.

⁵⁰ 'A project for the instruction for the deputies to the Ordinary Sejm of 1766', PAU 314, ff. 92-95. The 1766 Łęczyca instruction included this recommendation.

than helpful.”⁵¹ The malcontents’ public opposition to plurality sprang not from principle, but from tactical manoeuvring and a hatred of any effective form of government which excluded them from power.

Yet the veto continued to retain the attraction of “a dreadful idol.”⁵² For every *sejmik* which advocated the introduction of majority voting, at least one, bewailing the disruption of Sejmy, nevertheless insisted on the retention of the veto. Before the Convocation Sejm, the Łęczyca assembly demanded an end to broken Sejmy, “but in such a way . . . as not to damage the cardinal law of liberty constituted by the *liberum veto*.” Warsaw and Ruthenia, in their Convocation instructions, wanted the provision of effective government “without the least derogation *iuris vetandi*.” In 1766, Dobrzyń, Cracow and Sandomierz demanded a full restoration of the veto. Poland’s nobility were fully alive to the symptoms of decay, but were afraid to prescribe the cure.

The same ambivalence characterized their attitude to the army. In 1764 and 1766, there was not a county or palatinate which did not at some stage demand an increase in the army and its pay. There was considerable support for this, even under Augustus III, largely because of a desire to provide employment for the *szlachta*.⁵³ The desire to eliminate dissenter officers was one aspect of this. The Lublin Convocation *sejmik* wanted to enlarge the army to at least 70,000. In 1766, the county of Ciechanów opposed the recruitment of serfs, demanding the immediate restoration of those serving in the ranks to their masters. A few assemblies explained their requests for expansion by the wish “to increase the security and prestige of the Commonwealth.”⁵⁴ The Convocation *sejmik* of Nur, recognising that foreign interference might prevent expansion, wanted to restore the long abandoned reviews of the *szlachta’s arrière-ban*. Immediately before the royal election, the county of Halicz suggested a start could be made by incorporating the magnates’ private militias into the regular forces.⁵⁵ In February, 1764, Halicz and Płock proposed to increase efficiency by the dismissal of supernumerary

⁵¹ Czacki to the widow of the *starosta* of Stężyca, April 7, B.Cz. 3862, no. 63.

⁵² *O Skutecznym Rad Sposobie*, book II, chapter 9, in S. Konarski, *Pisma Wybrane*, vol. I, ed. J. Nowak-Dłużewski (Warsaw 1955), p. 189.

⁵³ Rostworowski, *op.cit.*, pp. 110-116; J. Wimmer, ‘Wojskowość polska w latach 1700-1764’, *Zarys Dziejów Wojskowości Polskiej do roku 1864*, vol. II (Warsaw 1966), p. 161.

⁵⁴ Convocation instruction of Łomża (Republicans); Coronation instructions of Warsaw and Różan; 1766 Warsaw instruction.

⁵⁵ Halicz instruction for the Election Sejm, Aug. 13, 1764. Akta XXV, p. 605.

officers. The lack of concern at the possible dangers of a standing army to liberty may appear striking, but it should be remembered that, even after the reforms of 1764, it did not cease to come under the command of those bulwarks of freedom against the encroachments of royal absolutism, the *hetmani*. The Convocation instructions of Brześć Kujawski and Inowrocław and Płock specified that the royal guard, directly under the king's orders, should not exceed 1,200 men. The Polish army was not so much an instrument of the central power, as an extension of the *szlachta* themselves. During the Confederacy of Bar, many units deserted to the confederates.⁵⁶

To desire an increase in the size of the army was one thing, to pay for it another. The electors were ever encouraging their deputies to evolve new means of financing their armed forces, but they all too frequently demurred at any definite commitments. Any form of direct taxation was regarded with suspicion, as a challenge to freedom and prerogative. The general poll-tax earned particular censure. The Lublin Convocation instruction referred to it as "*abominabile nomen*". The Convocation Sejm envisaged the abolition of the direct poll and hearth taxes, in anticipation of new revenues from the general customs-duty, but both the Coronation and the 1766 Sejmy were obliged to defer their termination. Most *sejmiki* were of the opinion that, with new revenues, the general poll-tax should be abolished, or, conversely, that no new taxes should be imposed while the poll-tax remained in force.⁵⁷ A minority were ready to keep it, provided it was uniformly applied throughout the country, as, under the existing system, the Ukrainian palatinates were much more lightly taxed than the rest.⁵⁸ In 1766, Brześć Kujawski and Inowrocław suggested changing the name, poll-tax, to army tax. Ciechanów proposed that it should not be levied on the *szlachta*, but only on burghers and peasants.⁵⁹ Naturally, no *sejmik* suggested abolishing the separate Jewish poll-tax, though several wanted to increase it.⁶⁰

The local assemblies preferred to shift the onus of payment onto

⁵⁶ Wł. Konopczyński, *Konfederacja Barska*, vol. I (Warsaw 1936), pp. 30-31, 43-44.

⁵⁷ Convocation instructions of Chełm, Halicz, Lublin, Łęczyca, Płock, Różan, Sandomierz; Coronation instructions of Oświęcim and Zator, Czersk, Nur; 1766 instructions of Lublin, Ciechanów, Liw, Nur, Wizna, Wyszogród, Zakroczym, Ruthenia, Sandomierz, Wieluń.

⁵⁸ Convocation instructions of Łomża (Republicans), Wyszogród; Coronation instruction of Sandomierz; 1766 instructions of Brześć Kujawski and Inowrocław, Sochaczew.

⁵⁹ Ciechanów, 1766 instruction. See also Czersk, Coronation instruction.

⁶⁰ Convocation instructions of Chełm, Czersk, Łomża (Republicans), Sandomierz; 1766 instructions, Ciechanów, Sandomierz.

indirect taxation: stamp duty, additional taxes on alcohol sales (besides the existing *czopowe* and *szeleżne*, which, until 1766, was retained by the counties and palatinates to cover the costs of local administration) and various monopolies were all canvassed. The Płock Convocation *sejmik* and, in 1766, that of Sieradz, proposed using the revenues of vacant *starostwa* to finance the army. Royal plans, in 1766, to transfer the administration of the *czopowe* and *szeleżne* to the state treasury, aroused considerable resentment in some areas. Cracow, Lublin, Łęczyca, Nur, Ruthenia and Sandomierz wanted to keep local control; Kiev, Liw, Łomża, Warsaw and Sochaczew were prepared to concede it to the state, provided some of the resultant revenues were assigned to provide for local needs.⁶¹

The tax demands of some *sejmiki* were absurd. In 1766, Cracow, Łęczyca, Oświęcim and Zator wanted to increase revenue for the army but would not agree to any new taxes. Before the Coronation Sejm, Oświęcim and Zator wanted to abolish the poll-tax and still increase the size of the army from the remaining sources of revenue. In general, the *szlachta*, as most other European nobilities, resented direct taxation and preferred others to bear their burdens for them. The palatinate of Belz, in 1766, was exceptional in demanding the maintenance of all existing taxation, including the general poll-tax; furthermore, it agreed that for one year, these taxes could be levied at double the normal rate, if an increase in the army justified it. Such generosity, however, seems to have been unique.

A similar tight-fistedness appears over the financing of the cadet corps, or military school, established by Stanisław August, at his own expense, in June, 1765.⁶² The *szlachta* wished to provide their sons with a decent education, particularly in order to prepare them for officer service in the army.⁶³ Almost without exception, the interregnum instructions urged and the 1766 instructions applauded the opening of the school. In recognition of the slenderness of royal resources, the 1766 *sejmiki* urged their deputies to provide a regular means of financing it from state revenues, but, as with the army, they were reluctant to earmark any definite income for it. A popular suggestion was that abbots should defray the costs from their incomes.⁶⁴ The *szlachta* were ready to relax their hostility to new

⁶¹ The 1766 Sejm introduced the *czopowe* and *szeleżne* as a 10% excise on alcohol sales, with provision for the state treasuries to contribute from the revenue to local expenses. Vol. Leg. VII, pp. 193-195.

⁶² K. Mrozowska, *Szkoła Rycerska Stanisława Augusta Poniatowskiego* (1765-1794) (Wrocław-Warsaw-Cracow 1969), pp. 21-22, 43.

⁶³ Jedlicki, op. cit. pp. 57-58.

⁶⁴ Convocation instructions of Dobrzyń ('Family' party), Lublin, Płock, Łomża (Republicans), Sieradz; 1766 instructions, Cracow, Sochaczew, Wieluń.

ecclesiastical endowments, provided they were instituted for educational purposes and provision was made for the instruction of poorer nobles. Almost every single instruction carried a request for the approval of some such endowment among its local desiderata. Yet the newly reformed schools of the Jesuits and Piarists received only a mixed reception. If some assemblies mistrusted them because only the wealthy could afford to send their sons there, others accepted them, on condition provision was made for poorer *szlachta*.⁶⁵ If new establishments were opposed, it was either because of the frequently violent rivalry between their respective inmates or because they were too divisive between rich and poor.⁶⁶ The Różan *szlachta* they were too divisive between rich and poor.⁶⁶ The Różan *szlachta* urged the Convocation Sejm that “the boarding schools established by the Piarists and the Jesuits for the destruction of *szlachta* of the poorer sort, who cannot afford to attend them because of the expense, should be abolished”, but their curricula should be taught in new, public schools, which were to be established by the state and financed from vacant *starostwa*.

Such taxes as were paid were to be conscientiously administered. No financial audit had taken place since 1736, because between then and the interregnum, not one Sejm had reached a successful conclusion. One of the grand treasurers of the Crown, Siedlnicki, fearful that his peculations might be revealed, had probably been responsible for the disruption of the Sejm of 1752.⁶⁷ Most of the Convocation *sejmiki* demanded a thorough audit of all outstanding accounts. At Nur and in Ruthenia, the *szlachta* wanted legislation making audits compulsory even in the case of broken Sejmy. Consequently, the establishment of the treasury commissions, which put an end to the depredations of corrupt treasurers, should have been widely welcomed. In his letter to the 1766 Cracow *sejmik*, bishop Sołtyk himself admitted “that the advantages of the treasury commission are obvious”. However, neither the treasury nor the army commissions were restricted merely to overseeing their respective ministers. Both had wideranging jurisdiction in financial and economic matters, or disputes between civilians and military personnel. In 1766, the Republicans were able to exploit fears arising

⁶⁵ Convocation and Coronation instructions, Brześć Kujawski and Inowrocław; Coronation instructions of Chełm, Halicz, Cracow, Lublin, Oświęcim and Zator, Płock, Czersk, Nur, Warsaw, Wizna and Sieradz; 1766 instructions of Bełz, Płock, Sandomierz, Volhynia.

⁶⁶ Convocation instructions. Lublin, Czersk; 1766 instruction, Volhynia. See also Kitowicz, *Opis Obyczajów . . .* pp. 78-79, 108-110.

⁶⁷ K. Waliszewski, *Potoccy i Czartoryscy*, vol. I (Cracow 1887), pp. 136-137.

from possible misuse of these powers to alarm popular feeling. The *sejmiki* of Brześć Kujawski, Chełm, Sieradz and Wieluń wanted to abolish the army commissions entirely and restore the powers of the *hetmani*. But no *sejmik* proposed the abolition of the treasury commissions, though there was a general feeling that their jurisdictional powers should be more closely defined. The Patriots were able to persuade a number of assemblies, including Brześć Kujawski and Inowrocław (if it proved impossible to dissolve the army commissions), Lublin, Dobrzyń, Ciechanów, Ruthenia, Sieradz and Volhynia to demand the election of the commissioners in the counties and palatinates. The effect would have been to paralyze the commissions' activity, by packing them with local magnates' own nominees. The malcontents continued to pursue this policy energetically in 1767.

Undoubtedly closest to the hearts of the *szlachta* lay legal and judicial reform. The Commonwealth was a lawyer's paradise and a litigant's nightmare. The laws were confusing and contradictory, the courts inefficient and corrupt, property relations extremely complicated. The *sejmiki* pressed strongly for a clarification of the laws in general and the introduction of a clear law of inheritance in particular. The lack of such a law underlay much of the *szlachta's* litigation. According to the Sochaczew Convocation *sejmik*, "the most frequent suits concern inheritance".⁶⁸ Parallel to this, they complained constantly of the corruption of the courts, in particular the Tribunals.⁶⁹ The Halicz *szlachta* accused the magnates before the Convocation Sejm of swamping the elections to the Tribunals with their militias and clientele. The universal cry was against corruption, venality, time-wasting and inefficiency at all levels of the judicial administration.⁷⁰ To deal with the backlog of cases, the Dobrzyń *szlachta* proposed to both Convocation and Coronation Sejmy that the sessions of the Crown Tribunal should be made continuous throughout the year. At Różan and Nur, in February, 1764 and in Ruthenia, in 1766 the electors wanted to cut down the endless judicial proceedings by restricting the number of appeals against the Tribunal's judgement to one—as matters stood, a case could be referred back to the Tribunal an unlimited number of times, provided new evidence was produced. In 1766, the Wyszogród *sejmik*

⁶⁸ See also J. Michalski, *Studia nad Reformą Sądownictwa i Prawa Sądowego w XVIII w.* (Wrocław-Warsaw 1958), pp. 26-27, 30.

⁶⁹ Convocation instructions of Łomża ('Family' party), Nur, Wyszogród, Sieradz; 1766 instructions, Chełm, Halicz, Płock, Ciechanów, Nur, Wizna, Wyszogród, Ruthenia.

⁷⁰Only the instructions of Brześć, in Lithuania, do not bear such complaints.

demanded that all documents above fifty years old presented in civil suits should be considered invalid. A number of assemblies recommended paying salaries to deputies to the Tribunal, either from the Crown treasury or from the local *czopowe* and *szelężne*, to lessen the temptations of bribery. The Convocation *sejmik* of Brześć Kujawski suggested a figure of 10,000 zlotys.⁷¹

At best, these were half-measures. Other proposed measures could only aggravate the disorder. Under the Saxons, the *sejmiki* which returned deputies to the Tribunals were as much subject to disruption as those which returned deputies to the Sejm. If they were not broken, rival factions often elected rival deputies, leading to disgraceful scenes at the inauguration of the Tribunals as they sought to have their respective candidates sworn in. All that the *sejmiki* could propose against this was that candidates should be sworn in immediately after their election, without waiting for the opening of the Tribunal at Piotrków and receive an attestation of their election from the *sejmik* marshal. This still did not solve the problem of preventing disruptions or double elections.⁷² A series of instructions proposed a supreme court to try instances of corruption among judges, lawyers, court officials and even ministers, but did not explain how this court was to be any less corrupt or inefficient than the others.⁷³ In 1766, the Halicz *szlachta* wanted a fund to enable the *gród starostas* to maintain a police force to execute court judgements. The Rózan urged the Convocation Sejm to authorize the use of army detachments for this purpose. Wyszogród (Convocation instruction) and Wizna (1766 instruction) wanted a special militia to be placed at the courts' disposal. Yet nothing was done and the enforcement of judicial verdicts remained in private hands to an uncomfortable degree.⁷⁴ The major step taken by the Convocation Sejm "to speed the flow of justice" was to institute separate Tribunals for Wielko- and Małopolska,⁷⁵ but, by 1766, the *sejmiki* were clamouring for the restoration of a single Crown Tribunal.⁷⁶

⁷¹ See also the Convocation instructions of Lublin, Łęczycza, Czersk, Nur, Ruthenia; Coronation instructions, Lublin, Czersk, Sieradz; 1766 instructions, Dobrzyń, Halicz, Płock, Ciechanów, Wieluń.

⁷² Convocation instructions, Chełm, Dobrzyń (Republicans), Halicz, Lublin, Łęczycza, Czersk, Łomża (Republican and 'Family' supporters), Nur, Warsaw, Sochaczew.

⁷³ Convocation instructions, Chełm, Lublin, Płock, Czersk, Łomża (Republican and 'Family' supporters), Nur, Rózan, Wyszogród, Sandomierz, Wieluń.

⁷⁴ Michalski, *Studia* . . . pp. 44-47.

⁷⁵ Vol. Leg. VII, p. 30.

⁷⁶ 1766 instructions, Bełz, Brześć Kujawski and Inowrocław, Cracow, Dobrzyń, Lublin, Łęczycza, Oświęcim and Zator, Łomża, Nur, Wyszogród, Sieradz, Wieluń.

The cries against the inadequate administration of justice remained as strong as ever, but the division of the Tribunals seems, if anything, to have multiplied the opportunities for contentious litigation. The *szlachta* of Różan and Nur claimed the division led “to the breakdown of confidence . . . *inter concives* and is the occasion for the diminution of fortunes . . .”

The *szlachta* were guilty of a failure of nerve. They saw a deteriorating situation but were not prepared to exert themselves to remedy it. They were trapped in their attachment to laws and traditions which they saw were wanting, but which they could not and would not change, precisely because they were laws and traditions. An object lesson is provided in the tangled relationship between the Crown and Royal, or Polish, Prussia. That province clung fiercely to an autonomy it had enjoyed, with ups and downs, since its unification with Poland in the fifteenth century. The cities, led by Danzig and dominated by German speaking, Protestant councils, were foremost in asserting their allegiance not to the Commonwealth or the Sejm, but to the king alone. This was much convenient to the cities, as Poland's monarchs never had the strength to break Prussia particularism and enforce their own authority. Danzig was virtually an independent *polis*. It had its own laws, obeyed those of the Sejm only at its own pleasure, flouted the decrees of the Tribunal, minted its own coinage, cheated and exploited Polish merchants and *szlachta*, to the unalloyed, but ineffective, anger of the *sejmiki*.⁷⁷ To a lesser extent, this was true of all of Polish Prussia, which even had its own, distinct citizenship, the ‘indygenat Pruski’.⁷⁸ The Poles could not decide whether Prussian rights should be upheld “as the strength of the Commonwealth lies in the undisturbed conservation and observance of its old laws and privileges”—according to the Convocation *sejmik* of Wizna, or according to the same *sejmik*, in 1766, whether these rights and, in particular, the ‘indygenat’ should be placed on an equal footing with those of the rest of the Commonwealth. Chełm, Łęczycza, Łomża (‘family’ party), Wyszogród and Sochaczew wanted the Convocation Sejm to preserve those rights. Płock, Dobrzyń and Czersk, in February, 1764, Ciechanów and Liw, in 1766, wanted their abrogation. The Convocation Sejm would only go so far as to limit the indefinite number of deputies Prussia had

⁷⁷ See the Convocation instructions of Brześć Kujawski and Inowrocław, Dobrzyń (Republican and ‘Family’ parties), Halicz, Lublin, Łęczycza, Płock, Sochaczew, Ruthenia, Sandomierz, Sieradz, Czersk, Łomża, (Republicans), Różan, Wizna, Wyszogród; Coronation instructions, Chełm, Lublin, Warsaw; 1766 instructions, Bełz, Halicz, Lublin, Sandomierz, Sieradz, Volhynia, Wieluń, Ciechanów, Łomża, Wizna.

⁷⁸ See above, chapter I, p. 19.

hitherto been entitled to return to forty-six, or two from each of the districts making up the province's three palatinates.⁷⁹ Beyond that, the *szlachta* could not make up their minds. Even had they decided to assert the Commonwealth's authority over the Prussian province more effectively, they lacked the means to do so. Finally, Frederick II was to relieve them of the need to make a definite decision by taking Polish Prussia as his share of the first partition.

The instructions just examined do not reflect the *szlachta*'s opinions and prejudices directly. Rather, they outline the broad limits of a *Weltanschauung* which political bosses—the magnates—transgressed at their peril. Where hundreds, or even thousands of nobles attended a *sejmik*, there was no question of their direct participation in the decision-making process. Local acts of confederacy bear the signatures of hundreds and thousands of individuals; instructions bear those of the marshal and the councillors, usually between two and six. How many *szlachta*, asked Konarski, actually knew what went into the instructions, composed as they were by the “more powerful”? Instructions were drafted by either local worthies, or by electoral agents representing the interests of the great families. They were not always read out at the assemblies.⁸⁰ The electors followed the lead of the ascendant local political configuration. As a result, the instructions were far from consistent. The Sandomierz *szlachta* wanted the Convocation Sejm to introduce plurality; in 1766, they demanded the restoration of the *liberum veto*. At Łęczyca, the electorate wanted the Convocation Sejm to keep the veto, but, in 1766, demanded a qualified plurality. The Coronation *sejmik* of Brześć Kujawski and Inowrocław advocated a land tax on all classes, including the *szlachta*; in 1766, it opposed such a tax. The Convocation and Coronation *sejmiki* of Wieluń supported new direct and indirect taxes, only to oppose them in 1766. We have already seen inconsistencies over Polish Prussia or over the financing of the army. The managers of Polish politics did not discount *szlachta* opinion. In 1766, in Lithuania, Antoni Tyzenhauz secured a clause favourable to the dissenters at Grodno; yet he would have preferred the deputies to have been given confidential directions on this issue, to work for its success at the Sejm itself. By publicly coming out in favour of the dissenters in the instruction,

⁷⁹ Vol. Leg. VII, p. 10. This followed recommendations by the *sejmiki* of Ruthenia, Sandomierz, Sieradz, Nur.

⁸⁰ *O Skutecznym Rad Sposobie*, book II, chapter 12. Many clauses in numerous instructions throughout the country are very similar or identical in wording, indicating that local bosses took orders from the great political groupings.

⁸¹ Kościalkowski, op. cit. vol. I, pp. 79-80.

he feared he might have gone beyond the convention acceptable to the nobles and that his credit among them might suffer.⁸¹

Local political managers were not averse to reaching compromises with their opponents. In Volhynia, in 1766, the royalist agent, Piaskowski, was unable to reach a formula on religious concessions acceptable also to the Republicans, not because of the unwillingness of local Republican leaders, but because of the hostility of the *szlachta* attending; he was able, however, to come to an acceptable arrangement with his Republican counterparts on the deputies to be elected by the palatinates of Volhynia and Czernichów. Piaskowski, like Tyzenhauz in Lithuania, was operating on the limits of what the *szlachta* would swallow. Although four of the six deputies returned by Volhynia were royalists, they did not dare to advocate religious concessions: the electors would sooner die or see an absolute monarchy than permit any detriment to the Catholic faith.⁸² Raczyński, marshal of the confederacy of Wielkopolska, complained that he could not persuade the general-*sejmik* to accept religious concessions, new taxes or even an increase in the army.⁸³ Dłuski, the king's agent in Royal Prussia, met similar difficulties, although he secured the return of favourable deputies.⁸⁴ In general, despite the mixed bag of instructions issued in 1766, royalists and reformers considered the choice of deputies favourable to their plans;⁸⁵ the course of the Sejm confirmed that the Republican plan for the restoration of the veto attracted little support among them. The course of the *sejmiki*, however, showed that the *szlachta* could be led, but delicately.

It would be a mistake to see the struggle between the reformers and their opponents in ideological terms. The Czartoryskis and the king were as reluctant as the malcontents to question publicly the basic assumptions of *szlachta* ideology. The position of the Catholic Church, 'liberty', 'freedom', 'equality', were constants in the political vocabulary. The publicistic aspect of political strife lay not in different ideologies, but in different interpretations of the same ideology. We have already seen that, in relation to religion, the slogan-mongering of all participants was unvarying. In July, 1764, most of the counties and palatinates acceded to the General Con-

⁸² M. Piaskowski to Ogrodzki, Poryck, Aug. 12, 1766, Łuck, Aug. 30, 1766. B. Cz. 655, ff. 607, 611-613.

⁸³ Raczyński to Ogrodzki, Poznań, Aug. 28, 1766, B. Cz. 684, ff. 202-204. I have been unable to trace any instructions from Wielkopolska before 1767.

⁸⁴ Dłuski to Ogrodzki, Malbork, Sept. 9, 12, 16, 1766, B. Cz. 660, ff. 106-107, 109, 110.

⁸⁵ Niewieściński to Ogrodzki, Vienna, Sept. 10, 1766, B. Cz. 677, f. 277.

federacy of the Czartoryskis, not just in defence of the Catholic faith, but, equally, “of the laws and liberties of our country.”⁸⁶ When supporters of the Potocki family formed a short-lived confederacy in Halicz, protesting that the enactments of the Convocation Sejm were “destructive of our country’s liberties and freedoms,” their opponents complained of “the outrage done to liberty, the law and good order.” It was they, the ‘Family’ supporters, who were defending the faith, the laws and liberties against the “conspiracy” of the Potockis.⁸⁷ At Radziejów, the venue of the *sejmik* of Brześć Kujawski and Inowrocław, the rival factions accused each other of holding illegal assemblies. ‘Family’ supporters accused the Republicans of “trampling the laws underfoot and contempt for equality,” “absolutist excesses,” while the latter countercharged that their rivals were acting contrary to the “public good.”⁸⁸ In Wielkopolska, the rival parties exchanged similar invectives.⁸⁹

The Czartoryskis did not hesitate to affirm their support even for the *liberum veto*, if they saw any advantage to be gained. At the divided Convocation *sejmik* of Łomża, Republican *szlachta* declared that plurality “is ever *nociva*.” The ‘Family’s’ supporters, in what was probably a bid to undercut their rivals’ following, declared they wished to see “*libertas sentiendi et ius vetandi*” confirmed. The Convocation *sejmik* of Warsaw, which returned Stanisław Ponia-towski as a deputy, wanted effective Sejmy “without the least derogation *iuris vetandi et libertatis sentiendi*.” To preserve Russian support, August and Adam Czartoryski, Stanisław Lubomirski spoke in favour of the veto at the 1766 Sejm. The issue of the veto was crucial to reform, but the reformers treated even this as a question of interpretation, rather than of principle. Alongside *liberum veto* was ‘głos wolny’—literally, ‘free voice’—a fundamental but elastic concept, susceptible of many meanings. Konarski devoted a chapter of *On the Means to Efficacious Councils* to show that the

⁸⁶ Taken from the act of accession of Łęczyca. All other acts of accession bear similar or identical formulae.

⁸⁷ Act of confederacy of Potocki supporters at Halicz, July 23, 1764, Akta XXV, no. 310, 587-593; *Manifest* of certain *szlachta* against the Potocki confederacy, Maryampol, July 23, 1764, *ibid.* no. 311, pp. 593-594; act of confederacy and accession to the General Confederacy of ‘Family’ supporters, Halicz, Aug. 13, 1764, *ibid.* no. 314, pp. 600-603.

⁸⁸ *Laudum* and *manifest* of ‘Family’ supporters, Radziejów, Feb. 6, 1764, Pawiński V, no. 51, pp. 148-152; act of confederacy of ‘Family’ supporters, Radziejów, Feb. 6, 1764, *ibid.* no. 53, pp. 152-161; *laudum* and *manifest* of Republican supporters, Radziejów, Feb. 7, 1764, *ibid.* no. 54, pp. 182-185.

⁸⁹ *Manifest* of ‘Family’ supporters of the palatinates of Poznań and Kalisz, Poznań, March 10, 1764, WAP. Poz. 1106, ff. 646-651; *manifest* of Republican supporters, Kalisz, March 17, 1764, *ibid.* Gr. 404, pp. 146-149.

true 'głos wolny' was the individual's right of free expression and the *liberum veto* a perversion of this.⁹⁰ 'Głos wolny' mean different things to different people. The Potocki supporters at Halicz, in 1764, chose to equate it with the *liberum veto*.⁹¹ At Płock, before the Convocation, at Oświęcim and Zator before the Coronation, at Chełm in 1766, it was the right of free speech. If the proclamations of the marshal-general, at Radom and the marshals of the local confederacies of 1767, decried the assaults on the *liberum veto*, the acts of local confederacy spoke only of the oppression of 'głos wolny' and the General act referred only in vague terms to attacks on liberty. These were not differences of doctrine, but the differences of 'ins' and 'outs'. 'Głos wolny' and *liberum veto*, protests against taxation or abuses by the commissions were often demagogic devices to be used and discarded by Republicans or reformers at will, to secure *szlachta* support. Once in power, a grouping could be confident of securing the acceptance of its policies—provided they did not transgress the established conventions. Seventeen of the 18 available *sejmiki* instructions of October 29, 1764, endorse all the reforms and statutes of the Convocation Sejm and the edicts of the General Confederacy. Only the Nur instruction demanded the Confederacy's dissolution and the maintenance of the *liberum veto*. Likewise, the reforms of the Four Years' Sejm, in 1791, were to receive the overwhelming approval of the local assemblies.

In contrast, 14 of the 26 available instructions in 1766 demanded the dissolution of the General Confederacy.⁹² It is tempting, but not wholly correct, to see a reaction against the reforms in this. Confederacies, as was pointed out in chapter I,⁹³ were extra-constitutional devices, to be resorted to in times of crisis. The Czartoryskis' confederacy had permitted the disorders usually attending an interregnum to be ridden out smoothly. In 1766, therefore, their Confederacy was widely felt to be no longer necessary. The demands for its dissolution were shared by the royalist dominated *sejmik* at Halicz and the 'Family' dominated *sejmiki* at Sandomierz and Brześć (in Lithuania). The king and his uncles may have encouraged these demands, in order to justify their attempt to introduce plurality. The Czartoryskis may also have favoured the Con-

⁹⁰ *O Skutecznym Rad Sposobie*, book II, chapter 18.

⁹¹ Akta XXV, no. 310, pp. 587-593.

⁹² *Sejmiki od Brześć Kujawski and Inowrocław, Dobrzyń, Halicz, Kiev, Cracow, Łęczyca, Liw, Łomża, Wyszogród, Płock, Sandomierz, Sieradz, Wieleń, Brześć (Lithuania)*.

⁹³ See above, pp. 22-3.

federacy's dissolution, fearing that their royal nephew was using it to promote his own interests at their expense.⁹⁴

The boundaries of the programmes of the various political groupings were, on occasion, so fluid as to be indistinguishable. Polish political life was characterized by a passivity, a propensity to accept the *fait accompli*. The Potockis, though among the most obdurate of Poniatowski's opponents, belonged to those who actually voted for his election on September 6, 1764, with F. S. Potocki, palatine of Kiev, in the van. The Dąbski family, who led the Republicans in Brześć Kujawski, also voted for him, as did the Suffczyńskis from Czersk, the Rzewuskis from Podolia, the Ponińskis from Poznań, Twardowski and the Goltzes from Kalisz.⁹⁵ The blurring of political contours can be seen in the recommendations of candidates to royal favour made by various Coronation *sejmiki*. If the Brześć Kujawski assembly recommended Andrew Zamoyski for the grand chancellorship, it also proposed the palatine, Antoni Dąbski, as a future recipient of royal graces, even though eight months previously, 'Family' supporters had roundly condemned Dąbski for leading a rival Republican orientation. The Cracow *sejmik* recommended Zamoyski and the Crown field-*hetman*, Waclaw Rzewuski, to royal favour, despite their diametrically opposed views on reform, without any sense of incongruity; Plock recommended Zamoyski and the pro-Saxon Ignacy Zboiński, Nur, the pro-Saxon Michael Suffczyński with the 'Family's' local organiser, Izydor Ostroróg. There was no room or necessity for virulent animosity at local level. *Szlachta* opinion provided the limits within which the antagonisms of the magnates were played out. Within those limits, the ascendant political grouping could count on wide support, simply by virtue of being in the ascendant.

The absence of clear-cut ideological differences obviated the need for closely knit party structures. The source materials which permit the investigation of the rank-and-file functioning of Polish political life leave much to be desired. We have already remarked on the almost total lack of extant correspondence between the magnates and their immediate clientele, middle-ranking activists and between these and the smaller fry towards the bottom end of the political

⁹⁴ Panin to Reppin, Aug. 8/9, 1766, Sb. vol. 67. no. 1371. Lubomirski, Mémoires, p. 93, says that Zamoyski's bill was originally meant as a curb on the king's powers, by his ministers.

⁹⁵ See the 'Suffragia' of the palatinates and counties, Vol. Leg. VII, pp. 107-132. It is an illuminating comment on the apparent bigotry and fanaticism of Polish society that the Protestant Goltz brothers were able to vote for Stanisław August on a par with the Catholics.

scale.⁹⁶ In the absence of such materials, attention needs to be directed towards the names appended to the various local acts of confederacy between 1764 and 1767, and the suffrages of the counties and palatinates, as shown in volume VII of the *Volumina Legum*. A few of the acts have been published,⁹⁷ many survive in copies, some are available in the original. They contain a mass of signatures, from one or two to over a thousand on some lists. Signatures on copies or originals are often barely legible; there is no certainty that all present at an assembly signed, nor that all who supposedly signed were present. Sometimes, a series of signatures appears, obviously written in one hand, with no explanation of what authority, if any, the writer possessed to give these names. If the signatory possessed a rank or title, it was customary for this to be noted with his name, though this need not always have been the case. As the majority lacked any such designation, any attempt to trace indisputably an individual from one act to another, except where he supplies his title, is an impossible undertaking. The time span involved, 1764 to 1767, may appear excessively restricted to permit conclusions on the nature of Polish party systems, insofar as these existed. Unfortunately, comparable lists of names for a previous period only exist for 1733, the confederacy of Dzików and subsequently for 1768 to 1772, the confederacy of Bar, when issues other than mere internal political rivalry were involved, thereby precluding meaningful comparison. For want of better materials, the acts of confederacy of 1764 and 1767 must furnish the starting point in any study of political allegiances during the early part of Stanisław August's reign. Their inadequate and defective nature permits only the formation of the most general conclusions.

The central fact to emerge from these lists is that when the *szlachta* were called on to determine their allegiance, considerations of family solidarity, in the general sense of individuals bearing the same surname, played a leading role. Most of the acts bearing the names of 'Family' supporters date from 1764, of Republican or malcontent supporters from 1767. The sorting of thousands of signatures into a comprehensible pattern required the use of a computer. Unfortunately, only three areas provide adequate materials to show how families divided in their support between Republicans and reformers in any one year: the counties of Halicz and Łomża and the two palatinates of Wielkopolska, Poznań and Kalisz, in 1764

⁹⁶ See above, chapter IV, pp. 64-65.

⁹⁷ Those of Brześć Kujawski and Inowrocław, Halicz, Ruthenia and Dobrzyń. The published Dobrzyń acts do not include the names of signatories.

(Table 1).⁹⁸ Between them they supply the names of 108 separate families (i.e. extended, not necessarily nuclear families) consisting of five or more identifiable individuals. For convenience's sake, such families will be referred to as 'families strongly involved in local politics.'

TABLE 1

| County or palatinate | Total number of families | Number of families where | | | |
|----------------------|--------------------------|--|----------|----------|-------------------------------------|
| | | 50%-66% of the members supported the same orientation ('Family' or Republican) | 67%-79% | 80%-99% | 100% political orientation in 1764. |
| Halicz | 39 | 8 | 9 | 14 | 8 |
| Łomża | 36 | 17 | 6 | 8 | 5 |
| Wielkopolska | 33 | 9 | 3 | 12 | 9 |
| Total | 108 | 34 | 18 | 34 | 22 |
| | (100%) | (31.48%) | (16.66%) | (31.48%) | (20.37%) |

It will be seen that only under a third of these families divided fairly evenly between the two sides, whereas over two-thirds of them came out much more strongly in favour of one side or the other. One in five of all the families supported the Republicans or the 'Family' as a body. From nineteen other palatinates and counties, from which adequate data survive only for the 'Family' following in 1764 and the malcontent following in 1767, a similar pattern emerges (Table 2). These areas produced 545 families of over five persons strongly involved in local politics. Over a third of these committed themselves totally to one of the two parties, barely a quarter divided equally between the two. Table 2 suffers from the particular weakness that many of those who acceded to the malcontent confederacies in 1767 were nevertheless royalist sympathisers. Equally, those voting for Stanisław Poniatowski's election in 1764 included many Republicans. Any tables drawn up on the basis of the available lists can therefore only have a very limited application. They cannot

⁹⁸ Łomża: 'Family' confederacy, Paw. 15, ff. 324-328; Republican confederacy, *ibid.*, ff. 334-336 (both formed at Łomża, Feb. 6, 1764). Halicz: Republican (Potocki) confederacy, at Halicz, July 23, 1764, Akta XXV, no. 310, pp. 587-593; 'Family' confederacy, at Halicz, Aug. 13, *ibid.* no. 314, pp. 600-603. Wielkopolska: 'Family' *manifest*, Kalisz, Feb. 6, 1764, WAP. Poz. Gr. 404, pp. 102-107 and at Poznań, March 10, *ibid.* Gr. 1106, ff. 646-651; Republican *manifests*, Poznań, March 5, *ibid.* ff. 665-668 and at Kalisz, March 17, *ibid.* Gr. 404, pp. 146-149.

show how many families supported either Republicans or reformers, but they can serve to indicate a general trend: that when a family did offer its support to any political grouping, considerations of family solidarity played a large, perhaps dominant, role.

TABLE 2

| County or palatinate | Total number of families | Number of families where of the members supported the same political orientation ('Family' or malcontents) in 1764 and 1767. | | | |
|--------------------------|--------------------------|--|---------|---------|---------|
| | | 50%-66% | 67%-79% | 80%-99% | 100% |
| Bełz | - - 5 | 4 | 1 | 0 | 0 |
| Brześć Kuj. & Inowrocław | - 40 | 6 | 8 | 15 | 11 |
| Chełm* | - - 6 | 2 | 0 | 1 | 3 |
| Cracow | - - 38 | 21 | 8 | 7 | 2 |
| Dobrzyń | - - 21 | 13 | 2 | 3 | 3 |
| Kiev | - - 11 | 5 | 0 | 5 | 1 |
| Lublin* | - - 62 | 6 | 1 | 14 | 41 |
| Łęczyca | - - 33 | 12 | 10 | 5 | 3 |
| Masovia: | | | | | |
| Czersk | - 8 | 2 | 0 | 3 | 3 |
| Liw* | - 22 | 2 | 1 | 5 | 14 |
| Nur | - 5 | 4 | 0 | 1 | 0 |
| Różan | - 15 | 2 | 1 | 0 | 12 |
| Zakroczym | - 7 | 1 | 1 | 2 | 3 |
| Oświęcim & Zator | - - 6 | 3 | 0 | 0 | 3 |
| Płock | - - 76 | 15 | 14 | 22 | 25 |
| Rawa: | | | | | |
| Gostynin | | | | | |
| Rawa | - 22 | 6 | 1 | 5 | 10 |
| Sochaczew | | | | | |
| Ruthenia | - 45 | 12 | 13 | 12 | 8 |
| Sieradz* | - - 75 | 19 | 9 | 19 | 28 |
| Sandomierz | - 36 | 3 | 7 | 3 | 23 |
| Wieluń | - - 12 | 6 | 2 | 4 | 0 |
| Total | - - 545 | 144 | 79 | 126 | 193 |
| | (100%) | (26.4%) | (14.5%) | (23.1%) | (35.4%) |

* indicates that for 1764, no act of confederacy, but only a list of voters at the royal election, taken from the 'Suffragia' in vol. VII of *Volumina Legum* is available.

As table 3 (i) indicates, the family was indeed a major political unit to be reckoned with at the local level, for families strongly involved in local politics could furnish from one fifth to four fifths of all persons present at any one *sejmik* or similar assembly. It is impossible to say definitely what numbers defected from the ranks of 'Family' supporters in 1764 to the malcontents in 1767. The difficulty is simple, but insuperable. A name appearing on a list in 1767 may be the same as one appearing on a list in 1764, but there is no way of establishing, without further evidence, that both names belonged to the same person. Only when the same title accompanies the same name, can a common identity be established beyond reasonable doubt. Table 3 (ii) goes some way towards resolving the problem: column A gives the numbers and percentages of those who can be established, on the basis of the title accompanying their signature, to have definitely 'defected' from support for the Czartoryskis in 1764, to support for the malcontents in 1767. Column B gives similar figures for names which are repeated from the 1764 acts among the 1767 acts, but where only the names are coincidental, with no further means of establishing identification. Thus, while some of the 'possibles' include genuine defectors from 1764, there is no means of establishing how many were genuine. Column C is merely the sum total of columns A and B. The variations are so wide as to defy any safe generalization. In Wieluń, for example, over half the electors may have gone over to the malcontents in 1767, but only one in five can be definitely said to have done so. At the other extreme, in the county of Różan, 8.5% may have deserted to the malcontents, 0.4% certainly did so. Of the nineteen areas considered, even the maximum possible percentage of defectors only exceeds 30% in two cases, Chełm and Wieluń. Insofar as any generalization is permissible, it appears that a political grouping could rely on retaining the bulk of its support, despite political vicissitudes. The tentative nature of such a generalization cannot, however, be too strongly emphasized. Furthermore, as we shall see, many of the supposed malcontent supporters of 1767 included persons whose sympathies lay with the reformers. Nor must the possibility be excluded that, had the malcontents presented a more attractive programme to the country in 1767, they would have won still wider support.

TABLE 3 i

| county or palatinate | accessing to the General Confederacy, 1764 | Persons | | accessing to the act of local confederacy, 1767 | belonging to families strongly involved in local politics |
|-----------------------------|---|--|-------|---|--|
| | | belonging to families strongly involved in local politics | | | |
| Bełz | 110 | 31 | 34.1% | 111 | 22 20% |
| Brześć Kuj. & Inowrocław | 704 | 219 | 31.1% | 206 | 68 33% |
| Chełm * | 35 | 3 | 8.5% | 212 | 28 13.2% |
| Cracow | 380 | 243 | 63.9% | 234 | 42 17.9% |
| Dobrzyń | 236 | 97 | 41.1% | 105 | 42 40% |
| Kiev | 207 | 48 | 23% | 211 | 41 19.4% |
| Lublin * | 77 | 59 | 80.8% | 1,017 | 935 92% |
| Łęczyca | 455 | 166 | 36.5% | 368 | 105 28.5% |
| Masovia: | | | | | |
| Czersk | 132 | 18 | 13.6% | 64 | 11 17.2% |
| Liw * | 54 | 20 | 37% | 91 | 59 64.8% |
| Nur | 112 | 17 | 15.2% | 19 | 5 26.3% |
| Różan | 234 | 110 | 47% | 85 | 47 55.2% |
| Zakroczym | 92 | 24 | 26% | 70 | 17 24.3% |
| Oświęcim & Zator | 78 | 15 | 19.2% | 89 | 18 20.2% |
| Płock | 164 | 77 | 46.9% | 775 | 436 56.2% |
| Ruthenia | 353 | 114 | 32.3% | 143 | 87 60.8% |
| Sandomierz | 596 | 163 | 27.3% | 211 | 39 18.5% |
| Sieradz * | 375 | 170 | 45.3% | 1,031 | 536 52% |
| Wieluń | 86 | 35 | 40.7% | 190 | 63 33.2% |

* indicates that for 1764, only lists of voters from the 'Suffragia' are available.

TABLE 3 ii

Defectors from 'Family' supporters/royal electors in 1764
to the malcontents in 1767

| county or palatinate | A confirmed defectors | | B possible defectors | | C greatest possible number and percentage of defectors | |
|-----------------------------|-----------------------------|-------|----------------------------|-------|--|-------|
| Bełz | 8 | 7.2% | 22 | 20.0% | 30 | 27.2% |
| Brześć Kuj. & Inowrocław | 14 | 2.0% | 72 | 10.2% | 86 | 12.2% |
| Chełm | 9 | 25.7% | 4 | 11.4% | 13 | 37.1% |
| Cracow | 26 | 6.8% | 46 | 12.1% | 72 | 18.9% |
| Dobrzyń | 4 | 1.7% | 26 | 11.0% | 30 | 12.7% |
| Kiev | 11 | 5.3% | 24 | 11.6% | 25 | 16.9% |
| Lublin | 2 | 2.6% | 16 | 20.7% | 18 | 23.3% |
| Łęczyca | 16 | 3.5% | 42 | 9.2% | 58 | 12.7% |
| Masovia: | | | | | | |
| Czersk | 5 | 3.8% | 16 | 12.1% | 21 | 15.9% |
| Liw | 3 | 5.5% | 2 | 3.7% | 5 | 9.2% |
| Nur | 13 | 11.6% | 13 | 11.6% | 26 | 23.2% |
| Różan | 1 | 0.4% | 19 | 8.1% | 20 | 8.5% |
| Zakroczym | 1 | 1.1% | 8 | 8.7% | 9 | 9.8% |
| Oświęcim & Zator | 4 | 5.1% | 19 | 24.4% | 23 | 29.5% |
| Płock | 7 | 4.3% | 35 | 21.3% | 42 | 25.6% |
| Ruthenia | 10 | 2.8% | 13 | 3.7% | 23 | 6.5% |
| Sandomierz | 9 | 1.5% | 52 | 8.7% | 61 | 10.2% |
| Sieradz | 9 | 2.4% | 78 | 20.8% | 87 | 23.2% |
| Wieluń | 18 | 20.9% | 26 | 30.2% | 44 | 51.1% |

N.B. All figures are expressed as a percentage of persons shown in table 3 i as acceding to the General Confederacy of 1764.

On the whole, then, the patterns of political allegiance in Poland appear to have been relatively stable. Provided the techniques of management and persuasion were mastered, further organisation was unnecessary. Within the bounds of a common ideology, the *szlachta* could be relied upon to respond favourably to directives from above. Yet even if political life was more fluid than the admittedly inadequate and debatable figures would seem to suggest, the consequences for the party structure need not necessarily have been serious; even of the Czartoryskis or Republicans did lose 10% to

30% or more of their following in any one year, then that very fluidity would permit them reasonably to expect to regain it another year.

Tables 1 and 2 point to the family as being the basic unit of political allegiance. There are grounds for enlarging this basic unit to include the village community. Sometimes, but not always, signatories gave their place of origin when acceding to the confederacies. The majority of the *szlachta* in the dissenting confederacy of Słuck came from three villages in the district of Pińsk.⁹⁹ 131 petty *szlachta* acceded to the malcontent confederacy in Ruthenia, on May 28. They came from eleven villages and appended their signatures or marks not only in their own name, but in that of those who stayed at home.¹⁰⁰ In the palatinate of Lublin, the Wierzejskis, who furnished at least twenty four confederates in 1767, came mainly from the village of Wierzejki, forty eight Wysokińskis from Wysokin, fifty eight Jastrzębskis from Jastrzębie.¹⁰¹ Some quantitative support is therefore available for A. Zajączkowski's contention that the 'neighbourhood' ('sąsiedztwo') was a staple of the Commonwealth's political life.¹⁰² It becomes readily understandable that the easiest way for a magnate to provide himself with a following at the local *sejmik* was to drum up *szlachta* from local villages, which might even be situated on his estates, particularly in areas such as Ruthenia or Podlasie, where heavy concentrations of petty *szlachta* neighboured with, or lived on, great latifundia. The powerlessness of such near-déclassé elements is illustrated by a *manifest* issued against the confederacy mounted by the Potockis in Halicz in protest against the legislation of the Convocation Sejm. Eighty four nobles, mainly illiterates, were party to this document, in which they affirmed their withdrawal from the Potockis' confederacy, complaining "that we are equally endowed with the treasure of Polish *szlachectwo*, but, having only slender means, we possess only the shadow of liberty, or rather, we persuade ourselves that we possess it, whereas, in fact, we must obey the will and orders of those more

⁹⁹ See the act of confederacy of Słuck in A. Kraushar, *Księżę Repnin i Polska*, vol. I, 2nd. ed. (Cracow 1898), pp. 380-385 and 'A register of Greek Orthodox *szlachta* in the district of Pińsk', Ms. 644 of the Catholic University of Lublin.

¹⁰⁰ Akta XXIII, no. 213, pp. 539-540.

¹⁰¹ Act of confederacy of Lublin, Łuków, May 26, WAPL, RMO 389-21548, ff. 385-391; further accessions at Łuków, June 3, *ibid.* ff. 392-396 and at Lublin, June 7, *ibid.* ff. 445-446.

¹⁰² A. Zajączkowski, *Główne Elementy Kultury Szlacheckiej w Polsce* (Wrocław 1961), pp. 67-73.

powerful than ourselves.”¹⁰³ It is worth considering that this document was probably drawn up under pressure from another set of “those more powerful than ourselves,” not the Potockis, but the Czartoryskis.

It was not always possible simply to command the *szlachta*. Frequently, it was necessary to cajole, persuade and bribe. Łukasz Węgleński, marshal of the malcontent confederacy at Chełm, admitted that the most effective way of vote-winning in the Commonwealth “is scattering money among the local *szlachta*.”¹⁰⁴ The nobles expected largesse, if not always directly in cash, then in the form of land leases (the magnates often depended on loans or small investments from lesser *szlachta* for ready cash).¹⁰⁵ A malcontent rhyme taunted Stanisław August, who was not a large landowner in his own right, with owning too little land to provide tenancies for the *szlachta*.¹⁰⁶ Yet a small investor or lender was at the magnate’s mercy, for he lacked the resources to recover his claim and could count on its return only by playing the obedient client. As late as 1779, J. M. Wolański, one of Karol Radziwiłł’s small creditors, was trying to secure repayment of monies owing him since before 1763.¹⁰⁷ The magnate could exploit *szlachta* eagerness to take service in the administration of his estates, particularly important because of the inadequate employment opportunities provided by the state — Radziwiłł was receiving requests for employment on his properties even before his return and restoration.¹⁰⁸ A common and effective means of securing *szlachta* co-operation was the exploitation of their litigiousness. The *gród starostas* appointed *gród* judges and officials “and mainly because of this they wielded their influence in the palatinates and districts.”¹⁰⁹ When, in January, 1767, Xavier Branicki sold his *starostwo* of Halicz to Anthony Potocki, Stanisław August was most concerned that control of the *sejmik* would also pass to the Potockis.¹¹⁰ Mniszech, who as *starosta*-general of Wielkopolska, made appointments to the seven *grody* of the palatinates of Poznań and Kalisz, wielded enormous influence. By these means, a fairly stable following might be maintained. Yet in some parts of Poland, such as Masovia or parts of Wielkopolska, where the great estates were less in evidence, it remained important for a magnate

¹⁰³ *Manifest* against the Potocki confederacy, Halicz, Aug. 13, 1764, Akta XXV, no. 312, pp. 595-597.

¹⁰⁴ Węgleński to F. S. Potocki (?), Chełm, Aug. 26, PAU 1144.

¹⁰⁵ Michalski, *Studia* . . . p. 31.

¹⁰⁶ Stanisław August’s “. . . dzierzawy. Są szczupłe, nie ma co brać szlachta przez zastawy”, ‘Refleksje dla Króla Stanisława’, PAU 313.

¹⁰⁷ Wolański to Radziwiłł, July 19, 1779, AGAD/ARV 445/17767 and *ibid.* *passim*.

to maintain close relations with local activists, who could be counted on, if kept sweet, to bring in their friends and clientele. Paying court to such men might involve some personal discomfort and humiliation; it might even involve literally door to door canvassing, as the young Stanisław August discovered, when campaigning on behalf of the 'Family', in Masovia, in 1752.¹¹¹ Karol Radziwiłł was popular not just because of his extravagant hospitality and reckless generosity, but because, in his uncouth behaviour, he differed scarcely at all from the masses of semi-literate *szlachta* in his following.

Had the Russians and the malcontents exploited the circumstances of 1767 intelligently, there is no reason to suppose they would not have attracted very widespread support. Not all *szlachta* were fixed clientele. A current of discontent which was running in the country could have been used to advantage. A constant sore in the economy was the continuing circulation of old, debased coinage, alongside new copper coins introduced, by the 1766 Sejm. New silver zlotys had also been introduced, rated at just over 16 to the ducat, overvalued in relation to the old rate of 18 to the ducat, which had been brought in by the Sejm of 1717. The *szlachta* could not accustom themselves to the new rate. Because of its very high quality, the new coinage was eagerly carried abroad by speculators and was soon in short supply. The effect, apart from impeding all business transactions, was to raise prices, create uncertainty and to direct feeling against the king, as the instigator of financial reforms.¹¹² In the years 1765-1767, Poland also witnessed a run of poor harvests.¹¹³ The situation was particularly acute in Lithuania, where near famine conditions prevailed, aggravated by the presence of Russian troops.¹¹⁴ The petty *szlachta* of the Grand Duchy had especial cause for complaint. The court treasurer, Tyzenhauz, forcibly evicted thousands of them from the royal Table lands, in an effort to improve their administration and profitability: even in 1766, some royalists feared they might lose control. Their reinstatement

¹⁰⁸ Letters to Radziwiłł from I. Niepokojczycki, Warsaw, April 9, *ibid.* 226/10405; J. Kurzenicki, Pińsk, June 1, *ibid.* 174/8093.

¹⁰⁹ Z. Karczmarczyk and B. Leśnodorski, *Historia Państwa i Prawa Polski*, vol. II, 2nd ed. (Warsaw 1966), p. 264.

¹¹⁰ Stanisław August to Xavier Branicki, Jan. 10, AGAD/AB 170.

¹¹¹ Poniatowski, *Mémoires*, pp. 58-60.

¹¹² St. Saphorin to Bernstorff, March 11, RA. Cop. TKUA Polen AIII46.

¹¹³ F. Czacki to K. Radziwiłł, Poryck, Aug. 23, AGAD/Sucha 19/28.

¹¹⁴ J. Trzczeński to Perchorowicz (Radziwiłł's treasurer), Ołyka, May 4, *ibid.* ARV 407/16484; K. Donnat to Radziwiłł, Wilno, July 14, *ibid.* 71/3199.

Table 4i

| county or palatinate | total | 'Family' supporters in 1764 | | | | total | |
|--------------------------|-------|-----------------------------|------------|--------|-------|-------|-------|
| | | literate | illiterate | titled | total | | |
| BRZŁZ | 110 | | | 32 | 111 | | |
| BRZEŚĆ KUJ. & INOWROCŁAW | 704 | 656 | 93.2% | 48 | 6.8% | 56 | 206 |
| CHPEM * | 35 | | | 17 | | 212 | |
| CRACOW | 380 | | | 96 | | 234 | |
| CZERNICHOŃ* | 27 | | | 16 | | 47 | |
| DOBRYŃ | 236 | 217 | 92% | 19 | 8% | 25 | 105 |
| KIEV | 207 | 166 | 80.2% | 41 | 19.8% | 70 | 211 |
| LUBLIN* | 77 | 73 | 96.2% | 4 | 3.8% | 45 | 1,017 |
| ŁĘCZYCA | 455 | 324 | 71.2% | 131 | 28.8% | 67 | 368 |
| MASOVIA: CIECHANÓW* | 85 | | | 24 | | 37 | |
| CZĘRSK | 132 | 114 | 86.4% | 18 | 13.6% | 30 | 64 |
| LIW* | 54 | | | 27 | | 91 | |
| NUR | 112 | | | 35 | | 19 | |
| RÓŻAN | 234 | | | 21 | | 85 | |
| WIZNA | 140 | 97 | 69.3% | 43 | 30.7% | 47 | 20 |
| ZAKROCZYM | 92 | 54 | 58.7% | 38 | 41.3% | 37 | 70 |
| OŚWIĘCIM & ZATOR | 78 | | | 22 | | 89 | |
| PEŁOCK | 164 | 94 | 57.3% | 70 | 42.7% | 27 | 775 |
| PODOLIA* | 38 | | | | | 92 | |
| RAWA:GOSTYNIN | 146 | | | 25 | | | |
| RAWA * | 120 | | | 65 | | 214 | |
| SOCHACZEW | 134 | | | 26 | | 132 | |
| RUTHENIA | 353 | | | 166 | | 143 | |
| SANDOMIERZ | 596 | 593 | 99.5% | 3 | 0.5% | 163 | 211 |
| SIERADZ | 375 | | | 94 | | 1,031 | |
| WIELUŃ | 86 | | | 15 | | 190 | |

Notes. 1764 figures are based on acts of accession to the General Confederacy except where marked *, which are taken from the 'Suffragia' at the royal election. 1767 figures are based only on those acceding when the local confederacies were first formed, as subsequent accessions were increasingly infiltrated by royalists, or resulted from growing Russian pressure.

Malcontent supporters in 1767

| | literate | | illiterate | | titled |
|--|----------|-------|------------|-------|--------|
| | | | | | |
| | | | | | 63 |
| | 165 | 80.1% | 41 | 19.9% | 70 |
| | 173 | 81.6% | 39 | 18.4% | 35 |
| | | | | | 44 |
| | | | | | 20 |
| | 62 | 59.0% | 43 | 41.0% | 21 |
| | 202 | 95.9% | 9 | 4.2% | 67 |
| | 213 | 21.0% | 804 | 79.0% | 12 |
| | 99 | 27.0% | 269 | 73.0% | 53 |
| | | | | | 14 |
| | 54 | 84.4% | 10 | 15.6% | 16 |
| | | | | | 5 |
| | | | | | 2 |
| | | | | | 6 |
| | | | | | 4 |
| | 22 | 31.3% | 48 | 68.7% | 3 |
| | | | | | 12 |
| | 140 | 18.1% | 635 | 81.9% | 26 |
| | | | | | |
| | | | | | 28 |
| | | | | | 21 |
| | 70 | 49.0% | 73 | 51.0% | 24 |
| | 207 | 98.0% | 4 | 2.0% | 53 |
| | 960 | 93.1% | 71 | 69.0% | 55 |
| | | | | | 67 |

Columns headed 'titled' include all personages recording the title of their rank, dignity or office, including those titling themselves the sons of such.

TABLE 4 ii

'Family' Republican/Malcontent support in Halicz,
Łomża and Wielkopolska (Poznań-Kalisz), 1764 and 1767

HALICZ

| Republican supporters, 1764 (Potocki confederacy, July 23, 1764) | | 'Family' supporters, 1764 ('Family' confederacy, Aug. 13, 1764) |
|--|---------|---|
| total: | 709 | 235 |
| literate: | 248 35% | 153 65.2% |
| illiterate: | 461 65% | 82 34.8% |
| titled: | 20 | 73 |

Malcontent supporters, 1767

| | |
|--------------|-----------|
| total: | 457 |
| literate** | 217 47.5% |
| illiterate** | 240 52.5% |
| titled: | 46 |

ŁOMŻA (MASOVIA)

| Republican confederacy, Feb. 6, 1764 | | 'Family' confederacy, Feb. 6, 1764 |
|---|-----|---------------------------------------|
| total | 297 | 166 |
| literate: | | 92 55.4% |
| illiterate: | | 74 44.6% |
| titled: | 52 | 8 |

Malcontent supporters, 1767

| | |
|---------|----|
| total: | 22 |
| titled: | 2 |

WIELKOPOLSKA

| Republican supporters, March, 1764 | | 'Family' supporters, March 1764 |
|---------------------------------------|-------------|------------------------------------|
| total: | over 1,600* | over 700* |

Malcontent supporters, 1767

| | |
|-------------|-------------|
| total: | 1,223 |
| literate: | 1,135 92.8% |
| illiterate: | 88 7.2% |
| titled: | 77 |

* Based on information in a letter from Stanisław Konarski, who had access to the original acts, to Waclaw Rzewuski, March 23, 1764, *Listy Stanisława Konarskiego 1733-1771*, ed. J. Nowak-Dłużewski (Warsaw 1962), no. LXVI.

1767 figures apply only to persons acceding to the initial act of local confederacy.

** Impossible to determine who were and who were not literate.

ment was one of the first actions of Brzostowski's Lithuanian malcontent confederacy.¹¹⁵ In the prevailingly gloomy atmosphere of southern Poland, a spate of political prophecies appeared, foretelling the imminent collapse of the Poniatowski regime.¹¹⁶ Despite this, it is clear that the malcontent confederacies were not the resounding successes so often reported by contemporaries. The Republicans and Russians failed dismally to tap the pool of potentially sympathetic response. For, no matter how they tried to disguise it, no matter how noble or vague the rhetoric of their declarations, ultimately they could not hide that they had overstepped the limits of what *szlachta* opinion found acceptable. The intention of the malcontent leaders may well have been to depose Stanisław August and destroy the reforms. But, if in their public declarations, they announced their aim of demolishing reform, they also stated their aim of restoring the rights of the dissenters. The *szlachta* could not and would not accept this — as their leaders knew, and as the Russians had had made clear to them so often.

Tables 4(i) and (ii) give a full comparison of 'Family' and malcontent support from 1764 to 1767. Of the twenty eight palatinates and counties for which meaningful comparison is possible, in only ten did the malcontents secure more support at their initial act of confederacy than did the 'Family' in 1764 (see note, table 4(i)). For six of these ten areas, Chełm, Czernichów, Lublin, Liw, Rawa and Sieradz, the available information is biased towards the malcontents: only the names of a minority of 'Family' supporters, present at the royal election are extant, that is, of persons who could afford to make the journey to Warsaw. 77 recorded persons voted in the Lublin contingent at Poniatowski's election; on May 26, 1767, 1,017 gathered at Łuków to accede to the malcontent confederacy under Jędrzej Tarło. 79% of these were illiterate petty *szlachta*.¹¹⁷ Whereas 45 'titled' persons, that is, persons who can, with some degree of certainty be regarded as having possessed a greater standing in the local community, voted from the palatinate

¹¹⁵ Essen to Flemming, Feb. 15, 1766, SLHA 3561 IIIa, ff. 154-163, June 16, 1767, *ibid.* 3562 IVa, ff. 596-597.

¹¹⁶ Such 'prophecies' had, in fact, been widespread in southern Poland since at least 1765, but appear to have been little more than the ravings of isolated, itinerant preachers. E. Rostworowski, 'Książdz Marek i Proroctwa Polityczne doby radomsko-barskiej' in *Przemiany Tradycji Barskiej* (Cracow 1972) pp. 31-32.

¹¹⁷ Illiterates are readily identifiable from the documents, by a cross placed after their name, usually accompanied by a formula to the effect that the person concerned, whose name was written in, presumably by an official, was unable to write. The actual illiteracy figures are considerably understated as it is clear from many other signatures that their authors could write them only with difficulty.

of Lublin on September 6, 1764, only twelve were present at the malcontent assembly. From Sieradz, the 375 electors of Stanisław August included 94 titled personages; the 1,031 malcontents only 35. Only in Belz, Brześć Kujawski, Czernichów, Wieluń and Wielkopolska did the malcontents find more titled supporters than the 'Family' had done in 1764. Of these, the Brześć Kujawski confederacy was dominated by royalists (see below). It is significant that in Halicz, Łomża and Wielkopolska (table 4(ii)), the malcontent level of support was well below that of Republican support in 1764. In Łomża, it plummeted from 297 adherents in 1764, to 22 in 1767. In Masovia generally, not a single county produced over 100 *szlachta* at the initial malcontent assemblies. As far as the situation in the Crown was concerned, support for the malcontents, particularly among the titled members of the *szlachta*, was disappointing. A disproportionate element of that support consisted of the more amenable petty *szlachta*.

In putting his signature to a confederacy, a *szlachcic* could qualify or amplify his position by inserting a reservation, or *salva*. The available acts of accession to the General Confederacy of 1764 produce 63 *salvae*, 47 of them from the palatinate of Volhynia (for which no act of malcontent confederacy is available) (see table 5). Most of the 1764 *salvae* affirm the signatories' desire to see the old laws, in particular *liberum veto*, confirmed.

In 1767, nineteen separate acts of confederacy, contained 385 *salvae*, mostly against changes in the laws on the dissenters, but a considerable number, particularly in Brześć Kujawski and Inowrocław and Masovia, testified to the signatories' loyalty to the King. The *salvae* tended to be fairly short and although the author might occasionally offer a small paragraph explaining his position, there was usually no time for this. The 1767 *salvae* betray a widespread mistrust of the direction taken by the Confederacy, especially if contrasted with the less reserved attitude of those who subscribed to the 'Family' programme in 1764. Common formulae include variations on the theme 'circa fidem, legem et libertatem,' 'salvis iuribus Regni et integritate Orthodoxae Fidei.' As we can see from table 5, a large number of the *salvae* were explicitly 'circa fidem, legem et regum' or 'salvis iuribus Majestatis.' Not every signatory was bound to add a *salva* to his name. The presence of so many

royalist reservations indicates the possibility of much wider royalist penetration of the malcontent confederacies than the *salvae* alone suggest. The fact that malcontents and royalists could rub shoulders at the same assembly, that two royalist *salvae* appeared even in the Potocki-dominated palatinate of Kiev, warns the reader against exaggerating the strength of political animosities at local level, while also indicating that loyalty to a chosen political party could be fairly strong, even if its fortunes appeared to be in decline.

TABLE 5

Salvae in 1764 and 1767

| county or palatinate | 1764 number of <i>salvae</i> | 1767 number of <i>salvae</i> |
|--------------------------|---------------------------------|---------------------------------|
| Brześć Kuj. & Inowrocław | — | 98 (66 royalist) |
| Cracow | 2 | 18 (6 royalist) |
| Dobrzyń | — | 8 |
| Halicz | — | 59 |
| Kiev | 12 | 3 (2 royalist) |
| Lublin | — | 34 |
| Łęczyca | 1 | 58 (17 royalist) |
| Masovia: | | |
| Czersk | 1 | 17 (16 royalist) |
| Liw | — | 3 |
| Różan | | |
| Zakroczym | — | 1 (1 royalist) |
| Oświęcim & Zator | 3 | 1 |
| Płock | — | 5 |
| Podolia | — | 30 |
| Ruthenia | — | 7 |
| Sandomierz | — | 5 |
| Sieradz | — | 30 |
| Volhynia | | |
| Wieluń | — | 2 |
| Wielkopolska | — | 5 |
| total | 68 | 385 |

1767 *salvae* are taken from the initial act of confederacy and do not include those shown in subsequent accessions.

The immediate cause of the malcontents' feeble performance lay in poor organisation. Their leaders were riven by jealousies, wracked by mistrust of Russia and by no means confident of the success of their own undertaking. Barely a fortnight remained for them to complete their preparations, between the dispersal of their conference with Repnin in mid-May, and the formation of their local confederacies, mainly between 25 and 29 of May. Almost certainly some kind of initial preparations had been made before the May conference, but these can only have been rudimentary and may not have gone far beyond an agreement in principle that Russian troops were to assist the confederacy in each palatinate.¹¹⁸ The inadequacy of these preparations may explain the relative lack of support among the 'titled' *szlachta*, who had to be courted, as opposed to the petty *szlachta*, who could often be driven. Międzyński, palatine of Czernichów, was informed of the arrangements by F. S. Potocki only on May 22.¹¹⁹ Not surprisingly, only 47 persons were present at the formation of the Czernichów confederacy, five days later. The vaguest of letters on the (unspecified) dangers threatening the Commonwealth and on the need to defend the Catholic faith (sic) were sent to leading dignitaries, including royalists, to win them over.¹²⁰ In Lithuania, those in charge of the local confederacies began to receive their orders only towards mid-May.¹²¹

Widespread confusion and ignorance reigned over the aims of the Confederacy. In Warsaw, as late as mid-May, Stanisław Brzostowski was rumoured to be mounting a counter-confederacy in Lithuania against the dissenters.¹²² On June 6, Klosmann, mayor of Thorn, wrote to his resident in Warsaw, S. L. Geret, that the petty *szlachta* were convinced that the malcontents' confederacies were aimed directly against the dissenters.¹²³ The catch-all terms of the local acts of confederacy and proclamations were hardly enlightening. After the Cracow confederacy was formed at Jędrzejów, Dębiński, castellan of Wojnicz, in response to an invitation from its marshal,

¹¹⁸ Sołtyk to Mniszech, Kielce, April 20. B.Cz. 3862, no. 76.

¹¹⁹ Międzyński to F. S. Potocki, Maciejowicze, May 22, AGAD/AKPV 85/2.

¹²⁰ Ossoliński to Kochanowski, castellan of Żarnów (n.d.) (Kochanowski was a royalist. See W. Szczygielski, *Konfederacja Barska w Wielkopolsce 1768-1770* (Warsaw 1970), p. 116), B.Cz. 940a, f. 347; to Trojanowski, ensign of Stężycza (n.d.), *ibid.* f. 349; F. S. Potocki to the *starosta* of Tyszów, June 6, AGAD/Mała Wieś IIc/78.

¹²¹ M.J. Pac to M.H. Radziwiłł, Warsaw, May 11, *ibid.*, ARV 252/11210. Michał Radziwiłł was informed in this letter he was to supervise the establishment of the confederacy in Brześć (Lithuania).

¹²² Newsletters to E. Kuropatnicki, Warsaw, May 13, 14, B. Oss. 583, ff. 41, 44.

¹²³ AT. Kat. II 3365, f. 52.

Franciszek Wielopolski, could only declare his bewilderment. If, as Wielopolski had implied, the confederacy was “circa Fidem, Regem [sic] et Legem” why were the Russians, who had been responsible for the confederacies of Słuck and Thorn, present? Why had Dębiński received no letters from the primate on the defence of the faith? Who was really behind the confederacy? Until he was satisfied on these points, Dębiński could not accede.¹²⁴ Dębiński’s doubts were shared by the local *szlachta*, only 234 of whom attended the assembly, an exceptionally low turnout for the palatinate at a public assembly.¹²⁵ In Sandomierz, Joseph Ossoliński similarly tried to mystify the *szlachta*, by asserting the confederacy to be “circa religionem, Majestatem et libertatem, but the *szlachta* will not believe the first point, as the Russians, who have so loudly and clearly declared in favour of the dissenters, will be present.”¹²⁶ Ossoliński was finally able to scrape together 211 *szlachta* in a palatinate where almost 600 had formed the Czartoryski confederacy in 1764 and which had sent 575 to the royal election. This particular confederacy, moreover, contained at least a sprinkling of ‘Family’ supporters. Marcin Mikułowski, Stanisław Lubomirski’s local agent, acceded with nine other members of his family, with Lubomirski’s approval, but he regarded his *salva* — to uphold the rights of the army commission — as a virtual evasion of any obligations to the confederacy.¹²⁷ Ossoliński himself showed so little confidence in his undertaking that he was ready to resign, if his parents disapproved of the venture.¹²⁸ F. S. Potocki, notorious for his vacillation, acceded to the confederacy of Bełz on May 27. Yet he delayed confederating his own palatinate, that of Kiev, until June 4, perhaps to monitor the progress of other confederacies. Ignacy Cetner, palatine of Bełz and Potocki’s associate at the confederacy there, immediately despatched a letter to the king, pleading he had been forced to join the confederacy against his will.¹²⁹ From Lwów, in Ruthenia, the royalist Dzieduszycki complained of the widespread use of threats to secure accessions. Those responsible for the confederacy, he went on, now assured the *szlachta* that the dissenters

¹²⁴ Dębiński to Ossoliński, late May, B. Oss. 714, f. 69.

¹²⁵ S. Gozdzkowski to J. Kl. Branicki, Cracow, May 26 AGAD/Roś VI-74.

¹²⁶ Minutes of royal conferences, quoting an eyewitness account, May 23, B.Cz. 653, p. 589. General Krechetnikov also observed the lack of enthusiasm among the Sandomierz *szlachta* for a confederacy. *Zhurnal general-majora i kavalera Petra Nikiticha Krechetnikova*, ed. O. M. Bodyansky (Moscow 1863), pp. 26-27 (entry for May 23/June 3).

¹²⁷ Stanisław Lubomirski to M. Mikułowski, June 11, PAU 14, f. 83.

¹²⁸ J. Ossoliński to his parents, Samborzec, May 29, B. Oss. 2651.

¹²⁹ Gérault to Choiseul, June 6, A.E. Pol. 289 f. 359.

would abandon their claims or that the satisfaction of their pretensions would not be injurious to the Commonwealth. He even reported rumours that the confederates were to appeal to Austrian protection.¹³⁰

Force was widely used to secure accessions, despite Repnin's assurances to the contrary. Without it, attendance at the malcontent confederacies would have been considerably lower. The ambassador warned his commanders to avoid violence. But, as Russian troops were billeted primarily on the lands of those who would not sign and their behaviour left much to be desired, the distinction was somewhat academic.¹³¹ In a *manifest* registered over a year later, Franciszek Machczyński, secretary to the confederacy of Dobrzyń and regent to the General Confederacy of Radom, claimed that Repnin used force throughout the whole country to make the *szlachta* swear to an ambiguous and misleading act of confederacy. As an expression of his own doubts, Machczyński had acceded with the *salva* 'circa fidem, libertatem et leges Regni.'¹³² At the confederacy of Rawa, the *szlachta* were "dragged forcibly from their homes and taken under guard to Rawa... they were beaten, assaulted and *despotissime* treated."¹³³ The confederacy was particularly unpopular among the petty *szlachta* of Masovia, where attendance was poor and where most of the confederacies were not formed before early June. In the county of Wizna, where twenty nobles attended the confederacy, driven there by the marshal, Szydłowski, and a detachment of Russian cossacks, the local officials registered a *manifest* against the assembly as soon as it dispersed. According to Radziwiłł himself, Szydłowski and his fellow-marshal, Woliński, in the county of Nur, had been won over by the court. Radziwiłł was concerned that others would also be suborned.¹³⁴ Stanisław Lubomirski claimed that, in some areas, only part of the act of confederacy was read to the *szlachta*, that, elsewhere, the king's approval was claimed for the confederacy or that the king's dethronement was promised, or "on faisait accroire qu'on se con-

¹³⁰ Dzieduszycki to Ogrodzki, Lwów, May 26, B.Cz. 660, ff. 195-196.

¹³¹ Repnin to Krechetnikov, May 3/14, *Pis'ma k general-majoru i kawaleru P.N. Krechetnikovu*, ed. O. Bodyansky (Moscow 1863), p. 8 Stanisław Lubomirski to Maciej Sołtyk, May 24, 25, BJ. 7598. Dzieduszycki to Ogrodzki, May 26, B.Cz. 660, f. 196. J. Ossoliński to Czacki's wife, May 26, B.Cz. 940a, f. 455.

¹³² *Manifest* of F. Machczyński, Lipno, Sept. 6, 1768, PAU 953, ff. 1633-1666 passim, especially ff. 1637-1638.

¹³³ Łuniewski to Mniszech, Warsaw, June 21, PAU 1144.

¹³⁴ Karaś to J. Rostkowski, *starosta* of Wizna, June 18, AGAD/Mała Wieś IIc/79. Radziwiłł to Aloy, Białystok, June 9, K. S. Radziwiłł *Korespondencja 1762-1790*, ed. K. Waliszewski (Cracow 1888), no. LV.

fédérait contre les Dissidents.” Sometimes, the *szlachta* were fooled into signing by the announcement of a fake act of confederacy. In view of what can be substantiated, there is no reason to doubt Lubomirski.¹³⁵

Some of the acts of confederacy departed significantly from the guidelines laid down by Repnin and Podoski. Those of Chełm, Czernichów and Kiev, under the aegis of F. S. Potocki, gave additional emphasis to Catherine’s concern for the integrity of the Catholic faith and although they spoke of giving “due justice” to the dissenters, they did not make it clear that an imperial guarantee would extend to a settlement of their claims. The principalities of Oświęcim and Zator, which confederated on June 6, stressed that this settlement belonged primarily to the Sejm, not to Catherine. Sandomierz and Sieradz spoke much more strongly of the need to defend the Catholic faith. Sieradz also wanted a restoration of the powers of the *hetmani*, a reunification of the Crown Tribunals, the abolition of the treasury commission and the restoration of the *czopowe* and *szelężne* to the control of the counties and palatinates — all “despite instructions previously given.” It complained that the new coinage caused unnecessary disruption and that it ought to be devalued to the old rate of 18 zlotys to the ducat. For good measure, it closed with a repeated assurance of loyalty to the king, a point missing from the Wielkopolska instruction, which resembled that of Sieradz in most other respects. The proclamation of Michael Skórzewski, *podkomorzy* of Poznań and marshal of the Wielkopolska confederacy, attacked the reformers at greater length than the Repnin-Podoski original for their assault on the *liberum veto* (the other surviving proclamations follow the original exactly). Mniszech explained to Repnin he could only win the *szlachta*’s co-operation by promising them the abolition of the reforms and the restoration of the Wettin dynasty.¹³⁶ The county of Sochaczew, which only confederated on August 5, dispensed with the act of confederacy altogether, declaring its adherence to that of Rawa, for the maintenance “of the integrity of the Holy Catholic Faith, the dignity of the throne, the confirmation of our liberties and freedoms . . .” The act which differed most from the master-text was that of the county of Biała, in the palatinate of Podlasie, where *hetman* Branicki secured the return of Karol Radziwiłł as marshal.

¹³⁵ ‘Tableau des événements et des révolutions auxquelles l’entreprise pour le rétablissement des Dissidents en Pologne a donné lieu en 1767’, AGAD/APP 82, vol. II, pp. 352-353.

¹³⁶ Małachowski to Ogrodzki, Konarzewo, May 28, B.Cz. 672 ff. 43-44. Repnin to Mniszech, May 29, B.Cz. 3862, no. 89. Cieżykowski to Mniszech, Warsaw, June 5, PAU 1144.

The councillors included Andrew Mokronowski, Joseph Pułaski — one of the future inspirers of the Confederacy of Bar — and Marcin Matuszewicz, soon to be secretary of the General Confederacy of Radom. Over 2,000 *szlachta* were present. Repnin, in deference to Branicki's dignity, kept Russian troops out of the area. Consequently, Radziwiłł's guardian angel, Colonel Karr, was unable to prevent the prince from using his old title, palatine of Wilno, which Repnin had forbidden, or the adoption of an act which, though including considerable portions of the original, avoided all reference to the dissenters or to the imperial guarantee. The Czartoryskis were obliquely condemned for their "oppressions," but no reference was made to their supposedly having used the religious issue as a cloak for their designs. The act demanded the full and permanent restoration of the former powers of the *hetmani* and of the entire old form of government.¹³⁷

Much sparser information is available concerning Lithuania. Only two acts of confederacy, those of Brześć and Nowogródek (the latter in the heart of Radziwiłł estates) survive, both in copy form. They follow Repnin's text closely, but do not give the names of signatories, although that of Nowogródek states that "of mounted *szlachta* alone" these were 300 — implying a more numerous course of petty *szlachta*, of those unable to afford a horse. In July, Stanisław Przeciszewski, marshal of the confederacy of Żmudź, complained of the fewness of accessions, but this may have applied only to his district.¹³⁸ At Słonim, Mińsk and Połock, however, royalists thought the response alarmingly enthusiastic, even though threats and billeting were as freely applied as in the Crown.¹³⁹ Nevertheless, in Mińsk, where the *gród* officials acceded only under pressure, as soon as the body of confederates had left for Wilno, the officials registered a secret *manifest* against the confederacy.¹⁴⁰

The relative lack of overall enthusiasm, at least as far as the Crown was concerned, may also have been partly attributable to the lack of financial capital Russia was prepared to invest in the Confederacy. Copies of Repnin's accounts for 1767, including the secret

¹³⁷ Betański to Gérard, Białystok, June 13, A.E. Pol. 289, ff. 373-374; Jakubowski to Choiseul, Białystok, June 18, *ibid.* ff. 382-384.

¹³⁸ Przeciszewski to Radziwiłł, Pluszcze, July 13, AGAD/ARV 289/12481.

¹³⁹ T. Radwańska to Adam Chmara, Słonim, May 23, BJ. 6646; J. Chmara to Adam Chmara, Mińsk, May 28, *ibid.*; F. Bielski to A. Chmara, May 29, *ibid.*; Ignacy Żorawski to A. Chmara, Słonim, May 29, *ibid.*; anonymous correspondent to A. Chmara, Mińsk, June 5, 12, *ibid.* J. Smogorzewski, Uniate bishop of Połock, to J. Ogrodzki, Połock, May 23, June 21, B.Cz. 707, ff. 44, 46.

¹⁴⁰ Anonymous correspondent to A. Chmara, Mińsk, May 29, BJ. 6646.

list,¹⁴¹ survive. Karol Radziwiłł was given 10,000 ducats to confederate the Grand Duchy,¹⁴² but Replin was less generous in the Crown, where he distributed money to individuals in a seemingly haphazard manner. To form actual confederacies, cash aid was given only to Mączyński, castellan of Sieradz (400 ducats), for the Sieradz confederacy and to Jan Poniński (300 ducats) for the Wieluń confederacy. Podoski was given 1,000 ducats on June 14 for expenses, presumably bribes, at Radom. In contrast, Georg Goltz had been given 12,000 ducats to form the dissenters' confederacy at Thorn, Jan Grabowski 8,000 ducats to form the Słuck confederacy. In other words, the dissenters' confederacies, which between them could muster only a few hundred *szlachta*, cost Russia twice as much as did the entire General Confederacy of Lithuania. In the Crown, it cost Mniszech 15,000 ducats of his own fortune to confederate the two palatinates of Poznań and Kalisz and he did succeed in assembling over 1,000 *szlachta*, a relatively high turnout.¹⁴³ Yet even if Russia had been willing to spend similar sums of money on the malcontent confederacies to those she had spent on the dissenters', it is by no means certain the *szlachta*'s response would have been significantly more encouraging. As the acts of confederacy which differed from the Replin-Podoski guidelines suggest, the Russians had simply chosen the wrong programme with which to attract *szlachta* support, particularly by their advocacy of religious concessions.

How many *szlachta* did, in the end, adhere to the malcontents' confederacies, is difficult to determine with any certainty. Merely adding up all the available totals of signatures would be inadequate, as it is clear that accessions were taking place all the time, at least up to the Sejm of 1767, but hardly any of these subsequent acts survive. It was not uncommon for a family or even a whole village to announce its accession through a single representative. Contemporary estimates of the total numbers involved, for the Crown and Lithuania, ranged from 60,000 to 100,000.¹⁴⁴ Essen, usually all too

¹⁴¹ AGAD/AKPV 85/2. Konopczyński gives the same details, using a copy in the archives of the Russian Imperial foreign ministry, *Konfederacja Barska*, vol. I, p. 3, n. 3.

¹⁴² This money was probably actually given to Stanisław Brzostowski. According to the secret list, the 10,000 ducats were paid out on April 14. In his despatch to Flemming, of April 22, Essen says Brzostowski had just received an advance of 3,000 ducats, with 7,000 to come later. SLHA 3562 IVa, f. 572. It is possible that either Replin or Brzostowski pocketed the remaining 7,000 themselves. There is, of course, no guarantee that any of the sums shown in Replin's accounts were wholly or even in part used for their intended purposes — financing the confederacies — rather than satisfying the recipients' private needs.

¹⁴³ Essen to Flemming, July 15, SLHA 3562 IVb. f. 80.

ready to repeat any news damaging to the reformers, claimed that 80,000 *szlachta* had confederated within a few weeks, whereas the generally dispassionate St. Saphorin felt that an estimate of 72,000 was probably too high.¹⁴⁵ It seems that as much as one third or even one half of the adult male *szlachta* population (out of a total *szlachta* population of approximately 950,000) may have 'belonged' to the Confederacy at its height, in the sense that they were registered on its rolls, either directly or through the signature of a representative. How many of them believed in, or even knew, what the Confederacy stood for, when its own leaders were none too sure, in another, unquantifiable, matter. Certainly, very large numbers of *szlachta* were involved, but, taken at their face value, the figures have only served to give contemporaries and later historians a false impression of the popularity of the Confederacy. If the confederacies formed in Poland in 1767 were partly mass-movements, they were by no means popular ones.

There is no doubt, however, that the formation of the General Confederacy of the Grand Duchy of Lithuania, at Wilno, on June 2, attended in force by delegates from all the twenty three Lithuanian local confederacies, was a triumphant manifestation of Radziwiłł support. 4,000¹⁴⁶ *szlachta* unanimously elected Stanisław Brzostowski their marshal-general — although not before Brzostowski had been publicly assured by the local Russian officer commanding, General Nummers, that Catherine would accord the Confederacy her protection.¹⁴⁷ After Brzostowski promised the *szlachta* "de non admittendis absolute iisdem Dissidentibus [into the Sejm]",¹⁴⁸ the act of Confederacy, which, in the Lithuanian version included a clause annulling all decrees issued under the previous General Confederacy against Radziwiłł,¹⁴⁹ was read and acclaimed. On the following day, Radziwiłł himself, who had journeyed to Lithuania via Danzig and Königsberg, entered the city, accompanied by colonel Karr, welcomed by a salute of cannon. "Everywhere, the guilds

¹⁴⁴ 60,000 was the figure given by James Harris, later earl of Malmesbury, a visitor to Poland in the winter of 1767-1768. He claimed this was a widely accepted estimate. James Harris, *Diaries and Correspondence*, vol. I (London 1844), p. 14. 100,000 was the figure given by the Republican princess Ursula Lubomirska. Lubomirska to Mniszech, Sept. 20, PAU 1144.

¹⁴⁵ Essen to Flemming, June 3, SLHA 3562 IVa, f. 560; St. Saphorin to Bernstorff, June 17, RA. Cop. TKUA Polen AIII46.

¹⁴⁶ Betański to Gérard, Białystok, early June, AE. Pol. 289, f. 363.

¹⁴⁷ Jakubowski to Choiseul, Białystok, June 8, *ibid.* f. 367.

¹⁴⁸ From a note accompanying a latin text of the act of Confederacy, sent by the nuncio, Durini, after Oct. 12. Theiner, no. LXV, p. 165.

¹⁴⁹ Complete text of the Lithuanian act of General Confederacy, AGAD/ML IX-36, ff. 62-67.

greeted him with much shouting and even several hundred Jews, well-attired, welcomed him with a great noise . . ." There was dancing in the streets and, during the night, churches and other buildings "were decked with beautiful illuminations, *sub figura* of Divine Providence & *alio modo*." Brzostowski gave a lavish ball, attended by General and Madame Nummers and by other Russian officers. Radziwiłł "danced till dawn, but would not touch any alcohol." On June 5, he and colonel Karr left for *hetman* Branicki's residence at Białystok.¹⁵⁰ The festive occasion was marred only by the steadfast refusal of Joseph Hylzen, palatine of Mińsk and marshal of the Tribunal of Lithuania, then in session at Wilno, to recognize the Confederacy, even though twelve of the nineteen deputies present went over to it.¹⁵¹

The course of events at Radom, in the Crown, was to be less auspicious. A royalist reaction had been under way almost from the very formation of the local confederacies. We have already referred to royalist and 'Family' inroads into malcontent ranks in Masovia, Brześć Kujawski, Sandomierz and elsewhere. The malcontents and Russians, forcing accessions indiscriminately on all parties, were themselves partly responsible, for their tactics of threats and violence were bound to drive in royalist sympathisers.¹⁵² In chapter IV, we saw that the king and his advisers had agreed to infiltrate their own supporters into the Confederacy, to try and bring it under control. August Czartoryski himself surprised Replin when, in late May, he offered to join the Confederacy, a proposal which the ambassador rejected.¹⁵³ On June 4, Łuniewski, custodian of Mniszech's palace in Warsaw, reported that the king was giving his supporters a free hand vis-à-vis the Confederacy.¹⁵⁴ In Cracow, as early as May 27, two days after the palatinate had confederated at Jędrzejów, 123 *szlachta* acceded — according to their *salvae*, predominantly royalists.¹⁵⁵ In Mniszech's stronghold of Wielkopolska, 50 royalists acceded on June 6.¹⁵⁶ Panic erupted in the palatinate of Poznań, when rumours spread that Catherine would not abrogate the reforms

¹⁵⁰ 'Diariusz założenia konfederacji generalnej litewskiej' AGAD/Sucha 345/441, pp. 66-70; 'Diariusz Konfederacji Generalnej . . . W. X. Litt.' *ibid.* ARII 20/2916.

¹⁵¹ AGAD/ARII 20/2916. Diary of the Tribunal of Lithuania, June 3, *ibid.* ZP. 364, f. 196. Stanisław August to Joseph Hylzen, June 10, BJ. 6711, ff. 17-18.

¹⁵² Dzieduszycki to Ogrodzki, Lwów, May 18, B.Cz. 660, f.194; J. Czartoryski, steward of Lithuania, to Stanisław August, Zamość, June 5, B.Cz. 659, ff. 340-341.

¹⁵³ Gérard to Choiseul, May 30, AE. Pol. 289, f. 357.

¹⁵⁴ Łuniewski to Mniszech, June 4, PAU 1144.

¹⁵⁵ Waw. CC. 200, pp. 1845-1850.

¹⁵⁶ WAP. Poz. Gr. 409, f. 358.

and that the restoration of the dissenters was her main concern.¹⁵⁷ In what should have been patriot-dominated Volhynia, the royalist Piaskowski and the Stecki family were sufficiently confident to plan a counter-confederacy for the opening of the county court sessions in Łuck. They were prevented by general Krechetnikov, who, after getting wind of the plan, surrounded the town and sent troops to occupy the estates of the would-be anti-confederates.¹⁵⁸ F. S. Potocki's dilatoriness in confederating Kiev retarded the opening of the General Confederacy of the Crown, originally scheduled for June 15, by over a week.¹⁵⁹ Radziwiłł arrived in Radom on June 13, to discover, to his dismay, that no-one was present to greet him. Wessel and Podoski were lodged in nearby villages, but did not call on him until the following day.¹⁶⁰ Mniszech arrived on June 18, F. S. Potocki on June 19. J. Kl. Branicki refused to come, despite initial hopes he might do so. None of the bishops attended, although just before June 22, archbishop Sierakowski of Lwów paid a short visit, to extract the confederates' agreement not to recognize the dissenters' confederacies or to permit '*liberum exercitium*.'¹⁶¹ Radziwiłł's mortifications were increased by colonel Karr, who forced him to write a letter of submission and loyalty to Stanisław August.¹⁶² Moreover, Repnin informed Radziwiłł that the Tribunals and all government departments were to continue functioning normally, despite the prince's protests that the confederates would be intimidated by the fear of judicial reprisals, which could lead to the collapse of the Lithuanian Confederacy.¹⁶³

Under Karr's orders, Russian troops garrisoned Radom and positioned artillery in the town square. The confederates grumbled about the secrecy of negotiations between Repnin, Radziwiłł and Podoski, although the latter continued to give assurances that the dissenters' demands would be moderated.¹⁶⁴ On June 22, marshals and councillors from most parts of the Crown assembled in the town hall. They were unable to persuade Karr to withdraw his troops.

¹⁵⁷ Tadeusz Zakrzewski to Mniszech, Krotoszyn, June 18, PAU 1144.

¹⁵⁸ *Zhurnal general-majora... Krechetnikova*, p. 32, entry for June 7/18; Felicjan Wołodkiewicz, Uniate Metropolitan, to Karol Radziwiłł, June 22, AGAD/ARV 484/17905.

¹⁵⁹ F. S. Potocki to Radziwiłł, Krystynopol, June 8, *ibid.* 280/12225; Radziwiłł to colonel Fryczyński, Radom, June 26, K. S. Radziwiłł, *Korespondencja 1744-1790*, ed. Cz. Jankowski (Cracow 1898), no. XXVI.

¹⁶⁰ Radziwiłł to J. Kl. Branicki, Radom, June 17, AGAD/Ros XVIII-13.

¹⁶¹ Newsletter to E. Kuropatnicki, Warsaw, July 1, B.Oss. 583, f. 60.

¹⁶² Stanisław August acknowledged the receipt of such a letter, dated June 21, on July 20. Radziwiłł, *Korespondencja... ed. Waliszewski no. LVIII.*

¹⁶³ Radziwiłł to J. Kl. Branicki, June 12, AGAD/Roś XVIII-13.

¹⁶⁴ Betański to Gérard, Białystok, June 21, AE. Pol. 289, f. 388.

Instead, he demanded they sign the same act of Confederacy as in Lithuania. "At this, threatening voices and resolutions arose, in defence of the Holy Religion; those who sought to mollify the agitated tempers were reproached with the loss of their faith."¹⁶⁵ The meeting adjourned and the next morning passed in fruitless discussions. Karr brought more troops into the town. Three groups emerged among the confederates: those ready to accept the act without demur, particularly the younger men, headed by Joseph Potocki and Joseph Ossoliński, those wanting a more general formula, as in the acts of local confederacy, and those headed by F. S. Potocki and Mniszech, who were willing to accept all concessions for the dissenters, provided everything favourable to the king was erased from the act. Karr, unmoved, warned that the Russian soldiers, whose protection the confederates had themselves invoked, would be used against those who fomented discord. His troops began military demonstrations around the town. Podoski gave further assurances that the dissenters' issue would be settled as the confederates wished. The malcontents gave way. On the afternoon of June 23, Radziwiłł was elected marshal-general, to the accompaniment of a 21 gun salute from the Russians. The malcontents then signed the act of Confederacy as Karr wanted.¹⁶⁶ It bore the names of 178 marshals, councillors and senators. The only ecclesiastic was Podoski, recently nominated to the primacy by Stanisław August, at Repnin's insistence. The only signature which did not bear an elaborate *salva* in defence of the Catholic faith and against all political concessions to the dissenters was that of Teodor Wessel, grand treasurer of the Crown.¹⁶⁷ Radziwiłł wrote to Catherine that his election constituted "la plus grande époque de ma vie." He would continue to submit to her orders and undertake nothing without consulting Repnin.¹⁶⁸ The General Confederacy of Radom, prevented from disintegrating even before its inception only by Russian guns, had come into being.

¹⁶⁵ Newsletter to E. Kurcpatnicki, July 1, B.Oss. 583, ff. 60-61.

¹⁶⁶ *ibidem*. Benoit to Frederick II, June 27, DZA 9/27 — 179, f. 97. Karr's report. Solov'ev. XXVII, pp. 477-478.

¹⁶⁷ Text in Kraushar, *op.cit.*, vol. I, pp. 388-400, but the *salvae* are incomplete. The best text is in the protocols of the Confederacy, AGAD/ML IX-38, pp. 1-14. See Appendix I.

¹⁶⁸ Radziwiłł to Catherine II, Radom, June 23. Radziwiłł, *Korespondencja* . . . ed. Waliszewski, no. LVI.

CHAPTER VI

ILLUSION AND REALITY

“Une Confédération compose les états de son pays . . . Sa cour est souveraine et suprême et . . . par conséquent, elle peut interdire les tribunaux et toutes les juridictions si elle le trouve à propos et si elle ne le fera pas, ce sera par une modération volontaire et non que par-là elle mette des bornes à son pouvoir qui n’en a point.” In such words did Repnin lecture Joseph Hylzen, marshal of the Lithuanian Tribunal, on the limitless powers of the General Confederacy.¹ Constrained solely by its own will, the Confederacy should have been perfectly placed to introduce the changes desired by its leaders.

In fact, nothing was further from the truth. Repnin was bound to deliver this lecture, because Hylzen was strongly and overtly resisting all attempts to subordinate the Tribunal to the Confederacy’s authority. In so doing, he was flouting the paramount authority of Russia in Poland, for the Confederacy was not an independent, sovereign body, but an extension of the Russian court, an instrument of its will. At their mid-May conferences in Warsaw, the malcontent leaders had strongly pledged themselves to follow Repnin’s instructions at every step. Repnin’s evasiveness and ambiguities, their own shortsightedness, prevented them from perceiving the full consequences of such a commitment.

Even before the General Confederacy of the Crown assembled in Radom, suspicion was voiced that Repnin had been won over by the Warsaw court.² Bishop Adam Krasiński, of Kamieniec Podolski, complained that the act of Confederacy contained only insignificant gestures towards the malcontents’ real demands and that the Confederacy, wholly under Russian control, was quite different from that which had been envisaged.³ The violence at Radom, Repnin’s refusal to divulge his future plans, his refusal to permit Stanislaw August’s dethronement, his frequent conferences with the king, his undisguised contempt for the malcontents “jusqu’à les appeller têtes

¹ Repnin to Hylzen, June 10, BJ. 6711, f. 21.

² Betański to Gérard, June 21, AE. Pol. 289, f. 389.

³ Father Alexander to E. Kuropatnicki, reporting Adam Krasiński, Lublin, July 19, B. Oss. 583, f. 71.

d'ânes"...⁴ seemed to confirm the confederates' gloomiest forebodings. In despair that they had been tricked, they feared they would be delivered to royal vengeance. As early as June 27, Essen reported that whole palatinates would withdraw from the undertaking, if they could.⁵ All they had achieved was "l'ignominie d'avoir concouru de tout leur pouvoir au rétablissement des Dissidents."⁶

Repnin's own position was difficult. Throughout June and most of July, he was without direct orders from his court and unsure of its ultimate intentions. He had to extract substantial concessions for the dissenters, in whom he had little confidence, pursuing a policy he knew to be abhorrent to most Poles. To obtain the concessions, he had to use those who had been most forthright in their condemnation of religious tolerance and whose real interest lay in the dethronement of Stanisław August and the demolition of the reforms, points, in turn, unacceptable to his own court. Yet the ambassador himself had been guilty, up to June 23, of encouraging the malcontents' illusions. To achieve his aims, he needed a minimum of royal support, because of the unsuitability and reluctance of the malcontents on the religious issue. He could not satisfy the king without alienating the malcontents; he could not satisfy the malcontents without either alienating the king or abandoning the dissenters, or both. He could not abandon the dissenters, on whose behalf his court had originally become involved in the Commonwealth. He had too many circles to square. Repnin was led to temporize by allowing the authority of the Confederacy to co-exist with that of the royal government, keeping a tight rein on both, to prevent a direct collision.

In the first week of its existence, the General Confederacy of Radom took no major decisions, beyond swearing in councillors, marshals and appointing its own officials.⁷ No business was conducted on Sundays and Saints' days. Policy was decided by the marshal-general and his councillors, usually in secret session. The decision-making process was little more than a conflict between colonel Karr, transmitting Repnin's orders, backed mainly by the younger confederates — Jędrzej Tarło, Joseph Ossoliński, Joseph Potocki — and the supporters of Mniszech and F. S. Potocki, with Podoski in the role of conciliator.⁸ The divisions made resistance to

⁴ Bratkowski to prince Xavier, July 1, BP. 72, p. 1177.

⁵ Essen to Flemming, June 27, SLHA 3562 IVb, f. 27.

⁶ Gérard to Choiseul, July 4, AE. Pol. 289, f. 405.

⁷ See the Confederacy's records, AGAD/MLIX-36, ff. 1-12.

⁸ Essen to Flemming, June 27, SLHA 3562 IVb, ff.28-29; J. Turno to Mniszech, Radom, July 4, PAU 1144; Radzimiński to Seyffert, July 22, BP. 69, p. 159.

Repnin's injunctions more difficult. Frequent absences of F. S. Potocki, Mniszech and Podoski, for consultations with Repnin or with Sołtyk, at his nearby episcopal residence of Borzęcin, further hampered the Confederacy's work. Mniszech complained bitterly that his views were disregarded, that certain persons — presumably Karr and his allies — sought to discredit him and cut him off from F. S. Potocki and Radziwiłł.⁹ At the end of June, he left Radom, in disgust, for his estates at Dukla. An exodus of disillusioned confederates followed. On July 4, Joseph Zakrzewski, a councillor from Wielkopolska, informed Mniszech that the marshals of Dobrzyń, Brześć Kujawski, Łęczycza, Rawa and Różan had left, accompanied by most of their councillors. "They do not prevent our leaving . . . On the contrary, they wish those who speak the Truth and love their Faith to depart."¹⁰ Tomasz Błęszyński, marshal of the confederacy of Sieradz, complained that those who had initiated the Confederacy and on whom the confederates most counted "now . . . look on from afar . . . leaving their friends in the direst straits . . ."¹¹ On July 11, the confederates passed a resolution setting up a quorum for decision-making, of six councillors from each of the two Crown provinces. The original proposal, to institute a quorum of at least one councillor from each of the thirty-one counties and palatinates originally represented at Radom, had to be waived because of the numerous departures. Zakrzewski doubted if even the lower quorum could be filled for long.¹²

On June 30, "quoiqu'avec beaucoup de difficulté" the confederates agreed to insert the 'Petition', presented by the dissenters at the 1766 Sejm, among their official acts, for the further consideration of the Extraordinary Sejm.¹³ A row erupted over the text of the Confederacy's official proclamation to the counties and palatinates. In May, the confederate leaders had consented to accept this, word for word, as colonel Karr would present it. Now, they balked at the passages acknowledging the continued functioning of the judiciary and commissions.¹⁴ After a week's argument, they accepted the text as Karr wanted, on July 6. They were also obliged to accept a supplementary 'Manifest and Declaration . . . on Religion and the Tribunals.' This was a formal commitment to satisfy the dissenters' claims and grievances, specifically as enumerated in the 1766

⁹ Mniszech to his wife, July 12, B.Cz. 3862, no. 93.

¹⁰ PAU 1144.

¹¹ T. Błęszyński to Mniszech, Radom, July 10, *ibid.*

¹² J. Zakrzewski to Mniszech, July 11, *ibid.* For the text of the resolution, see AGAD/ML IX-36, f. 27.

¹³ *ibid.* ff. 12-14; Radziwiński to Seyffert, Radom, July 2, BP 69, p. 147.

¹⁴ M. Skórzewski to Mniszech, Radom, June 30, PAU 1144.

'Petition' and the acts of confederacy of Thorn and Słuck. To reassure the *szlachta* and themselves, the authors of the act claimed this would actually strengthen the cardinal laws of the Commonwealth, improve trade and manufactures, without any detriment to the Catholic faith. To reassure their supporters against judicial reprisals, the '*Manifest and Declaration*' affirmed that the ultimate control over the judiciary lay with the Confederacy. In suits involving confederates, heard in the normal courts, any party could request a suspension of proceedings, should the court concerned be inspired by the desire for "revenge and oppression." If such a suspension (presumably valid for the duration of the Confederacy, though this was not explicitly stated) were refused, any judgement issued automatically became void and those responsible liable to summons before the yet to be instituted courts of the General Confederacy.¹⁵ Control of the judiciary, which played such a leading role in the lives of the *szlachta*, was of the utmost importance. Repnin permitted the General Confederacy of Lithuania and the local confederacies to institute their own courts, but they were intended only for confederates; non-confederates would continue to apply to the regular jurisdictions.¹⁶ Repnin feared that if he replaced the latter, he would give the Republicans a weapon of revenge, which they would use to plunge Poland into uncontrollable chaos.¹⁷

The confederates' confidence in Repnin's handling of affairs was further sapped by a series of unfavourable verdicts issued by the two Crown Tribunals in suits involving the Potocki family and Radziwiłł himself.¹⁸ The mistrust the malcontents harboured for their protector was concretely demonstrated on July 6, when the Crown Confederacy despatched a letter to him, formally requesting Catherine II's protection. He rejected it on the grounds that it did not seek the Empress' guarantee of a future political settlement in Poland. The malcontents had to make good the omission and also express themselves in considerably more servile terms. In his reply of July 16, the ambassador exhorted the Crown Confederates to effect a junction with the Lithuanians as early as possible, the sooner to despatch a thanksgiving embassy to the Empress, with a request for her guarantee.¹⁹

¹⁵ AGAD/ML IX-36, ff. 21-33.

¹⁶ Betański to Gérard, June 13, AE. Pol. 289, f. 374.

¹⁷ Jakubowski to Choiseul, June 18, *ibid.*, f. 383; Repnin to Krechetnikov, June 9/20, *Pis'ma k . . . P.K. Krechetnikovu*, ed. O.M. Bodyansky (Moscow 1863) pp. 12-13.

¹⁸ Betański to Gérard, June 21, *ibid.* f. 389.

¹⁹ Both letters from the Confederacy to Repnin, dated July 6, AGAD/ML IX-36 ff. 21-23; Repnin to Radziwiłł, July 16, *ibid.* ff. 42-43.

On July 11, Replin despatched the texts of instructions and oaths which the Confederacy was to administer to the grand *hetman* and the grand treasurer. With extreme reluctance, the confederates approved them on July 16. The status of the commissions remained unchanged. The *hetman* and treasurer continued to be presidential figureheads. Replin must have been aware of how little respect the Confederacy inspired, as the instructions allowed that some, or all, of the commissioners would refuse the oath of loyalty to the Confederacy. Recusants were to be excluded from their seats. If all the army commissioners rejected the oath, their functions would be assumed by a special military judge, appointed by the Confederacy. If all the treasury commissioners rejected the oath, their place would be taken by those councillors delegated to present the Confederacy's instruction to Wessel, the grand treasurer.²⁰ There was no question of the abolition of the commissions.

With the conviction that "Moscow will permit no mention of changes in the legislation of recent Sejmy," morale plunged to new depths. All the oaths of loyalty to be extracted by the Confederacy from the various jurisdictional organs — courts, commissions, town councils — of Poland expressed obedience not merely to the Confederacy, but to Stanisław August. "How loyalty to the king can be reconciled with loyalty to the Confederacy . . . none of us understand."²¹

Replin inflamed confederate fears by insisting that they transfer their proceedings from Radom to Warsaw, where he could keep a closer eye on them. They would have preferred to move to Lublin, further from the capital and closer to the headquarters of the Lithuanian Confederacy, at Wilno. Increasingly convinced that Replin, reconciled to the king, was acting contrary to Moscow's orders, the malcontents were terrified that they would be paralyzed by the Warsaw court.²² They especially feared reprisals from Stanisław Lubomirski, who, as grand marshal of the Crown, responsible for keeping the peace around the king's person, had his own jurisdiction in Warsaw, with wide powers of arrest and punishment. Radziwiłł was annoyed that Lubomirski himself had been exempted by Replin from taking an oath of loyalty to the Confederacy.²³

²⁰ Replin to F. S. Potocki, July 11, AGAD/APP 297; Confederacy's instructions to Branicki and Wessel, AGAD/ML IX-36 ff. 33-42.

²¹ Augustyn Gorzeński, councillor of Wielkopolska, to an unnamed addressee, Radom, July, B.Cz. 841, ff. 81-82.

²² S. L. Geret, Promemoria to the Evangelical Council of Thorn, July 9, *Neue Preussische Provinzial Blätter*, vol. XI. (Königsberg 1866) p. 80.

²³ Radziwiłł to Replin, July 17, in K.S. Radziwiłł, *Korespondencja 1762-1790*, ed. K. Waliszewski (Cracow 1888), no. LVIII.

The ambassador seems to have agreed to a compromise, which, in effect, checked Lubomirski's judicial powers. On July 24, the Confederacy authorised twelve delegates to attend the grand marshal's court. All criminal actions were to be heard in their presence and, should any be absent, Lubomirski was to apply to the Confederacy to appoint replacements. The marshal's militia were to take an oath of loyalty to the king and to the Confederacy.²⁴

These decrees marked the end of the Confederacy's activities at Radom. Encouraged by Russian military demonstrations around the town, the malcontents adjourned their business, on July 24, to reassemble in Warsaw on August 3.²⁵ Their sorry plight showed no sign of improvement.

The confederates of Lithuania shared the mortifications of their brethren in the Crown, although Brzostowski, in Wilno, had more room for manoeuvre than Karol Radziwiłł, in Radom, only a few hours' ride from Warsaw. Brzostowski, too, saw his Confederacy on the verge of collapse within days of its formation. The Lithuanian act of Confederacy contained a clause annulling all edicts against Radziwiłł and ordaining the full and immediate restoration of his lands and properties. Soon after, the Confederacy's courts issued a series of decrees against members of the 'Family,' especially Antoni Przewdziecki, vice-chancellor of Lithuania, who had played a leading part in the sequestration of Radziwiłł's estates in 1764, Michael Czartoryski and Michael Ogiński, palatine of Wilno, who had received the title after Radziwiłł's expulsion. Fearing the Confederacy would run amok in its desire for revenge, a fear shared by Catherine, Repnin ordered Brzostowski, in late July, to impose a moratorium on the execution of such verdicts and refrain from further judicial activity without his express permission.²⁶ He bluntly informed Radziwiłł, in June, that he himself was to be consulted before any of the prince's properties were to be restored. The wealthy Table lands of Szawle, a former Radziwiłł possession,

²⁴ AGAD/ML IX-36, ff. 45-49.

²⁵ *ibid.* f. 49.

²⁶ Imperial rescript to Repnin, June 27/July 8, Sb. vol. 67, no. 1540. St. Brzostowski to Radziwiłł, July 31, AGAD/ARV 36/1516. It is difficult to ascertain who was summonsed by the Lithuanian Confederacy or what sanctions were applied, as the Confederacy's minutes were destroyed by military action in World War II. The names of some persons affected are given in B.Cz. 684, f. 82. They include Ignacy Massalski, bishop of Wilno, M. Czartoryski, St. Przewdziecki, M. Brzostowski, grand treasurer of Lithuania, Jerzy Flemming, palatine of Pomerania. See also J. Jezierski to Radziwiłł, Wilno, June 15, July 8, AGAD/ARV 131/6076.

restored to him when he returned to Lithuania, were to be given back immediately to the royal administration.²⁷

At least as serious was the ambassador's refusal to suspend the regular law courts. In vain did the Lithuanian leaders argue that if the courts and commissions continued to function normally, the Confederacy would be reduced to "une vaine représentation et aux seules apparences." The commissions in particular constituted a flagrant and unprecedented assault on Polish liberty and laws. The General Confederacy, formed to restore those laws, could in no way recognize the commissions' authority. Moreover, to do so, would be contrary to the Empress' declaration of March 26.²⁸ Exactly two weeks after the Lithuanian Confederacy's establishment, Brzostowski informed Radziwiłł that "all the marshals and councillors have left Wilno, with tears and lamentations, for they see that their ultimate destruction is certain."²⁹

For its part, the Lithuanian Tribunal refused to recognize the Confederacy's authority. On June 4, it found against A. M. Pac, grand notary of Lithuania and one of Radziwiłł's leading supporters, in a suit involving the Camedulensian Order. On June 15, it expelled three deputies from its bench who had acceded to the Confederacy and had been given councillor rank, on the grounds that the two functions were incompatible.³⁰ Despite Reppin's warnings, Hylzen maintained his resistance to recognizing the Confederacy, humiliating and discouraging its members. Even the king took alarm, fearing that continued friction would not only threaten the Tribunal, but jeopardize what rule of law remained in Poland. Reppin threatened to dissolve the Tribunal, unless Hylzen moderated his behaviour.³¹ Under this pressure, Hylzen gave way partially and, on June 15, the Tribunal sent a delegation of recognition to the Confederacy, but continued to exclude the errant deputies. Only after further warnings from the king were they reinstated, on July 8.³² The whole affair demonstrated how little real respect the Confederacy commanded. For over a month, in its own headquarters, Wilno, it had been flouted by a major juridical body under the direction of a determined royal supporter. Brzostowski penned his

²⁷ S. Romer, helping to maintain liaison between Reppin and the Lithuanian Confederacy, to Radziwiłł, June 19, *ibid.* 310/13258a.

²⁸ 'Remarques sur toutes les juridictions . . .' A.E. Pol.289, ff. 375-376, enclosed with Betański's letter to Gérard of June 13.

²⁹ St. Brzostowski to Radziwiłł, Wilno, June 16, AGAD/ARV 36/1516.

³⁰ Diary of the Lithuanian Tribunal, AGAD/ZP 364, ff.197, 203.

³¹ Stanisław August to Hylzen, June 10, BJ. 6711, ff.17-18; Reppin to Hylzen, June 10, *ibid.* f.23.

³² AGAD/ZP 364 ff.199, 205; Stanisław August to Hylzen, July 3, BJ. 6711, f.51.

own admission of weakness to Replin: "Il ne tient que de Vous, Mgr., de nous tirer de cet opprobre . . ." ³³ Without the ambassador's consent, he dared do nothing.

Replin had every reason to keep a tight grip on his supporters. In Lithuania, some confederates refused to pay their taxes. The confederacy of the district of Rzeczyca appropriated 40,000 zlotys from the local *kwarta* tax, which it distributed among its own officials and refused to restore, in defiance of Replin's orders. The king was worried that there would be no money to pay the Commonwealth's troops and meet other expenditures. ³⁴ Yet such misdemeanours could not hide the fact that the confederates were not in control. The restoration of Szawle to the king, the stay on the restitution of the Radziwiłł estates heightened their discomfiture.

Karol Radziwiłł himself was among those who contributed to the demoralization of Lithuania's malcontents. His creditors included many of his own clients and supporters. Not a few of them had taken advantage of the decrees of the Czartoryskis' confederacy to receive additional security for monies owing them by the prince, by taking over tenancies on his estates. Radziwiłł's agents made little distinction — they deprived all who held the prince's estates in any way of their rights to them, even in cases where Radziwiłł had granted tenancies before his banishment. Those of his tenants whom the Czartoryskis had dispossessed in 1764 found they could not be restored. ³⁵ Radziwiłł's principal plenipotentiary, Jezierski, issued summonses not only against the 'Family' or the Massalskis, but against such surprised and chagrined malcontent activists as Antoni Pac (the same against whom the Lithuanian Tribunal had found on June 4), Michael Pac, *starosta* of Złotów and Simon Siruć, castellan of Witebsk. ³⁶ At one point, even Stanisław Brzostowski feared that Radziwiłł would open civil proceedings against him, over tenancies he held. ³⁷ Not unnaturally, Brzostowski warned Aloy that the Confederacy was losing the bulk of its initial adherents, although he hoped to rally them at the *sejmiki* on August 24. ³⁸

³³ St. Brzostowski to Replin, June 30, AGAD/AR II.20/2920.

³⁴ Minutes of royal conferences, June 13, 14, Sept. 12, B.Cz. 653, pp. 607, 609, 659; M. Brzostowski to Ogrodzki, Sept. 9, *ibid.* 656 f.155.

³⁵ A. Romanowicz to Radziwiłł, June 11, AGAD/ARV 131/6076; Fr. Weryha to Radziwiłł, July 25, *ibid.* 424/17165. Note from Stanisław August to Replin (n.d.), B.Cz. 668, f. 23.

³⁶ J. Jezierski to Radziwiłł, June 11, AGAD/ARV 131/6076; A.M. Pac to Radziwiłł, July 20, Aug. 29, *ibid.* 250/11189; S. Siruć to Radziwiłł, Aug. 15, *ibid.* 358/14406.

³⁷ Mniszech to Radziwiłł, on Brzostowski's behalf, June 30, *ibid.* 209/9855.

³⁸ St. Brzostowski to Aloy, July 7, *ibid.* AR II 20/2920.

Hylzen's struggle against subordination to the malcontents was matched by that of institutions elsewhere. From the Republicans' complaints to Catherine II, it appears that the Tribunal of Wielkopolska expelled two of its members who had become councillors of the Crown Confederacy, though, presumably, these also had to be reinstated.³⁹ In Lithuania, the treasury commission, sitting at Grodno, continued to function normally and, where possible, its officials continued to collect taxes.⁴⁰ The army commission, also at Grodno, was not in session when the Confederacy opened, because it lacked a quorum. The court sent one of Lithuania's grand notaries, Joseph Sosnowski, to make up the number, with secret orders to both commissions to avoid taking any oath of loyalty to the Confederacy for as long as possible.⁴¹ By mid-July, Repnin was increasingly insisting on the oath. In view of the implacable hostility shown by the confederates to the commissions, the king had already scored a considerable success, by securing a *de facto* recognition of the commissions by the malcontents in the oaths they were to administer. Nevertheless, the commissioners found the oath repugnant. The king and his advisers feared that, once the commissions had recognized the Confederacy, further inroads into the state finances would be harder to resist.⁴² By July 31, the Crown commissioners could defer their oaths no longer. Rather than swear loyalty to the Confederacy, August Czartoryski resigned from the army commission and four members resigned from the treasury commission.⁴³ The Lithuanian commissions did not take their oaths until after September 9. The delay was caused partly by *hetman* Massalski, who found the oath unsatisfactory and wished to replace it by one restoring his former powers,⁴⁴ and partly by the continued suspicions of the treasury commissioners of the Confederacy's predatoriness. "We will take the oath to-morrow," wrote Michael Brzostowski, grand treasurer of Lithuania, on September 9, "the text follows that used in the Crown, though neither is worth a damn, but what can we do?"⁴⁵ More than three months after its inauguration, the theoretically all-powerful General Confederacy of Lithuania secured a meaningless recognition by, and so accorded its own recognition to, the bodies it most wished to destroy.

³⁹ Corpus Gravaminum for Catherine II, Aug. 17, *ibid.* ML IX-36, f.104.

⁴⁰ J. Wróblewski to Adam Chmara, Grodno, June 4, B.J. 6646; B. Niekojczycki to Radziwiłł, Stuck, July 7, AGAD/ARV 226/10402.

⁴¹ Minutes of royal conferences, June 9, B.Cz. 653, p. 601.

⁴² July 22, *ibid.* p. 624.

⁴³ Notices of resignation, AGAD/ML IX-94, ff.9-13.

⁴⁴ Repnin to St. Brzostowski, Aug. 22, *ibid.* ARV 303/13070.

⁴⁵ M. Brzostowski to Ogrodzki, Sept. 9, B.Cz. 656, f.155.

The Russians troops, the confederates' supposed protectors and allies, proved a mixed blessing. Where possible, they were quartered on estates belonging to the 'Family' and their supporters, but, in their demands for provisionment and billeting "the only difference is that they do not oppress confederates as much as others, but, nevertheless, irritate all."⁴⁶ Malcontent supporters, from petty *szlachta* to magnates, such as Piotr Międzyński, palatine of Czerlichów, or marshal Mniszech, suffered from Russian exactions. Mniszech complained that while Russian troops were quartered on his *starostwo* of Biała Cerkiew, in the palatinate of Kiev, nearby royalists' estates were untouched.⁴⁷ The Russians paid excessively low prices for their requisitions, which the *szlachta* felt particularly keenly, at a time of dearth.⁴⁸ Repnin used his soldiery as a deliberate threat to keep the unruly malcontents in order. The Lithuanian representatives in Warsaw warned Brzostowski that unless the royal Table lands of Szawle were restored to the king, military reprisals would be taken against other Radziwiłł properties.⁴⁹ On the other hand, Repnin permitted the discreet alleviation of burdens on the lands of the king's supporters.⁵⁰

For royalists and malcontents alike, the full implications of the Russian military presence began to dawn in mid-July. Panin was anxious to settle the still-outstanding problem of Polish-Russian frontier demarcation. On July 18, Russian military engineers began a very detailed survey of Polish Livonia and parts of the palatinates of Połock and Witebsk, between the river Dvina and the Russian frontier. They had orders to make a thorough examination of the topography of the region, to make a census of the population, an inventory of the manors and farms, to investigate local industries, trade, natural resources and communications. Where local landlords were unco-operative, enquiries were to be made among the serfs.⁵¹ Panic arose in the area. Serfs abandoned their fields. The

⁴⁶ Father Alexander to E. Kuropatnicki, Lublin, July 19, B. Oss. 583, f. 71.

⁷⁴ Mniszech to Radziwiłł, Dukla, Aug. 14, AGAD/ARV 209/9855. See also L. Kuczyński to Radziwiłł, Korczew, July 1, *ibid.* 171/7959; Joseph Czarnecki to Radziwiłł, July 14, *ibid.* 60/2525. Repnin to Krechetnikov, July 11/22, *Pis'ma k . . . Krechetnikovu*, p. 15.

⁴⁸ Anonymous correspondent to Adam Chmara, June 12, BJ. 6646; Brodzki to Wybranowski, ensign of Radom, July 9, B. Łop. 1009.

⁴⁹ S. Romer and M. H. Radziwiłł to St. Brzostowski, June 29, AGAD/ARII 20/2921.

⁵⁰ Repnin to Krechetnikov, July 27/Aug. 7, *Pis'ma k . . . Krechetnikovu*, p. 19.

⁵¹ Dziernowicki, parish priest, to J. Smogorzewski, bishop of Połock, July 18, B. Cz. 707, f. 52. A copy of the surveyors' instructions is enclosed with M. Massalski's report to the king, Aug. 28, B. Cz. 675, f. 26.

szlachta sent despairing appeals to the king and Radziwiłł to intervene.⁵² Repnin assured Stanisław August that such surveys were standard procedure where Russian troops were stationed and had no further significance. In Moscow, Panin claimed, unconvincingly, that the survey was necessitated by the need to know the resources of possible enemies of the dissenters.⁵³ The survey was suspended in mid-August, so as not to aggravate the atmosphere before the *sejmiki*,⁵⁴ but it was an ominous pointer to Russian intentions. In the event, the area under survey was to form almost one half of Russia's share of the first partition.

If the malcontents were in disarray, the king had no cause to rejoice. Although Repnin forbade the Confederacy to interfere directly in the administration of justice, he did not forbid it to set up its own courts, to judge actions involving confederates. The Confederacy was a rival, parallel government, bent on revenge, anxious to sweep aside the existing system, restrained only by the ambassador and his troops. To preserve his position and the reforms, Stanisław August was forced to recognize and have dealings with a body whose members and policies he found deeply repugnant. Repnin insisted that the king grant the confederates an official audience. Stanisław August agreed, in order, partly, to encourage the commissions and law courts to extend their recognition to the Confederacy; should they not do so, the king feared they might suffer harsh consequences.⁵⁵ The move was also a coup for the king, for the audiences obliged the confederates to recognize officially as their sovereign the man they wished to dethrone. Repnin insisted that every respect be shown to the king. Stanisław August was even able to study the speeches the confederates' delegates were to deliver beforehand and to persuade Repnin to moderate the more obnoxious passages.⁵⁶ The audiences, which took place on July 17, were little more than a formal and mutual act of recognition by the king and his antagonists. The delegates, headed by Jan Poniński, marshal of the confederacy of Wieluń and by Szymon Kossakowski, councillor to the confederacy of Kowno, confined themselves to generalized eulogies of Catherine II, of their own intentions and to strictures on ill-defined oppressions. Both delegations expressed the deepest

⁵² J. Smogorzewski to Ogrodzki, Aug. 2, B. Cz. 707, f. 49; major-general Chrapowicz to K. Radziwiłł, Połock, Aug. 15, AGAD/ARV 49/2155.

⁵³ Minutes of royal conferences, Aug. 29, B. Cz. 653, p. 652; Psarski to Stanisław August, Moscow, Sept. 9, AGAD/ZP 84, pp. 182/183.

⁵⁴ J. Smogorzewski to Ogrodzki, Aug. 16, B. Cz. 707, f. 54.

⁵⁵ Minutes of royal conferences, June 10, B. Cz. 653, p. 603.

⁵⁶ *ibid.*, June 20, July 15, 16, pp. 614, 617, 619.

respect for the king (although Poniński, to show his true feelings, deliberately conducted himself in an offensive manner), whom Kosakowski even invited to accede to the Confederacy. The king, through the grand chancellor, Andrew Zamoyski, politely assured them of his good intentions.⁵⁷

Repnin was only an imperfect shield, despite whose assurances the king could have no certainty as to his or his court's intentions. From Moscow, Psarski had to send back comforting words that the more extreme demands of the confederates, as expressed, for example, in the act of confederacy of Wielkopolska, would not be met.⁵⁸ Even if the Russians maintained intact the reforms that survived the 1766 Sejm, the king was worried they would force him to use his powers of appointment to give the malcontents a say in the government.⁵⁹ This process had already begun. On the evening of June 20, the primate, Władysław Łubieński, archbishop of Gniezno, a man compliant to the king's policies, died unexpectedly. The king wanted to nominate the vice-chancellor, Andrew Młodziejowski, or the grand ecclesiastical secretary to the Crown, Joseph Kierski, as his successor, but, under pressure from Repnin, he was obliged to appoint Podoski, on June 24.⁶⁰ The nuncio, Visconti, was as repelled as Stanisław August by the appointment. Despite the Catholic rhetoric of the malcontents, Visconti was well aware that their Confederacy was directed towards the restoration of the dissenters' rights. He regarded Podoski as an immoral, irreligious, cynical scoundrel and one of the chief authors of the General Confederacy.⁶¹ The royal nomination was still subject to papal confirmation and Stanisław August hinted that if Clement XIII withheld the necessary bulls, he would not be displeased.⁶² The nomination pleased all the king's opponents, including the dissenters (Podoski had been partially educated in Thorn), who regarded the primate-designate as well-disposed to them.⁶³ Sołtyk, who, in May, had been warning Mniszech not to trust Podoski, now praised him effusively to Visconti, claiming that he would make an excellent leader behind

⁵⁷ Poniński's speech published as a fly-sheet, Warsaw, 1767; Kosakowski's speech, AGAD/Sucha 134/158, pp. 756-757; royal replies, *ibid.* 345/441, pp. 56-58. For Poniński's conduct, see Stanisław August to Xavier Branicki (July 17), *ibid.* AB. 170.

⁵⁸ Psarski to Stanisław August, June 29, *ibid.* ZP. 84, p. 151; to Ogrodzki, June 30, *ibid.* pp. 152-153.

⁵⁹ Psarski to Ogrodzki, July 8, *ibid.* p. 156.

⁶⁰ Repnin to Kazimierz Poniatowski, June 22, Theiner, p. 162; Visconti to Torrigiani, June 24, *ibid.*, pp. 214-215; Geret to Klosmann, June 25, *Neue Preussische Provinzial Blätter*, vol. XI, p. 77.

⁶¹ Visconti to Torrigiani, June 28, ASV Polonia ff. 321-322.

⁶² Visconti to Torrigiani, June 24, Theiner, p. 214.

⁶³ S. L. Geret to Klosmann, July 2, AT. Kat. II 3364.

whom the bishops could rally at the Sejm, to combat the pretensions of the dissenters.⁶⁴ What Sołtyk meant was that the appointment was a terrible blow to the king and the Czartoryskis, who were obliged to look on as the primacy, the highest dignity in the land, second only to the kingship, was given to their arch-enemy. The Vatican let the issue hang fire, while further evidence was gathered on Podoski's conduct. Reppin threatened that if the appointment was not confirmed, he would force the Polish Church to break its links with Rome. He brushed aside the king's protests that this would be too much, even for the Poles.⁶⁵ But the appointment did have the merit of pleasing Catherine and so making Stanisław August's position vis-à-vis the malcontents more secure. His compliance, wrote the Empress, marked a return to his true interests.⁶⁶

The Russian court was keen to secure Stanisław August's co-operation. Panin saw him as a possible leader of a new Russian party, though he was determined to isolate him from the Czartoryskis.⁶⁷ On July 8, Catherine herself wrote to him, blaming past misunderstandings on bad advisers (the Czartoryskis). Panin passed similar comments onto the king, through Psarski.⁶⁸ Taking their cue from the Russian court, the king and his brothers excluded the uncles from their correspondence with Psarski and from their dealings with Reppin.⁶⁹ August Czartoryski complained to prince Antoni Lubomirski, palatine of Lublin, that he and his brother were cut off from all policy-making, which was determined by the king, Reppin and Xavier Branicki.⁷⁰ Although Michael Czartoryski warned Stanisław August that if he continued his close liaison with Reppin, national feeling would turn against him, he himself offered the ambassador his co-operation for the *sejmiki*, a proposition he was bound to turn down. Had Reppin accepted, there is every possibility that the course of the *sejmiki* would have been smoother. All that the chancellor achieved by the offer was to heighten his nephew's distrust.⁷¹

⁶⁴ Sołtyk to Visconti, Borzęcin, June 25, Theiner, p. 162, but cf. Sołtyk to Mniszech, May 4, B. Cz. 3862, no. 87.

⁶⁵ Solov'ev, vol. XXVII, pp. 479-480.

⁶⁶ Catherine II to Stanisław August, June 27/July 8, AGAD/AKP 226, f. 151.

⁶⁷ Panin to Reppin, June 26/July 7, June 27/July 8, Aug. 14/25, Sb. vol. 67, nos. 1541, 1540, 1575.

⁶⁸ Catherine II to Stanisław August, June 27/July 8, AGAD/AKP 226, f. 151; Psarski to Ogrodzki, May 20, 23, *ibid.* ZP 84, pp. 138, 142.

⁶⁹ St. Saphorin to Bernstorff, Aug. 5, RA. Cop. TKUA Polen AIII46.

⁷⁰ As reported by Father Alexander to E. Kuropatnicki, Lublin, Oct. 11, B. Oss. 583, f. 104.

⁷¹ St. Saphorin to Bernstorff, Aug. 5, Sept. 12, R. A. Cop. TKUA Polen AIII46.

To salvage the reforms, Stanisław August had no choice but to comply with Russian wishes.⁷² He exercised such power as he did solely through co-operation with Replin. To this extent, malcontent charges of collaboration between the two men were justified. Their assertions that the Confederacy, from start to finish, was part of a well-laid plot between the king and the ambassador to destroy them,⁷³ were only a reflection of their own disappointment, not of reality. The king could not initiate policies, he could only carry out those Replin presented to him. He might be able to modify them or offer suggestions, or even offer clandestine obstruction, but he had only as much real influence as the ambassador permitted. Had the malcontents been intelligent men, the Russians would probably have constrained Stanisław August much more than they did. The malcontents' very stupidity, wrote Panin, made the king's assistance additionally welcome.⁷⁴

The Czartoryskis' role is more difficult to fathom than the king's, but, after the formation of the General Confederacies, it could only have been passive. Their major worry seems to have been fear of retribution from Radziwiłł and the malcontents.⁷⁵ Their properties suffered heavily from the depredations of Russians and confederates alike.⁷⁶ In an effort to contain the malcontents, in August, Michael Czartoryski was to secure a favourable commendation of himself and Przewdziecki from the *sejmik* of the district of Brasław, near Wilno, through the good offices of his friend, Joseph Hylzen. This, however, seems to have been the only Lithuanian assembly to do so, although in Masovia, the Liw *sejmik* made a similar commendation of Michael and August Czartoryski.⁷⁷ Stanisław Brzostowski apparently agreed to put pressure on Radziwiłł to adopt a moderate line in settling his financial affairs, but this doubtless stemmed from the recognition that Replin would not allow him a free hand.⁷⁸

The Czartoryskis remained confident that, with time they would regain Russian friendship.⁷⁹ St. Saphorin was correct to assume that, in the long run, Russia could not dispense with them or the

⁷² *ibidem*.

⁷³ S. L. Geret, Promemoria to the Evangelical Council of Thorn, July 9, *Neue Preussische Provinzial Blätter*, vol. XI, pp. 79-80; a second Promemoria, Aug. 8, *ibid.* pp. 82-84; J. Smogorzewski to Ogrodzki, Aug. 2, B. Cz. 707, f. 49; Ogrodzki to Smogorzewski, Aug. 17, *ibid.* f.50.

⁷⁴ Panin to Replin, Aug. 14/25, Sb. vol. 67, no. 1553.

⁷⁵ St. Saphorin to Bernstorff, July 4, RA. Cop. TKUA Polen AIII46.

⁷⁶ Essen to Flemming, June 16, SLHA 3562 IVa, f. 596; J. W. Orański to his son, Rewiatyctze, Nov. 10, BJ. 6667.

⁷⁷ M. Czartoryski to Hylzen, Sept. 7, 21, BJ. 6711, ff. 99, 109-110.

⁷⁸ M. Czartoryski to Hylzen, Sept. 21, *ibid.* ff. 109-110; Hylzen to Stanisław August, Sept. 21, 28, B. Cz. 665, ff. 39-40, 44.

⁷⁹ St. Saphorin to Bernstorff, July 11, RA. Cop. TKUA Polen AIII46.

king.⁸⁰ But, because only Repnin and Russia stood between the reformers and the malcontents' vengeance, the former were in no position to exploit their value as a bargaining counter.

The direction of events depended ultimately on decisions taken in Moscow. From at least mid-April to mid-July, Repnin had received no instructions from his court.⁸¹ When, on July 14, new orders finally arrived, they contained full approval of all his activities, but they did not make his task any easier. Panin made only passing reference to the difficulties of engineering support for the dissenters' claims. After all the effort expended, he said, it was no longer fitting to stop at the demands made at the last Sejm. Repnin was to secure full equality for the dissenters. Should the obstacles prove insuperable, Catherine would concede the recognition of Catholicism as the dominant, state religion and the exclusion of the dissenters from the *hetmanships* and other ministries.⁸² Repnin was given a free hand over the commissions. Catherine agreed that in future they might prove useful, but if it were necessary to get rid of them to secure the desired religious concessions, he was empowered to do so.⁸³ The Saxon princes were to be given appanages in Poland, in recognition of their services, subject to a satisfactory solution of the dissenters' issue. This would bring home to Dresden the indispensability of Russian protection and friendship.⁸⁴ The king's person was to remain inviolate, but he was to be isolated from his uncles. They would be excluded from all influence in government, but sheltered from the indiscriminate vengeance of their opponents.⁸⁵ Panin wanted a satisfactory conclusion of the as yet unsettled problem of a Polish-Russian frontier demarcation (just over a week after these orders were despatched, Russian surveyors began their work in Poland's north-eastern marches). The whole undertaking was to be crowned by a request from the Poles for a permanent Russian guarantee of their constitution and form of government, to which end the General Confederacy was to send a special thanksgiving embassy to Moscow.⁸⁶

⁸⁰ St. Saphorin to Bernstorff, Sept. 19, *ibid.*

⁸¹ Such is the inference to be drawn from Panin's letter to Repnin of June 26/July 7, *Sb.* vol. 67, no. 1541. Repnin's orders were probably brought on July 14 by the courier mentioned in G rault's letter to Choiseul of July 29, *A.E. Pol.* 289, f. 420.

⁸² *Sb.* vol. 67, no. 1541.

⁸³ Imperial rescript to Repnin, June 27/July 8, *ibid.* no. 1540.

⁸⁴ *ibid.* no. 1541.

⁸⁵ *ibidem*, *ibid.*, no. 1540 and Panin to Repnin, June 28/July 9, *ibid.* no. 1544.

⁸⁶ *ibid.*, nos. 1541, 1544.

Panin and Catherine, seemingly hypnotized by Repnin's success in confederating almost the entire Commonwealth at their behest, would not accept that the Confederacy was an utterly unsuitable instrument for their policies. Repnin may well have exaggerated the degree of control he exercised over his partisans. Through Psarski, Panin assured Stanisław August that as long as the confederates "tiendront à la Russie, ils seront ses [the king's] fidels sujets et lui demeureront fidèlement attachés."⁸⁷ Psarski complained he did not dare let Panin know the whole truth about confederate behaviour or that Russian troops had used force to enrol confederates, lest he be accused of exaggeration or his court be suspected of anti-Russian designs.⁸⁸

Repnin could not rely on the Republicans. For that reason, he needed royal assistance and, in the end, the Czartoryskis', to secure religious concessions. He could only count on this if he maintained the existing reforms in being. His orders showed no way out of his predicament.

Repnin's inflexibility, his refusal to give ground over religion, to depose Stanisław August or to give the Patriots a free hand in the government of the Commonwealth, created a situation for which their leaders had not bargained, but to which they had to adjust, especially the clergy. As agreed to at Wilno and Radom, the pro-dissenter tenor of the act of Confederacy precluded wide-scale clerical accessions. The malcontent bishops could not put their weight behind it to attract more support, nor could they officially co-operate in its policies. On July 2, at Borzęcin, archbishop Wacław Sierakowski of Lwów, bishop Sołtyk and Krasiński attempted to overcome the problem by acceding to the Confederacy in defence of slighted laws and liberties, but categorically rejecting the demands of the dissenters.⁸⁹ Their action, they explained to A. M. Durini, Visconti's successor, was motivated by the desire to have an active say in the councils of the Confederacy, in order to defend the Catholic faith more efficaciously. Sierakowski recommended his fellow-bishops to adhere to the Confederacy on the lines of the Borzęcin formula.⁹⁰ Like many of the *salvae*, such an accession was ludicrous, for it negated the whole point of the Confederacy. Made by three leading representatives of the clergy, it constituted a direct challenge to Repnin, who promptly forbade the

⁸⁷ Psarski to Ogrodzki, June 3, AGAD/ZP, p. 145.

⁸⁸ Psarski to Stanisław August, June 24, *ibid.* p. 148; to Ogrodzki, June 24, *ibid.* pp. 149-50.

⁸⁹ Copy of the three prelates' act of accession, Waw. CC. 200, pp.2069-2070.

⁹⁰ Durini to Torrigiani, Aug. 19, Theiner, pp. 218-219.

Confederacy to register the accession among its acts. He sent an alternative act of accession to Podoski, which emphasised the bishops' loyalty to the king, proclaimed their duty to defend the Catholic faith, but affirmed their readiness to support the dissenters' demands, insofar as these were founded on laws and treaties. The primate-designate was ordered to secure the three prelates' signatures to this.⁹¹ The remaining bishops, afraid of angering the Holy See, or the king, or both, would do nothing without a firm lead from Podoski, who remained evasive.⁹² Bishop Massalski of Wilno found his solution by leaving for France, early in August.⁹³ There, for the time being, the matter rested.

A similar problem confronted the *hetmani*. They, just as the majority of malcontents, had, not unreasonably, interpreted the imperial declaration of March 26 and Panin's open letter to Replin to mean that their former powers would be fully restored. Before the formation of the Radom Confederacy, Replin had let J. Kl. Branicki know he wished him to administer an oath of loyalty to the army commission. The *hetman* regarded this as pointless, since the commissions were to be wound up. In anticipation of this, he decided to leave for Węgrów, some twelve miles from Warsaw, to await the further orders of the Confederacy.⁹⁴ He was prepared to resign himself to accepting the army commission, but in an emasculated form. Accordingly, he presented two projects to Replin, in which he put forward the *hetmani* as a brake on royal power. The king, he proposed, should be statutorily bound to follow the *hetman's* recommendations in making military appointments. The royal guards should be subordinated directly to the *hetman's* authority. The existing commission should be replaced by a new one, sitting in Lwów, to judge civilian-military disputes. Civilian members were to be elected by the *sejmiki*, military members appointed by the grand *hetman*. If Replin found this plan too drastic, Branicki, in his alternative project, related the issue to the wider context of reform. The commissions could remain, provided their members were elected by majority ballot at the Sejm, without any royal intervention; and provided the royal powers of appointment to ministerial office, including the *hetmanships*, were translated to the *sejmiki*, which would make binding, majority recommenda-

⁹¹ Replin to F. S. Potocki, July 11, AGAD/APP 297; Sierakowski to F. S. Potocki, July 13, *ibid.* Replin's formula for the accession of the three prelates is in B. Oss. 714, f. 132.

⁹² St. Saphorin to Christian VII, July 22, RA. Cop. TKUA Polen AIII46; Durini to Torrigiani, Aug. 19, Theiner, pp. 218-219.

⁹³ Husarzewski to Ogrodzki, Danzig, Aug. 4, B. Cz. 703, f. 73.

⁹⁴ J. Kl. Branicki to Radziwiłł, June 21, AGAD/ARV 30/1334; Betański to Gérard, June 21, AE. Pol. 289, f. 390.

tions. Branicki's natural preference was for the first proposal, which would have restored his former authority untrammelled.⁹⁵

Branicki spent almost three weeks at Węgrów, from July 1 to 19, negotiating with Repnin's emissaries, Aloy, Charles of Courland's agent, and colonel Igelström, over his position. He was joined for a short time by his Lithuanian colleagues, Michael Massalski and Alexander Sapieha. The instruction which the Confederacy proclaimed for Branicki on July 16 had been drawn up by Repnin at the beginning of the month.⁹⁶ The Węgrów talks inevitably broke down, because the oath and the instruction made no difference whatever to the respective positions of the *hetmani* and the commissions. Branicki claimed that the promises made in Panin's open letter had been broken. Adding insult to injury, Repnin now wanted him to preside over the sessions of the commission, giving his blessing to its continued existence. Branicki refused to take the oath of loyalty and the meeting dispersed,⁹⁷ although on his return to Białystok, he registered an act, simply declaring his adherence to the Confederacy (in contrast, the Crown grand treasurer, Wessel, took the oath prescribed him without any hesitation on July 17).⁹⁸ Branicki's obstinacy depressed the confederates' morale still further. More than ever they were convinced they would be delivered to royal vengeance.⁹⁹

On July 17, just before the collapse of the Węgrów talks, Repnin, Podoski and F. S. Potocki hammered out an agreement on future tactics, in preparation for the Sejm. The confederates had been insulted by the royal proclamations for the Sejm, issued on July 3, which referred only to the dissenters', not to their own, grievances. In the instruction accompanying the proclamations, the king did invite the electors to consider the confederates' grievances, but this was not enough for the latter.¹⁰⁰ Repnin now agreed that the royal proclamations should be amended and that only confederates should sit in the Sejm. He also re-affirmed the authority of the Confederacy over the commissions, Tribunals and other courts.¹⁰¹ Probably also

⁹⁵ 'Réflexions patriotiques sur l'état présent de la République...' *ibid.* ff. 400-402, enclosed with Betański's letter to Gérard of July 2, *ibid.* f. 399; J. Kl. Branicki to Radziwiłł, July 30, AGAD/ML IX-36, ff. 86-87.

⁹⁶ Repnin to F. S. Potocki, July 11, *ibid.* APP. 297.

⁹⁷ Betański to Gérard, Węgrów, July 18, AE. Pol. 289, ff. 409-410; Benoit to Frederick II, July 22, DZA. 9/27-179 f. 107; Essen to Flemming, July 29, SLHA 3562 IVb, f. 136.

⁹⁸ Wessel's oath, AGAD/ML IX-36, f. 43; J. Kl. Branicki's accession, July 21, *ibid.* f. 84.

⁹⁹ Benoit to Frederick II, July 29, DZA. 9/27-179, f. 111.

¹⁰⁰ Text of the royal proclamation, PAN 313, f. 230 and instruction, B. Oss. 714, ff. 82-83, both dated July 3.

¹⁰¹ Essen to Flemming, July 18, SLHA 3562 IVb ff. 91-92.

at this meeting, he adopted a suggestion communicated by Stanisław Brzostowski that, in the interests of keeping firm control over the Sejm, one of the marshals-general should automatically be marshal of the Sejm, without prior election as deputy, as was customary. He threw out Brzostowski's second proposal, to make only the marshals and councillors of the Confederacy eligible for the chamber of deputies.¹⁰² Though these initial arrangements pleased Potocki, Replin's 'concessions' were utterly meaningless. The Confederacy possessed only as much authority as Replin permitted which was, in practice, very little. He had agreed, in early May, to allow the king to secure the return of his own deputies to the Sejm. Given the royalist infiltration of confederate ranks, the restriction of seats in the Sejm to confederates was irrelevant. The king refused to alter the text of his proclamation, so it was decided that Radziwiłł should issue a fresh one, as a gloss on the king's, much to the dismay of Stanisław August's advisers, who regarded this as an unwarranted usurpation of the royal prerogative.¹⁰³ Podoski subsequently presented Replin with 'Réflexions sur ce que la Diète fixée au 5 Octobre doit être renvoyée à un terme plus reculé.' He again attacked the royal proclamations, which ignored not merely the confederacies, but the Imperial declaration. The *sejmiki*, scheduled for August 24, would meet too soon after the formation of the General Confederacies. How could the deputies be furnished with instructions, before the outcome of talks between the projected thanksgiving embassy and the Imperial court were known? The treaty of guarantee would have to be drafted in committee, then sent to Moscow for final approval, before the Sejm met, for which the existing timetable made no provision. Lastly, the General Confederacy was not yet complete, for Royal Prussia had still to accede.¹⁰⁴

These arguments made no impression on Replin. It was his responsibility to secure the treaty of guarantee in Warsaw. The embassy was to play no part in this. It was to be a thanksgiving, not a negotiating mission.

As the *sejmiki* approached, malcontent leaders began complaining at the lack of instructions from Replin. At the end of July, Brzostowski warned Radziwiłł that it was too late to make adequate preparations.¹⁰⁵ Meanwhile, Replin, true to his May understanding

¹⁰² Brzostowski's remarks on the Confederacy, Wilno, July 6, AGAD/ARII 20/2922.

¹⁰³ Minutes of royal conferences, July 22, B. Cz. 653, p. 629. Radziwiłł's proclamation issued on July 24, AGAD/ML IX-36, ff. 44-45.

¹⁰⁴ Enclosed with Essen's letter to Flemming of July 22, SLHA 3562 IVa, ff. 124-125.

¹⁰⁵ St. Brzostowski to Radziwiłł, July 31, AGAD/ARV 36/1516.

with the king, had agreed that Stanisław August should be responsible for at least 50 out of the 214 deputies, though, in the end, the king may have succeeded in infiltrating as many as 140 of his supporters into the Sejm.¹⁰⁶ The king also made successful efforts to win over local malcontent activists.¹⁰⁷ He even felt strong enough to give Stanisław Brzostowski orders as to whom he wanted elected in Lithuania,¹⁰⁸ although Brzostowski ignored these dispositions. But he remained fundamentally dependent on Repnin. He had to co-operate with the ambassador in drafting the instruction which Repnin wanted the *sejmiki* to give to their deputies and which the king expected his followers to endorse fully,¹⁰⁹ even though its provisions left him and the Commonwealth at the mercy of a power basically hostile to his reformist intentions. In contrast to the usual rambling recommendations, the projected instruction was very brief, consisting of a preamble and three articles.¹¹⁰ The preamble bound the deputies to promote the Confederacy's aims as laid down in the act at Radom, with particular reference to the Imperial declaration and Panin's open letter. Article 1 contained expressions of gratitude to Catherine and a request for her guarantee of Poland's form of government. Article 2 conceded the need to accord the dissenters "full and entire justice." Article 3 provided for the automatic appointment of Radziwiłł or Brzostowski as marshal of the Sejm. Repnin realized how unpalatable this instruction would be to the *szlachta*. Accordingly, 200 troops were to be present at each *sejmik*, to be in position by August 20, except at Kamieniec Podolski, which was not to be invested, because of its proximity to the Turkish border. Russian commanders were furnished with a list of agreed candidates and the text of the instruction. The local confederacy marshals were directly answerable to Repnin for the return of deputies. F. S. Potocki had overall responsibility for the palatinates of Bełz, Braclaw, Chełm, Czernichów, Kiev and Volhynia. There was no need for the *sejmiki* to add anything, as the reference to the act of Confederacy covered all possible contingencies. If it was im-

¹⁰⁶ Benoit to Frederick II says the king was to have 50 supporters in the Sejm, Aug. 5, DZA. 9/27-179, ff. 114-115; S. L. Geret to Klosmann says 140, Aug. 8, *Neue Preussische Provinzial Blätter*, vol. XI, p. 326. Jakubowski to Choiseul, Aug. 29, claimed that one third of the deputies were royalists. AE. Pol. 290, f. 49.

¹⁰⁷ Kożuchowski to Mniszech, Aug. 18, PAU 1144.

¹⁰⁸ Note from Stanisław August to Xavier Branicki, to inform Brzostowski to return certain royalists in Livonia, August AGAD/AB. 170.

¹⁰⁹ Solov'ev vol. XXVII, p. 481; Fryderyk Moszyński, deputy returned by the Sandomierz *sejmik*, to Stanisław August, Opatów, Aug. 24, B. Cz. 672, f. 380.

¹¹⁰ Copy of the instruction's master text, B. Cz. 841.

possible to secure the recommendation of all three articles, at the very least, the first article should be passed, but the Russian commanders were to ensure that no “contrary nonsense” was inserted into the instruction.¹¹¹

News of these arrangements sent a shiver of horror down confederate spines. Brzostowski informed Radziwiłł he could not possibly secure the return of Repnin’s candidates. M. Skórzewski, marshal of Wielkopolska, was unable to convince Repnin that his instruction could not be passed. Repnin forced him to accept, under protest, Russian troops to assist him.¹¹² In the malcontents’ hour of need, their endless capacity for self-delusion did not fail them. As events pursued their unwelcome course, they increasingly convinced themselves that Repnin was acting without orders from his court. His frequent conferences with the royal favourite, Xavier Branicki, persuaded them that the king was the guiding force behind their present misfortunes. Repnin’s services, they thought, had been bought by Stanisław August with a 100,000 ducat bribe.¹¹³ Rumours spread that he was to be replaced by a member of the Orlov family.¹¹⁴ Mniszech, F. S. Potocki, Radziwiłł and Brzostowski, encouraged by Essen, entertained every expectation that if the truth of Repnin’s conduct were revealed to Catherine, their own prospects would improve.¹¹⁵

On the evening of July 28, Karol Radziwiłł arrived in Warsaw. On August 2, he was received by the king in audience. On August 5, the formal union of the General Confederacies of the Crown and Lithuania took place. The members of the embassy to Catherine II were named and sworn in. From the Crown, Joseph Ossoliński, *starosta* and marshal of Sandomierz, Joseph Potocki, grand *krajczy* and marshal of Ruthenia; from Lithuania, Michael Wielhorski, grand *kuchmistrz*, Ludwik Pociąg, grand seneschal. Radziwiłł issued a proclamation barring all non-confederates from election to the

¹¹¹ Repnin to Krechetnikov, July 20/31, *Pis'ma k... Krechetnikovu*, pp. 15-19.

¹¹² Brzostowski to Radziwiłł, Wilno, Aug. 4, AGAD/ARV 36/1516; M. Skórzewski to Mniszech, Aug. 16, PAU 1144.

¹¹³ Essen to Flemming, July 8, SLHA 3562 IVb, ff. 60-62; S. L. Geret, Promemoria to the Evangelical Council of Thorn, July 9, *Neue Preussische Provinzial Blätter*, vol. XI, pp. 79-80; archbishop Sierakowski to F. S. Potocki, July 13, AGAD/APP 297.

¹¹⁴ Anonymous correspondent to Mniszech, Warsaw, Aug. 7-8, PAU 1144; Radziwiłł to Seyffert, Aug. 19, BP. 69, p. 188.

¹¹⁵ Gérault to Choiseul, July 29, AE. Pol. 289, ff. 419, 420-421; Radziwiłł to Brzostowski, Aug. 7, K. S. Radziwiłł, *Korespondencja...* ed. Waliszewski, no. LIX; Flemming to Essen, Dresden, July 18, SLHA 3562 IV, f. 82

Sejm.¹¹⁶ The union of the two Confederacies, the hopes vested in the embassy, the realization that their backs were against the wall, put new heart into the confederates, who now made a determined effort to resist ambassadorial bullying.

This did not mean that the divisions among the confederates had healed. The younger men, Joseph Ossoliński, Joseph Potocki, the Poniński brothers, Jan and Adam, were ready to carry out all of Repnin's orders to secure their own advancement.¹¹⁷ Against them were ranged the old Republican heavyweights, even if not all were actively associated with the Confederacy: Mniszech (despite his retirement to Dukla), F. S. Potocki, J. Kl. Branicki, Wessel, Sołtyk and Adam Krasiński.¹¹⁸ The sympathies of Radziwiłł, Brzostowski and, to some extent, Podoski, lay with the latter. It was this group, or rather, agglomeration, which took the lead in formulating the malcontents' own policies.

The old guard had confidence only in Wielhorski and Pociiej, who alone were entrusted with secret instructions.¹¹⁹ Repnin was reluctant to approve the appointment of Wielhorski, but Radziwiłł insisted. The ambassador actually warned Panin against Wielhorski, whom he thought excessively devoted to Sołtyk and Mniszech.¹²⁰ Radziwiłł managed to prevent Repnin from drafting the text of the confederate embassy's instruction, but he had to sign a letter to Catherine, which, in effect, constituted the instruction as Repnin had originally wanted.¹²¹ Through Aloy, Repnin warned the embassy to support the dissenters without duplicity and to expound their own grievances without bitterness or intrigue, in order to demonstrate the sincerity of their attachment to Russia.¹²²

Three official documents were entrusted to the embassy: the letter to Catherine II, the instruction and a 'Corpus Gravaminum.'¹²³ As Repnin wished, the letter expressed the Confederacy's gratitude for the Empress' protection and military assistance. The Commonwealth, it assured, wished to attribute its happiness and freedom to her alone — therefore it requested her guarantee for its government, laws and liberties. Full justice would be given to the dissenters'

¹¹⁶ For all the acts of Aug. 15, see AGAD/ML IX-36, ff. 60-76.

¹¹⁷ Essen to Flemming, June 27, July 4, Aug. 1, SLHA 3562 IVb, ff. 28, 46-47, 153-154.

¹¹⁸ Solov'ev vol. XXVII, p. 482.

¹¹⁹ Essen to Flemming, Aug. 1, SLHA 3562 IVb, f. 153.

¹²⁰ Solov'ev vol. XXVII, p. 481.

¹²¹ Łuniewski to Mniszech, Aug. 5, 8, PAU 1144; anonymous correspondent to Mniszech, Aug. 7-8, *ibid.*

¹²² 'Conduite à tenir par les Confédérés' (from Aloy), B. Oss. 714, f. 246.

¹²³ Letter and instruction, Aug. 11, AGAD/ML IX-36, ff. 77-79, 79-84; 'Corpus Gravaminum,' Aug. 17, *ibid.* ff. 93-104.

claims. The nation wished to receive satisfaction of its grievances through negotiations between the Sejm and the Imperial ambassador: there was no question of negotiations between the embassy and the Imperial court. The result of these negotiations would be “permanent, lasting and unchangeable.” The instruction, similar in tenor, expressed the confederates’ desire for the restoration of the old form of government. The embassy was to bring Catherine’s attention to the oppressions suffered by Poland since 1764 and to the oppressors who “have delivered the treasury, the army and the courts into the despotic hands of the first estate [the king].” For further details, the emissaries were referred to the ‘Corpus Gravaminum.’ This, an expanded version of the ‘Gravamina’ drawn up in February by Mniszech, Podoski, Zboiński and others, repeated most of the sentiments of the original exactly, including the final implied demand for a replacement of Stanisław August by one of the Wettin dynasty. Reppin succeeded in persuading the confederates to drop a paragraph found in the earlier version, declaring outright that Poniatowski’s election was invalid. On the other hand, additional complaints swelled the ‘Corpus’; that although Wielhorski had restored the *liberum veto* in 1766, the law dissolving the General Confederacy carried a retrospective approbation of all its decisions, effectively safeguarding the plurality insidiously introduced in 1764; that the royal powers of patronage had been abused; that numerous, undeserved ennoblements had been made; that royal financial and monetary policies were ruining Poland; that threats and bribes had been used to divert the confederates from their task and, lastly, that the royal proclamations summoning the *sejmiki* and the Sejm ignored the confederates’ grievances.

In their additional, secret instruction, Wielhorski and Pociąg were expected to work for the king’s dethronement. The instruction claimed that, according to her declaration, Catherine would not be satisfied as long as any matter for discontent remained in Poland. As the majority of the nation opposed the rule of a Piast, the Empress’ protection could not possibly embrace both the nation and the king; and that protection had been promised to the nation. Solicitous that Russia should not become embroiled with Poland’s neighbours, the malcontents no longer required Catherine’s aid, but merely asked her to withhold her support from Poniatowski, whom they would dethrone and provide with fair compensation. They were ready to fulfil all the Empress’ orders, “mais ils la supplient très humblement de pouvoir cesser d’être mécontents, ce qui est impossible, tant que ce Piaste remplira leur trône.”¹²⁴

¹²⁴ Enclosed with Essen’s letter to Flemming, Aug. 5, SLHA 3562 IVb, ff. 169-170.

Wielhorski also took a number of projects, of which he may have been the author, containing the views of the malcontents on the kind of Poland they would like to see.¹²⁵

Ostensibly, the 'Projet sur la justice' echoed the *szlachta's* widespread desire for thoroughgoing judicial reform. To eliminate corruption, all stages of the judicial process in the Tribunals and county courts (the only judicial bodies with which the 'Projet' concerned itself) were to be open to public scrutiny, all verdicts were to be accompanied by a written explanation of how they had been reached. Appeals to the Tribunals were to be accelerated, though the machinery for this was not explained. Corrupt county court judges were to be tried by the Tribunal, corrupt Tribunal judges by the Sejm. At present, the tenure of office in the county courts was for life. The 'Projet' proposed its restriction to three, at most six, years. It further proposed the introduction of 'juges de paix' who would review all disputes before they came to court and try to persuade the parties to reach an amicable settlement. Significantly, the project did not affect *gród* courts, whose officials were appointed by the *gród starosta*, unlike the county courts, where the three places on the bench — judge, deputy-judge (*podśędek*) and notary — were elective, but subject to royal confirmation. To have attempted to restrict the *starosta's* powers over the *gród* court would have been to curtail the influence of the magnates themselves. Although the observations on the Tribunals condemned "l'ambition des Grands," who used them to "établir leur crédit dans le public," this was primarily a criticism directed against the 'Family', at whose hands the Republicans had experienced and continued to fear judicial harassment. There was no suggestion of how the magnates' influence might be curtailed in elections to the Tribunal. The proposal to limit county judges' tenures would have increased the influence of local magnates, by permitting them to secure the return of new judges in place of those they might not consider amenable, but who had hitherto been irremovable. There were no effective proposals for countering corruption and venality. The introduction of 'juges de paix' could only have added to the tortuousness of judicial proceedings. The 'Projet sur la justice' was not a remedy for the alleviation of Poland's judicial ills, but a formula for the expansion of the powers of the magnates.

A supplementary project "Sur la nonciature" advocated abolishing the nuncio's court, as in other Catholic countries. Its functions could be parcelled among existing lay jurisdictions. Clergy, especially regular clergy, should be made subject to the jurisdiction of the

¹²⁵ All in AGAD/AB 3/9, vol. I.

local bishop. If necessary, purely religious litigation could be referred to an episcopal synod sitting in Warsaw.

In the financial field, Wielhorski and his associates had to concede that the treasury commission “est un établissement qui tend au bien de l'état,” and that its judicial standards were exemplary. But it was argued that *szlachta* involved in commercial litigation had to travel to Warsaw, the seat of the commission, thereby involving themselves in unnecessary expense. Wielhorski recommended that lesser cases should be referred to the *gród starostas*, again, a move which could only increase the local magnates' influence. The new *czopowe* and *szeleżne* was roundly condemned as contrary to the privileges of the nobility, for it taxed the produce (alcohol) of their lands, which were legally exempt from taxation. This ignored the fact that while the tax had remained at the disposition of the counties and palatinates it had been freely collected. The plan went on to claim that the *czopowe* and *szeleżne* was unnecessary, as the state treasury had shown a surplus at the time of its introduction. Quite adequate revenues, it was claimed, could be obtained by the introduction of a tobacco monopoly and a stamp duty. A ‘Projet pour la régie des finances’ proposed the replacement of the existing treasury commission by the commission of Radom, abolished in 1764. Originally established in the early seventeenth century to assist the grand treasurer in the collection of taxes for the army and to judge military or military-civilian disputes, the commission's chief merit, in the eyes of the confederates, was that its civilian members had been elected by the *sejmiki*, military members by the army. Royal influence was eliminated entirely. It could not stop the treasurers' malversations, because it could not audit their accounts, which, as the ‘Projet’ made clear, remained the province of the Sejm, which, if the malcontents had their way, was to remain paralyzed by the *liberum veto*. Furthermore, the right of appointment to all offices within the financial administration was to be restored to the grand treasurer.

Similarly, the Republicans sought a full restoration of the powers of the *hetmani*. At worst, they would accept a very much diluted army commission. The ‘Projet sur la charge des Généraux de l'armée’ incorporated some of the ideas Branicki had put to Repnin, in June. Thus, the commission would sit at Lwów, the *hetman's* recommendations for promotion and ennoblement would be mandatory; he would be given direct command of the royal guard. He would also receive an extra vote within the commission; the right of appointing three commissioners and of nominating new ones in place of those who died. He would be empowered to amend any of

the commission's judgements on army personnel. No attempt was made to clarify the relationship of the *hetman* or the army commission to the proposed new commission of Radom. In extraordinary circumstances, "dans le cas de guerre ou de troubles," the grand *hetman* would automatically regain the powers he had lost in 1764. In addition, the king was to lose his right of appointing *hetmani*. Should the grand *hetmanship* fall vacant, the field *hetman* would take over. If both posts were vacant (or, presumably, the field *hetmanship* alone), the king could nominate successors at the Sejm, but following the recommendations of a majority of counties and palatinates. It was thanks to the "sage établissement" of the *hetmanship*, that "nous devons en partie, jusqu'à ces temps malheureux, la florissante liberté et son accroissement et la tranquillité publique conservée même parmi les troubles de la guerre entre les puissances voisines, indépendamment du peu de force de la République." In other words, the malcontents, turning away not only from the aspirations of the reformers, but of the *szlachta* themselves, rejected all thought of an expanded army, in return for the restoration of the authority of the *hetmani*. For even the best of kings "sont toujours portés . . . à étendre leur pouvoir et leur domination, comme la République le sait bien dans ces malheureuses circonstances, par l'établissement des commissions de la guerre et de finances, que tout le pouvoir est transferé entre les mains d'un seul."

These suggestions were complemented by the demands to be put forward by the *sejmiki*. To gain time for the embassy to put its views across, Mnischez originally favoured restricting the *sejmiki* instruction to a demand for the postponement of the Sejm.¹²⁶ This was amended to a set of proposals which actually incorporated parts of Repnin's instruction. Various Crown instructions which departed from the ambassador's guidelines (see below, pages 191-193) how that the core of the malcontents' desiderata included much that had been proposed by Branicki or enclosed in Wielhorski's 'Projets.' Thus royal patronage powers were to be abolished, all ministries were to be distributed according to the majority recommendation of the *sejmiki*. All palatines, *starostas*, and other tenants of Crown lands were to be elected by majority vote at their local *sejmik*. Naturally, the powers of the *hetmani* and treasurers would be fully restored. To eliminate totally the local power base of the king and the 'Family,' all appointments to the office of *podkomorzy*, the highest in the local hierarchy below senatorial level, and all elections to the county courts, made between 1764 and 1766, were to be in-

¹²⁶ Mnischez's remarks preceding the *sejmiki*, PAU 313, f. 186.

validated. In order to remove the king's brothers and uncles from the government, no ministries were to be given to the king's relatives, to the fourth degree of kinship, either by descent or collaterally.

Not all the *sejmiki*, even of those which did not pass the instruction that Replin ordered, were to pass all of these points. This suggests that local magnates, a Mniszech, Wessel or a Potocki, placed greater emphasis on different points. It does not argue for a greater degree of co-ordination among the Crown magnates. Nor did the plans for the Crown tally fully with those of the Grand Duchy. The malcontents did not expect total success in the Crown. They hoped that the 54 deputies from Lithuania, allied with the 46 from Royal Prussia, combined with some favourable returns from the Crown, would give them a preponderance in the Sejm over Replin's and the king's creatures.¹²⁷ The instruction which the Lithuanian *sejmiki* were to approve incorporated all of Replin's points, save article 2, which was truncated to exclude all mention of the General Confederacy's favourable attitude to the dissenters, who were merely promised (unspecified) justice. The deputies' first duty was to ensure the safety of the Catholic faith—only then could they proceed to deal with the remaining points of the instruction. In keeping with the spirit of Catherine's declaration, the status quo ante interregnum, including the *liberum veto*, was to be fully restored. Radziwiłł was to be fully reinstated and compensated. He and Brzostowski were to be the first to be rewarded by the king for their services.¹²⁸ None of the Crown or Lithuanian instructions dared raise the issue of dethronement.

The total effect of the malcontents' desiderata would have been far more than a regression to the anarchy of the Saxon era, or the humiliation of the reformers. By devolving the powers of appointment to the local assemblies, all trace of centralized authority would have disappeared. All political patronage would have passed to the local oligarchs. If a majority of *sejmiki* did not agree, how could ministries be filled? The malcontents' schemes did not consider this. The transformation of the Commonwealth into a fragmented federation run by petty princelings, a Slavonic Holy Roman Empire, bereft of any of the dynamism characterizing at least some of the states of Poland's western neighbour, but glorying in its useless liberty, would have been complete. To be quite safe, Mni-

¹²⁷ Radziwiłł to Brzostowski, Aug. 7, K. S. Radziwiłł, *Korespondencja...* ed. Waliszewski, no. LIX.

¹²⁸ The formula for the Lithuanian instruction was enclosed with a letter from an anonymous correspondent to Alexander Sapieha, field *hetman* of Lithuania, Aug. 10, B. Nar. 3287/IV.

szech, Wessel, Sołtyk, F. S. Potocki and Krasieński began mootng a plan to shackle the king further (though this did not make its way into the instructions), by a supervisory permanent council. Should the powers of appointment not go to the *sejmiki*, they would be assumed by this body, which would also supervise all royal initiatives in policy-making or the administration.¹²⁹

By early August, Stanisław August had achieved a satisfactory working relationship with Repnin. So confident were the royalists that the Confederacy had been tamed that they themselves planned to take it over. Psarski was instructed to suggest to Panin that Russia's interests could best be served, and Russia spared the trouble of constantly keeping troops in Poland, by making the Confederacy permanent and placing the king at its head. Russia could obviously not count on her present partisans.¹³⁰ On August 5, Antoni Przewdziecki, vice-chancellor of Lithuania and one of Radziwiłł's chief targets, proposed a plan to settle the disputes between the prince and his creditors, using the Confederacy's own courts.¹³¹ He would surely not have done this had he not been confident the reformers could control these courts. In Lithuania, Stanisław Brzostowski wished to keep Radziwiłł's decree restricting seats in the Sejm to confederates a secret, "because our antagonists . . . would circumvent this by joining the Confederacy en masse" but it was too late to stem the tide.¹³² On a free vote, Michael Czartoryski expected favourable returns in Lithuania.¹³³ On August 4, the county of Warsaw confederated under its ensign, the royalist Teodor Szydłowski.¹³⁴ On August 14, to the dismay of Radziwiłł's supporters, some of the king's closest associates, including Kazimierz Poniatowski, Jacek Ogrodzki, Xavier Branicki and Adam Czartoryski acceded, followed a few days later by Stanisław Lubomirski.¹³⁵ Repnin insisted on Adam Czartoryski's accession, lest the 'Family' later try

¹²⁹ Essen to Flemming, Aug. 26, SLHA 3562 IVb, f. 274. C. Rulhière, *Histoire de l'anarchie de Pologne*, vol. II (Paris 1819), pp. 407-408. Wł. Konopczyński, *Geneza i Ustanowienie Rady Nieustającej*, (Cracow 1917), quoting a letter from Repnin to Panin, July 25, in the archives of the Imperial Russian foreign ministry, pp. 106-107.

¹³⁰ Psarski to Ogrodzki, Aug. 19, 26, AGAD/ZP 84, pp. 176-177, 180.

¹³¹ B. Cz. 653, p. 633.

¹³² Brzostowski to Radziwiłł, Wilno, Aug. 4, AGAD/ARV 36/1516; Luniewski to Mniszech, Aug. 11, PAU 1144.

¹³³ M. Czartoryski to Joseph Hylzen, July 27, BJ. 6711, f. 67.

¹³⁴ Newsletter to E. Kuropatnicki, Warsaw, Aug. 6, B. Oss. 583, f. 79.

¹³⁵ Ogrodzki to Hylzen, Aug. 17, BJ. 6711, f. 84; Newsletter to E. Kuropatnicki, Aug. 20, B. Oss. 583, f. 83.

to mount a comeback by claiming they had no connection with the dissenters' restoration.¹³⁶

Repnin was not ignorant of the difficulties accumulating before him. On July 27, the new nuncio, Durini, arrived in Warsaw, after stopping for consultations with Sołtyk at Borzęcin.¹³⁷ Durini and Visconti, who did not leave the capital until August 17, began applying determined pressure on Radziwiłł not to make any concessions to the dissenters.¹³⁸ On August 10, Durini delivered a papal *breve* to Stanisław August, in which Clement XIII condemned anything tending to the free public exercise of the latter's faiths. The new nuncio also began distributing 200 copies of a similar *breve* to the bishops, decrying any association between true Catholics and dissenters: "Quae autem conventio Christi ad Belial?"¹³⁹ He was, however, unable to prevent the accession of six bishops to the Confederacy on August 21, who claimed that, like their three colleagues at Borzęcin, they wished to be in a position to defend the Catholic faith effectively. They also wished, they explained to Durini, to cushion their dioceses against the depredations of Russian troops.¹⁴⁰ Durini seems to have prodded Sołtyk, hitherto inactive, apart from his controversial accession of July 2, to publish a letter on August 15 to the *sejmiki*. Reminding the *szlachta* of his stand at the last Sejm, he urged them to resist the exorbitant demands of the dissenters, although they should be given what the laws and treaties permitted—this seems to have been a deliberate ambiguity introduced as a safeguard against reprisals from Repnin.¹⁴¹ Sołtyk, indeed, went out of his way to praise Catherine: she desired only Poland's happiness, to uphold the cardinal laws and liberties and to oppose pernicious innovations. Far from wishing to oppress the Catholics, she simply wanted them to grant the dissenters brotherly treatment and what was legally theirs. For that reason she had called for a Pacification Sejm, which was also to secure the general

¹³⁶ Solov'ev vol. XXVII, p. 481.

¹³⁷ Father Alexander to E. Kuropatnicki, Lublin, Aug. 2, B. Oss. 583, f. 78.

¹³⁸ Visconti to Torrigiani, Aug. 12, ASV. Polonia 280, f. 159.

¹³⁹ Durini to Torrigiani, Aug. 12, *ibid.* f. 154; Clement XIII to Stanisław August, July 28, Theiner, p. 171; to the Polish bishops, July 28, *ibid.* pp. 169-170.

¹⁴⁰ Durini to Torrigiani, Aug. 24-26, ASV. Polonia 280, f. 176. The bishops concerned were: Antoni Ostrowski of Brześć Kujawski; Hieronim Szeptycki of Płock; Ignacy Krasicki of Warmia; Andrew Młodziejowski of Przemyśl; Joseph Andrew Załuski of Kiev; Stefan Giedroń of Livonia. Act of accession, B. Oss. 423, f. 67.

¹⁴¹ Benoit to Frederick II, Aug. 26, DZA 9/27-179, f. 124.

¹⁴² Published as a fly-sheet, Warsaw, 1767.

tranquillity. But because the royal proclamations spoke only of the confederacies of Słuck and Thorn, Sołtyk counselled the *sejmiki*, out of respect for Catherine's declaration, to restrict their instructions to a demand for a new Sejm and new proclamations.¹⁴²

Sołtyk was not alone in launching his appeal. Antoni Wołłowicz, bishop of Łuck, warned the *szlachta* of Brześć Litewski to return only deputies who would tolerate no detriment to the faith.¹⁴³ *Hetman* Branicki published a letter urging the restoration of Poland's pristine liberty. He claimed this could best be achieved by resuscitating the old powers of the *hetmani*, which had never been, and could not be, harmful to liberty. He had the highest praise for the sentiments of Catherine's declaration, including the satisfaction of the dissenters' grievances and the proposal of a Russian guarantee. For that very reason, the *sejmiki* had to draft their instructions with especial care, for the approaching Sejm, which was to decide Poland's future "will either make her citizens happy, or bring them *ad interitum*".¹⁴⁴ In Lithuania, *hetman* Massalski canvassed the *szlachta* to defend the faith and restore the powers of the *hetmani*.¹⁴⁵ Mniszech apologized to the palatinates of Wielkopolska for his poor state of health, which prevented him from attending their proceedings at Środa. He expounded the necessity of securing the twin pillars of state, faith and liberty under the gracious aegis of Catherine II, whose salutary intentions were so clearly expressed in her declaration and in Panin's open letter. These shielded the Catholic faith from all harm and assured every individual confederate of the Empress' protection.¹⁴⁶ Repnin himself entered the polemical fray, to sweeten the bitter pill of his instruction. He, too, stressed his mistress' concern for the laws and liberties of Poland, as evidenced by her declaration. The Polish nation, he knew, fully appreciated her solicitude, for, in its act of Confederacy, it had requested her permanent guarantee. To protect the Commonwealth's equality against oppression, Catherine was determined to restore the rights of the dissenters: she did not wish religion to be an obstacle to civil tranquillity. Therefore, the ambassador invited the *szlachta* to elect patriotic deputies, furnished with a patriotic instruction, based on the content of their acts of confederacy, thereby fulfilling not only the Empress', but their own salutary inten-

¹⁴³ Wołłowicz to Radziwiłł, Aug. 12, AGAD/ARV 450/17950.

¹⁴⁴ Branicki's letter, AGAD/Sucha 19/28.

¹⁴⁵ M. Massalski to M. H. Radziwiłł, Grodno, Aug. 18, *ibid.* ARV 196/9340.

¹⁴⁶ Mniszech's letter, *ibid.*, Sucha 19/28.

tions.¹⁴⁷ To assist the *szlachta* to fulfil those intentions, he forbade the reading of any letters at the *sejmiki*, other than his own.¹⁴⁸

Repnin also took more positive precautions. He began extracting affidavits of loyalty to the Empress from leading Poles.¹⁴⁹ When general Krechetnikov, in Małopolska, reported F. S. Potocki's fears that he could not guarantee the return of favourable deputies because of the "dejection" of the confederates, Repnin ordered Krechetnikov to arrange double elections, if necessary.¹⁵⁰ On August 8, Felix Czacki, *podczaszy* of the Crown, acceded to the confederacy of Volhynia. His act of accession contained a detailed exposé of the dangers arising from denominational differences, and an appeal for the enforcement of the laws on the dissenters, as confirmed in 1764 and 1766. To prevent his standing for election, Repnin ordered Krechetnikov to put him under house arrest. If Czacki were still elected, he would be sent to Siberia, where he might even be joined by F. S. Potocki, whom the ambassador saw as responsible for Czacki's stand.¹⁵¹ Repnin was convinced that Potocki was out to sabotage his instruction for the *sejmiki*; he warned Krechetnikov to block any attempt by the palatine's followers to swamp the Sejm by refusing to elect deputies, and by attending *virtim*.¹⁵²

The *sejmiki*, which met on August 24, except those of Royal Prussia, proved to be a severe rebuff for Russian policy. True, most of the 36 Crown assemblies endorsed Repnin's points in whole or in part, but only a minority did so without significant qualification. On August 29, when most of the results were in, Benoit reckoned that only a dozen were favourable.¹⁵³ This was true particularly of Masovia. At Czersk, the Suffczyńskis wished to insert points favourable to *hetman* Branicki. They were overruled by a force of over 200 Russians, who also obliged the *szlachta* to elect general Gaspar Lubomirski, a Pole in the Russian service, in place of their

¹⁴⁷ Repnin's letter, Aug. 10, *ibid*; Repnin to Stanisław Brzostowski, Aug. 12, B. Korn. 1851.

¹⁴⁸ Łuniewski to Mniszech, Aug. 26, PAU 1144.

¹⁴⁹ Repnin to Antoni Potocki (?), *starosta* of Lwów, Aug. 4, *Materiały do Konfederacji Barskiej*, vol. I (Lwów 1851), ed. Szczęsny Morawski, p. 1.

¹⁵⁰ Repnin to Krechetnikov, Aug. 6/17, *Pis'ma k . . . Krechetnikovu*, pp. 21-23.

¹⁵¹ Repnin to Krechetnikov, Aug. 7/18, *ibid*, pp. 23-24; Czacki's accession, B. Cz. 1172, ff. 38-42.

¹⁵² Repnin to Krechetnikov, Aug. 7/18, *Pis'ma k . . . Krechetnikovu*, pp. 23-24.

¹⁵³ Benoit to Frederick II, Aug. 29, DZA 9/27-179, f. 127.

preferred choice, Antoni Suffczyński.¹⁵⁴ In contrast, the Nur *sejmik*, dominated by its royalist marshal, Jan Woliński, passed off quietly. Woliński was assisted mainly by Stanisław Radziwiński, *starosta* of Janów, (both men were returned as deputies), an ardent admirer of Repnin, who mobilised his friends to secure the approbation of Repnin's instruction *in toto*.¹⁵⁵ The Warsaw *sejmik*, which returned the royalists, Teodor Szydłowski and Jacek Ogrodzki, followed the king's bidding, as usual.¹⁵⁶ At Zakroczym, Kazimierz Poniatowski, assisted by Russian dragoons and artillery, had a trouble-free *sejmik*.¹⁵⁷ The county of Ciechanów, under the marshalcy of Michael Krasieński, *podkomorzy* of Różan, passed Repnin's instruction, qualifying it with a separate *laudum* (resolution) "obliging our deputies to permit nothing detrimental to the Holy Catholic Faith, our liberty and our ancient laws . . ." ¹⁵⁸ The Liw electors passed Repnin's instruction, omitting the article on dissenters: instead, they categorically forbade their deputies to admit dissenters to the chamber of deputies or the Senate. The same happened at Wizna where the *szlachta* also demanded the preservation of Poland's ancient laws and liberties, including the full restoration of the rights of the *hetmani* and treasurers—as promised in the Imperial declaration. At Różan, the nobility acclaimed supplementary *lauda*, in which they enjoined their representatives to defend "the dominant Holy Catholic Faith".¹⁵⁹

In general terms, the further from Warsaw, the more difficult the *sejmiki* proved to be. In the palatinate of Rawa, the *szlachta* of the county of Gostynin tacked an amendment onto Repnin's instruction, obliging their deputies to insist on the maintenance of the anti-dissenter legislation of 1717, 1736, 1764 and 1766. There, they declared, lay their true sentiments, for only the presence of Russian troops had driven them to countenance the rest of the instruction. Furthermore, their deputies were to register a protestatory *manifest* if the Sejm undertook anything derogatory to freedom or the Catholic faith.¹⁶⁰ The Sochaczew *sejmik*, poorly attended, under

¹⁵⁴ Michael Suffczyński, castellan of Czersk, to J. Kl. Branicki, Aug. 19, AGAD/Roś XXVII-35; Antoni Suffczyński to K. Radziwiłł, Aug. 23, *ibid.* ARV 380/15325; Benoit to Frederick II, Aug. 29, DZA 9/27-179, f. 127. For the sources of available instructions, see appendix IV.

¹⁵⁵ Radziwiński to Seyffert, Aug. 29, BP. 69, pp. 195-198.

¹⁵⁶ Ogrodzki to Hylzen, Aug. 26, BJ. 6711, f. 89.

¹⁵⁷ Łuniewski to Mniszech, Aug. 27, PAU 1144.

¹⁵⁸ *Laudum*, Ciechanów, Aug. 24, Paw. 1, f. 315.

¹⁵⁹ I have been unable to trace the Różan instruction itself, but see *laudum*, *ibid.* 20, f. 570 and the instructions from the Różan *sejmik* to delegations to Radziwiłł and Podoski, Aug. 24, *ibid.* ff. 574-575. Nor can I find any details of the two remaining Masovian counties, Wyszogród and Łomża.

¹⁶⁰ *Laudum*, Aug. 24, B. Cz. 840, pp. 147-148.

the watchful eyes of Russian hussars, was permitted only to hear Repnin's letter, approve his instruction and elect its deputies (who included Xavier Branicki).¹⁶¹ In the county of Rawa, the electors, inspired by their palatine, Kazimierz Granowski, passed a "patriotic instruction", despite the presence of Russian troops. Their deputies swore not to admit dissenters into the judiciary or the legislature.¹⁶² Repnin was so perturbed by rumours of trouble and counter-confederacies in the palatinate of Sandomierz, that he recalled the marshal, Joseph Ossoliński, from his embassy (which was at Białystok, conferring with J. Kl. Branicki), to bring the confederates to order and to preside over the *sejmik* at Opatów. The proceedings were attended by the Russian general Podgorichanin, "a great number of Muscovite soldiers" and sixty *szlachta*. Cannon were trained on the electors, who agreed to Repnin's instruction without further ado.¹⁶³ At Proszowice, 200 Russians commanded by colonel Otto Igelström, forced fifty Cracow *szlachta* to accept Repnin's instruction, although the article relating to the dissenters was dropped.¹⁶⁴ In the neighbouring dual principality of Oświęcim and Zator, the local *starosta* and marshal, Piotr Małachowski, managed to pass an instruction such as the malcontents wished, despite the presence of 300 Russians. The same evening, he was put under house arrest. Thirty compliant *szlachta* were brought in from Cracow to approve Repnin's instruction, which Małachowski was then forced to register as the official one.¹⁶⁵ Antoni Potocki, *starosta* of Lwów, secured Repnin's instruction at Sądowa Wisznia, venue of the general *sejmik* of Ruthenia, but the town was heavily invested with Russian troops, who prevented many leading notables from attending. In protest, *szlachta* of Sanok, one of Ruthenia's constituent counties, elected their own deputies, whom they armed with a separate instruction, calling for the enforcement of the 1717 legislation on the dissenters and for the subjection of affairs of state to the unanimity principle at the Sejm.¹⁶⁶

One of the tensest *sejmiki* met at Środa, in Wielkopolska. Com-

¹⁶¹ Sołtyk's (?) journal, Aug. 27, B. Oss. 714, f. 119.

¹⁶² *ibid.* Aug. 28, ff. 119-120; K. Granowski to J. Kl. Branicki, Aug. 18, AGAD/Ros VII-29.

¹⁶³ 'A short account of the *sejmik* at . . . Opatów,' AGAD/APP 313, vol. II, p. 484; Luniewski to Mniszech, Aug. 22, PAU 1144; St. Saphorin to Bernstorff, Aug. 30, RA. Cop. TKUA Polen AIII46; Father Silvester to Mniszech, Sept. 6, PAU 1144.

¹⁶⁴ Journal of the *sejmik* at Proszowice, Aug. 24, *ibid.*

¹⁶⁵ 'A short account of the *sejmik* at . . . Oświęcim,' AGAD/APP 313, vol. II, p. 484; P. Małachowski to Sołtyk, Aug. 26, B. Oss. 714, ff. 135-136.

¹⁶⁶ 'A short account of the . . . Ruthenian *sejmik*,' AGAD/APP 313, vol. II, p. 485. Waclaw Rzewuski to K. Radziwiłł, Podhorce, Aug. 31, *ibid.* ARV 319/13661; Sanok instruction, Aug. 24, Akta XXIII, no. 217, p. 547-548.

paratively few *szlachta* attended—at most, 500, where, according to Benoit, it was not unusual for 4-5,000 to participate.¹⁶⁷ Approximately 2,000 Russians under general Apraxin were encamped in the vicinity. The malcontents, led by Mniszech's clients—the marshal, Skórzewski, Franciszek Kożuchowski, *cześnik* of Kalisz and August Gorzeński, castellan of Gniezno—had their own list of deputies and their own instruction, calling for the postponement of the Sejm, the restoration of ministerial powers and the annulment of 1764-1766 appointments.¹⁶⁸ Poor attendance, royalist propaganda, a rash of royalist accessions just before the *sejmik* assembled, Mniszech's refusal to appear, demoralized the malcontents.¹⁶⁹ Nevertheless, only a minority, headed by Władysław Gurowski, grand notary and Adam Poniński, *kuchmistrz*, of the Crown, supported Apraxin's demands. No decisions were taken on the first day, Monday, August 24. On Tuesday, more confederates arrived. Apraxin's troops surrounded the churchyard in which proceedings were being conducted. Despite his reluctance, the assembly heard letters from *hetman* Branicki, Mniszech, Sołtyk and a reading of Felix Czacki's accession. To break the ensuing impasse, both Apraxin and the confederates sent couriers to Repnin for further instructions. Business was resumed on Thursday. Marshal Skórzewski, under the threat of Russian billettings on his estates, simply announced the instruction and the deputies Repnin wanted. Russian bayonets protected him from the wrath of the assembly. A number of nobles, headed by Kożuchowski and Starzeński, drew up a document of protest against the *sejmik*, to present to Radziwiłł and the king, with a demand for new proclamations for a new *sejmik*, but Kożuchowski admitted that many sympathizers were too terrified to sign it.¹⁷⁰

Despite the Russian terror, many *sejmiki* held out successfully for their own instructions. At Chełm, the *szlachta* were forced to replace their marshal, Łukasz Węgleński, as one of their deputies by the royalist Sosnowski. Although also forced to endorse Repnin's instruction, Węgleński issued the instruction to which the confederates had agreed before the Russian arrival, as a supplement.¹⁷¹ It contained many of the most important counter-proposals for the Sejm, shared by other recalcitrant assemblies. With Braclaw, Do-

¹⁶⁷ Benoit to Frederick II, Sept. 5, DZA 9/27-179, f. 128.

¹⁶⁸ 'Projekt do instrukcji,' B. Cz. 3862, no. 115.

¹⁶⁹ August Gorzeński to Mniszech, Aug. 19, PAU 1144; 'Relacja o sejmiku wielkopolskim poselskim,' *ibid.*

¹⁷⁰ 'Diariusz sejmiku poselskiego średzkiego,' B. Cz. 834; Franciszek Kożuchowski to Mniszech, środa, Aug. 28, PAU 1144; M. B. Miaskowski to Mniszech, środa, Aug. 28, *ibid.*

¹⁷¹ Fr. Węgliński to F. S. Potocki, Chełm, Aug. 26, *ibid.*

brzyń, Halicz, Lublin, Wieluń and Sieradz ('Desideria'),¹⁷² it demanded the restoration of the powers of the *hetmani*, the treasurers and the abolition of the commissions. Royal powers of patronage were to be given to the *sejmiki*.¹⁷³ Appointments to the office of *podkomorzy*, elections to the county courts made between 1764 and 1766 were to be made null and void.¹⁷⁴ The royal family was to be excluded from ministerial office.¹⁷⁵ Not surprisingly, several assemblies demanded the blanket restoration of the pre-1764 laws; Halicz and Sieradz specified the total restoration of the *liberum veto*.¹⁷⁶ Braclaw, Dobrzyń, Kiev, Sieradz and Wieluń insisted on the adjournment of the Sejm until the return of the confederates' embassy from Moscow. Braclaw, Dobrzyń, Halicz, Kiev, Lublin and Łęczycza in their instructions, Bełz and Sieradz in separate 'Desideria', rejected all concessions to the dissenters. The Bełz *szlachta* accused them of wilful misrepresentation of the laws of the Commonwealth to Catherine II, of illegally influencing the drafting of the act of General Confederacy. Thus, they had forced the marshals and councillors at Radom to counter their interference by qualifying their accessions with *salvae*.¹⁷⁷ Repnin admitted that his commanders, ignorant of the Polish language, had been frequently hoodwinked.¹⁷⁸

It was at Kamieniec Podolski, empty of Russian troops, that the *szlachta* gave full vent to their feelings, encouraged by Seweryn Rzewuski, *starosta* of Dolina, son of the field-*hetman*, Waclaw. Two Russian officers, who attempted to read the Imperial declaration, Panin's open letter and Repnin's circular, were assaulted and thrown out of the town. The confederates seized the documents, trampled and spat upon them. They invited two Turks from nearby Chocim as observers, to report to Constantinople. The Kamieniec instruction included a demand for the restoration of the *hetman* powers and the rejection of religious concessions.¹⁷⁹ Some of the Kamieniec nobles, fearing reprisals, escaped to Moldavia, with

¹⁷² Desideria of Sieradz, Aug. 24, AGAD/Ks. Gr. sieradzkie, relacje 140, ff. 194-197.

¹⁷³ Instructions of Braclaw, Chełm (supplement), Czernichów, Dobrzyń, Halicz, Kiev, Lublin, Sieradz (Desideria).

¹⁷⁴ Instructions of Braclaw, Czernichów, Dobrzyń and Wieluń.

¹⁷⁵ Instructions of Braclaw, Chełm (supplement), Czernichów, Kiev and Lublin.

¹⁷⁶ See also the instructions of Braclaw, Dobrzyń, Łęczycza and Wieluń.

¹⁷⁷ *Manifest*, Bełz, Aug. 24, AGAD/Sucha 233/281, pp. 542-548.

¹⁷⁸ Repnin to Krechetnikov, Aug. 29/Sept. 9, *Pis'ma k... Krechetnikovu*, p. 30.

¹⁷⁹ Teodor Potocki, marshal of the Podolian confederacy, to J. Kl. Brannicki, Aug. 25; AGAD/Roś XVI-19; Waclaw to Seweryn Rzewuski, Podhorce, Aug. 26, Waw. Archiwum Podhoreckie 26II 2/95.

the intention of raising a new confederacy, against the Russians and dissenters. Repnin sent his own version of events to Obreskov, to reassure the Porte. He ordered Krechetnikov to occupy the estates of the ringleaders, with the proviso that the troops should not approach to within eight miles of the Turkish frontier.¹⁸⁰

Repnin received his greatest snub, not in the Crown, but in Lithuania. He seems to have been over-confident and taken inadequate precautions. Because the Grand Duchy had confederated smoothly as he had arranged, he supposed "que le reste . . . serait exécuté comme il l'avait prescrit".¹⁸¹ Yet, on the ambassador's own reckoning, at least one half of the Lithuanian instructions were unfavourable; the confederates reckoned that most of the Lithuanian deputies were enthusiastic supporters of Karol Radziwiłł.¹⁸² A copy of the Mińsk instruction which survives corresponds closely to that examined on page 186. A summary of the Grodno instruction is similar in content. Both also demanded the confirmation of the rights of Royal Prussia, a step in line with the malcontent magnates' avid desire for even further decentralisation of the Polish state. Grodno demanded not a new Russian guarantee, but a confirmation of Peter the Great's act of mediation of 1717, which, in effect, would have left the status of the dissenters unchanged.¹⁸³ Brześć Litewski, Kowno, Nowogródek, Rzeszyca, Słonim and Żmudź were among the assemblies which issued instructions for the restoration of the *hetman* powers and the rejection of concessions to the dissenters.¹⁸⁴

Stanisław Brzostowski claimed that the instructions were fully in keeping with the spirit of the imperial declaration and Panin's open letter. Repnin was unimpressed. He was the better judge of

¹⁸⁰ Repnin to Krechetnikov, Aug. 29/Sept. 9, *Pis'ma k . . . Krechetnikovu*, pp. 30-32. Essen to von Ende (Flemming's acting successor at the Saxon ministry for foreign affairs), Sept. 9, SLHA 3562 IVb, ff. 332-333; Kaunitz to Brognard, Austrian *internuntius* in Constantinople, Oct. 9, *Documente privitoare la Istoria Romanilor*, vol. VII, ed. Baron Eudoxiu de Hurmuzaki, (Bucharest 1876), pp. 43-44.

¹⁸¹ Jakubowski to Choiseul, Sept. 9, AE. Pol. 290, ff. 66-67.

¹⁸² Benoit to Frederick II, Sept. 5, DZA 9/27-179, f. 128; Stanisław Brzostowski to his mother, Sept. 3, AGAD/ARV 36/1516.

¹⁸³ Grodno instruction (summary), PAU 313.

¹⁸⁴ For Brześć Litewski, letters from M. Massalski to M. H. Radziwiłł, Aug. 18, Sept. 15, AGAD/ARV 196/9340; for Kowno, D. Medeksza to K. Radziwiłł, Aug. 31, *ibid.* 198/9427 and K. Radziwiłł to J. Kl. Branicki, Sept. 6, *ibid.* Roś XVIII-13; for Nowogródek, S. F. Rzewuski to K. Radziwiłł, Aug. 24, *ibid.* ARV 318/13657; for Rzeszyca, minutes of royal conferences, Sept. 12, B. Cz. 653, p. 659; for Słonim, K. Wołowicz to K. Radziwiłł, Aug. 26, AGAD/ARV 453/17973; for Żmudź, St. Przeciszewski to K. Radziwiłł, Aug. 24, *ibid.* 289/12481 and J. D. Łopaciński, bishop of Żmudź, to A. Sapieha, Aug. 24, B. Nar. 3287/II.

that, he informed Brzostowski. If Brzostowski really wished to adhere to Catherine's views, he should have followed Repnin's instruction. No matter, for "je serai obligé de faire voir à cette Diète que le pouvoir de l'Impératrice . . . est au-dessus de toutes vos instructions de dietines, qui sont formées par la brigue et la cabale, et que je m'en prendrai à ceux qui en sont les auteurs". He then warned that unless the Confederacy ceased its judicial harrassment of Michael Czartoryski and Antoni Przewdziecki, he would order general Nummers to disperse it.¹⁸⁵ Repnin wrote his letter on September 1. Barely two months previously, he had been sending similar threats to Hylzen.

For the dissenters, the supposed object of Russian and malcontent benevolence, the establishment of the Catholic confederacies had brought new problems. The towns of Royal Prussia, pressed into the confederacy of Thorn against their will, feared that their autonomy would suffer or that the malcontent associations, gathering a momentum of their own, would turn against the Protestants. The citizens of Danzig and Thorn regarded the religious clauses of the local and general acts of Confederacy as inadequate.¹⁸⁶ A proposal by Zboński, castellan of Płock, to form a confederacy of Catholic nobles in Royal Prussia, caused the Protestants serious alarm.

Christian Klosmann, mayor of Thorn and A. S. Goltz, the Thorn confederacy's marshal, claimed that the formation of such a confederacy would be tantamount to recognizing their own as a private, illegal undertaking. They found an alternative proposal—that the Thorn confederacy should accede to that of Radom—equally repugnant, for this would make it subject to the latter's hostile, Catholic jurisdiction. Besides, they claimed, such an accession would be a direct contravention of Prussia's autonomous status.¹⁸⁷ The aims of Prussia's dissenters were directly opposed to any tightening of the bonds between their province and the Crown. Goltz had already tried, unsuccessfully, to secure the removal of all suits involving dissenters from the jurisdiction of the Crown Tribunal.¹⁸⁸ A delegation sent by Danzig to Moscow in late May had secret orders to work for the full autonomy of the province.¹⁸⁹ Panin,

¹⁸⁵ Repnin to St. Brzostowski, Sept. 1, B. Kórn. 1851.

¹⁸⁶ Klosmann to Geret, Thorn, May 20, 23, 27, AT. Kat. II 3365; A. Gibsone to Andrew Mitchell, Danzig, July 11, BL. Add. Mss. 6826.

¹⁸⁷ Klosmann to Geret, June 14, 17, AT. Kat. II 3365; Town council of Thorn to Danzig and Elbing, June 17, AT. Kat. I 48. A. S. Goltz had succeeded G. Goltz as marshal of the confederacy of Thorn at the latter's death in April.

¹⁸⁸ Minutes of royal conferences, May 23, 24, B. Cz. 653, pp. 589, 591.

¹⁸⁹ Psarski to Ogrodzki, June 17, AGAD/ZP 84, pp. 147-148.

after toying with Zboiński's proposal, decided the issue should be settled by a compromise—'Unio Animorum'—of Royal Prussia with the General Confederacy, at the Prussian general-*sejmik*, which was due to meet on September 7.¹⁹⁰ As he later explained to Replin, he wanted a formal link to be established between the dissenters' confederacies and the Catholics', but not formal incorporation, lest the latter overwhelm and overrule the dissenters by sheer weight of numbers.¹⁹¹ On August 14, Replin obliged Radziwiłł to invite the dissenters to send a plenipotentiary delegation to discuss their claims, but they were in no hurry to do so. On September 5, Radziwiłł complained to the Moscow embassy that he had still received no answer.¹⁹²

The 'Unio Animorum' project was unpopular with the Prussian nobility, Catholics as well as Protestants. They continued to fear that it would involve excessive subordination to the Sejm and to the Commonwealth.¹⁹³ The excesses of the Russians at the Crown *sejmiki* put the *szlachta* on their guard. On September 1, five of the seven districts of Pomerania held their particular assemblies.¹⁹⁴ Only the district of Kowalew backed the 'Unio Animorum' plan.¹⁹⁵ In the district of Świecko, the nobility boycotted the *sejmik* altogether, which led to fears that the general-*sejmik* would not meet.¹⁹⁶ On September 3, the palatinates of Malbork, Chełmno and Pomerania held their respective *sejmiki*. The Chełmno instruction followed Replin's guidelines. Malbork and Pomerania demanded the restoration of the powers of the *hetmani* and treasurers. Pomerania further insisted on the confirmation of the rights of Royal Prussia. It also recommended a just settlement with the dissenters and the full reinstatement of Radziwiłł. None of the palatinates supported 'Unio Animorum'.¹⁹⁷

¹⁹⁰ Klosmann to Geret, July 22, AT. Kat. II 3365.

¹⁹¹ Panin to Replin, Aug. 14/25, Sb. vol. 67, no. 1552.

¹⁹² Radziwiłł to the Radomian embassy, Sept. 5, AGAD/ARII 20/2928; Radziwiłł's invitation to the dissenters, *ibid.* ML IX-36, f. 88.

¹⁹³ Husarzewski to Ogrodzki, Danzig, Aug. 28, B. Cz. 703, f. 74.

¹⁹⁴ Pomerania was unusual in that five of its seven districts held their own *sejmiki* early, at which they drafted instructions for the palatinate's *Generalik* or little general-*sejmik*, at Starogard. The two remaining districts of Pomerania, Tczew and Danzig, chose their representatives at the *Generalik*.

¹⁹⁵ K. Rogaliński, *starosta* of Nakło, to Ogrodzki, Sept. 8, B. Cz. 685, f. 66.

¹⁹⁶ Gerlowski to Klosmann, Świecko, Sept. 1, WAPG. 300, 29/230, f. 40; Benoit to Frederick II, Sept. 9, DZA 9/27-179, f. 130.

¹⁹⁷ Pomeranian instruction, issued at Starogard, Sept. 3, WAPG. 300, 29/230, ff. 56-57; for the Chełmno instruction, see Rogaliński to Ogrodzki, Sept. 8, B. Cz. 685, ff. 66-67; for the Malbork instruction, see M. Czapski to J. Kl. Branicki, Sept. 3, AGAD/Roś IV-66.

The general *sejmik* met at Grudziądz from September 7 to 12. 200 Russian troops and two generals, Apraxin and Soltikov, were present. Despite their threats, the *szlachta*, led by Michael Czapski, palatine of Malbork, rejected an instruction which unequivocally favoured the dissenters. While the latter “circa iura sua antiqua pacemque Olivensem conserventur et in quibus laesi sunt, restituantur”, the Roman Catholic faith “dominans illaesa et in tuto ac salvo semper maneat”. In their mistrust of the Russians, the Prussian *szlachta* would only agree to the Imperial guarantee, if the Commonwealth did so. Ministerial powers were to be fully restored. The treasury commission could remain, provided its members were elected by the *sejmiki*. Typically, the instruction laid great emphasis on preserving Royal Prussia’s rights. On September 12, the assembly finally agreed to ‘Unio Animorum,’ to secure full participation for its duties in the Sejm. This, it added, in no way derogated from the rights and privileges of the province, which would not accept any Sejm decisions contrary to those rights, and which reserved the right to withdraw from the ‘Unio’ at any time.¹⁹⁸ If the stress on provincial particularism was a disappointment to the court, it could take comfort in that almost three-quarters of the forty-six deputies were reportedly well-disposed to it.¹⁹⁹

The *sejmiki* were not totally discouraging to the malcontents. Despite strong military pressure, a majority had resisted the demands of the Russians, or, as the confederates preferred to see it, of Repnin, Stanisław August and the ‘Family.’ They could not believe, wrote Radziwiłł to the Radomian embassy, that Catherine could have authorized such actions. Rather, Repnin had been led astray by the Czartoryskis.²⁰⁰ In disgust at his own role, Radziwiłł tried to flee to Lithuania, where he would be among friends. He was prevented by the ever-present colonel Karr.²⁰¹ Yet, as the majority of Lithuanian deputies were devoted to him, he and others counted on them to reject firmly the restoration of the dissenters and the Russian guarantee.²⁰² The illusions persisted.

¹⁹⁸ Prussian instruction and ‘Laudum Unionis Animorum’ in WAPG 300, 29/230, ff. 124-127, 137-138 (both antedated to Sept. 7). Accounts of the general-*sejmik* given by Fr. Kożuchowski to Mniszech, Sept. 12, PAU 1144, Fr. Wilczewski to Ogrodzki, Sept. 13, B. Cz. 692, ff. 111-112.

¹⁹⁹ Felix Czapski, *podkomorzy* of Chełmno, to Ogrodzki, Sept. 14, B. Cz. 658, p. 245.

²⁰⁰ Radziwiłł to the Radomian embassy, Sept. 5, AGAD/ARII 20/2928.

²⁰¹ Gérard to Choiseul, Sept. 12, AE. Pol. 290, f. 73.

²⁰² *ibidem*.

CHAPTER VII

FROM THE *SEJMIKI* TO THE DELEGATION SEJM

The General Confederacy of Radom, as a movement of the *szlachta*, virtually ceased to exist after the *sejmiki*. Whatever authority it may at any time have possessed, disappeared. It was unable to protect its members from its own protectors, the Russians. Despite appeals from Radziwiłł and Podoski, Repnin refused to release Felix Czacki from house arrest.¹ Malcontent leaders discovered that exemptions from Russian requisitions granted earlier were worthless.² Radziwiłł confessed to the Radomian emissaries to the Russian court that he did not dare in any way cross the ambassador, who showed more partiality for the dissenters than for the malcontents. The former held the Confederacy in such low esteem that they had no intention of negotiating over their rights, but expected all their demands to be met without argument.³ At an audience on September 24, representatives from the dissenters of Thorn, Słuck and the duchy of Courland informed Radziwiłł that they expected the Sejm to grant a full resoration of their rights.⁴ Moreover, Repnin told them to attach no weight to the audience, which was purely for appearances' sake: the real issues would be decided at the Russian-controlled Sejm.⁵ The sole, significant action of the Confederacy was the opening of its central courts, in Warsaw, on September 23.⁶ Ironically, the first summonses had already been issued: against Ruthenian *szlachta* who had refused to toe Repnin's line at their general-*sejmik*. The charges — of slandering the proceedings of the Confederacy—were dropped, only because the accused withdrew their protestatory *manifests*.⁷ If the confederates hoped to regain any of their tarnished prestige through the exercise of their jurisdiction, they were disappointed.

¹ Sołtyk's (?) diary, Sept. 5, B. Oss. 714, ff. 124-125.

² Dąbrowski to Mniszech, Oct. 19, B. Cz. 3862, no. 123.

³ K. Radziwiłł to the Radomian embassy, Sept. 5, AGAD/ARII 20/2928.

⁴ AGAD/ML IX-36, ff. 117-118.

⁵ Town council of Thorn to the councils of Danzig and Elbing, Aug. 26, AT. Kat. I 48.

⁶ AGAD/ML IX-36, ff. 115-116.

⁷ Summonses issued in Warsaw, Sept. 1, Akta XXIII, no. 222, pp. 551-552; withdrawals from the *manifests*, Sept. 23, *ibid.* p. 552n.

Before the Sejm opened, on October 5, the courts heard only one case, a criminal matter, which, royalists claimed, should properly have been judged in marshal Lubomirski's court.⁸

The *sejmiki* were a great shock to the *szlachta*. They revealed Repnin's single-minded determination to restore the position of the dissenters and the extent to which the Confederacy had passed out of the control of its magnate leaders. The quarrels and misunderstandings of the leadership had so far largely been hidden by the secrecy surrounding their dealings.⁹ It now seemed, bewailed one of Mniszech's clients, that the Confederacy, contrary to the intentions of its founders, would actually harm faith and liberty. "My Lords [Pancowie], you, who have brought us to this pass, now save us, or give us the means of saving ourselves at the Sejm. We will gain nothing, but become more divided among ourselves and then they [the king and Repnin] will utterly destroy us."¹⁰ The malcontents fell to bitter mutual recriminations. After the Wielkopolska *sejmik*, Franciszek Kożuchowski, councillor and *cześnik* of Kalisz, accused his associate, the marshal, Michael Skórzewski, of treason in his negotiations with general Apraxin.¹¹ At Wieluń, despite an instruction they considered generally satisfactory, malcontent activists accused their marshal, Jan Poniński, and the grand treasurer, Wessel, of conspiring to return royalist deputies.¹² In Małopolska, *szlachta* from Czernichów and Ruthenia reproached their leaders for failing to consult them, when drafting the instructions.¹³ Despite F. S. Potocki's efforts to thwart Repnin's instruction, the conduct of Antoni Potocki, *starosta* of Lwów, fully complying with the ambassador's wishes at Sądowa Wisznia, caused a revulsion of feeling against the Potockis in general.¹⁴ The *szlachta* were particularly angered by Russian violence, which many continued to feel was directly contrary to Catherine II's intentions and her declaration of March 26.¹⁵

Repinin took energetic measures to stifle protest. *Grody* were forbidden to receive and register *manifests* against the terror.

⁸ Ogrodzki to Hylzen, Sept. 30, BJ. 6711, f. 115.

⁹ Newsletter to E. Kuropatnicki, Aug. 13, B. Oss. 583, ff. 81-82.

¹⁰ Jan Mączyński to Mniszech, Warsaw, Aug. 26, PAN 1144.

¹¹ Fr. Kożuchowski to Mniszech, Aug. 28, *ibid*; J. Turno to Mniszech, Aug. 28, *ibid*.

¹² A. Alyszkowski to Mniszech, Aug. 25, *ibid*. R. Lasocki to Mniszech, Aug. 25, *ibid*.

¹³ Anonymous correspondents to F. S. Potocki, Włodzimierz, Aug. 25, Sądowa Wisznia, Aug. 26, *ibid*.

¹⁴ Michałowski to Mniszech, Krasiczyn, Sept. 3, *ibid*.

¹⁵ Anonymous correspondent to F. S. Potocki, Wisznia, Aug. 26, *ibid*. Starzeński to Mniszech, Sept. 3, *ibid*.

Russian officers tore them from the *gród* books and noted the names of their authors.¹⁶ Repnin ordered his generals to quarter troops on the lands of recalcitrant ringleaders, to collect fodder and supplies without payment. Relief would be granted only to those who signed affidavits of obedience to the ambassador.¹⁷ According to Rulhière, these affidavits were forced on most of the deputies “par les plus horribles violences.” Those signing agreed not to oppose, in any way, any law proposed by the ambassador at the Sejm, nor to oppose him in any way on pain of loss of *szlachectwo*, fortune and life itself.¹⁸ In Małopolska, the Potockis were singled out for punishment, after the generally unsatisfactory course of the Ukrainian *sejmiki*. Repnin was reluctant to move against the palatine of Kiev, but warned him that unless the deputies for whom he was responsible proved amenable at the Sejm, 1,000 troops would be quartered on his estates.¹⁹ F. S. Potocki, under these threats, gave an affidavit of loyalty to Krechetnikov. Harassed by Russian billetings, Zofia Kossakowska, *châtelaine* of Kamieniec Podolski, and her brother, Marian Potocki, both held responsible by Repnin for the unfavourable Halicz *sejmik*, did likewise. To the dismay of Sołtyk, Kossakowska gave herself wholeheartedly to co-operation with Repnin.²⁰ In Wielkopolska and Lithuania, similar methods were used to extract obedience.²¹

The growing perversion of the aims of the General Confederacy's malcontent founders accompanied its emasculation. On August 30, a group of eleven senators acceded to the Confederacy. Among their number were Republican sympathizers, such as Ignacy Twardowski, palatine of Kalisz, and Kazimierz Granowski, palatine of Rawa. But they included leading royalists, such as Jan Borch, palatine of Livonia, Kazimierz Karaś, castellan of Wizna and Szymon Szydłowski, castellan of Słońsk. After the obligatory declaration of support for the Catholic faith, they affirmed first, their support for the king, and only then for the Commonwealth's laws and liberties. The formula, admitted Twardowski, did not please other malcon-

¹⁶ Repnin to Krechetnikov, Aug. 20/31, *Pis'ma k general-maioru i kawaleru P. N. Krechetnikovu*, ed. O. M. Bodyansky (Moscow 1863), p. 27. F. Ziemiecki to Mniszech, Nov. 7, B. Cz. 3862, no. 127.

¹⁷ Repnin to Krechetnikov, Aug. 20/31, *Pis'ma k . . . Krechetnikovu*, pp. 26-28.

¹⁸ Text, Claude Rulhière, *Histoire de l'Anarchie de Pologne*, vol. II (Paris 1829), pp. 415-416.

¹⁹ Newsletter from Lwów, Sept. 7, AGAD/ARII 20/2933.

²⁰ Entry for Sept. 4/15, *Zhurnal general-maiora i kawalera Petra Nikiticha Krechetnikova*, ed. O. M. Bodyansky (Moscow 1863), p. 52; Sołtyk to Pelagia Potocka, *châtelaine* of Lwów, Sept. 16, AGAD/Ros L-45.

²¹ Repnin to St. Brzostowski, Sept. 1, B. Korn. 1851; Fr. Kożuchowski to Mniszech, Sept. 2, 7, PAU 1144.

tents in Warsaw,²² so demonstrative was it of the new strength of the royalists. To contain Radziwiłł, the king began putting pressure on him to agree to a formal, signed declaration of reconciliation with the Czartoryskis. He refused, but it was a far cry from the heady days of June, when he and others had confidently looked forward to the 'Family's' destruction. The process of the legal restoration of Radziwiłł's properties in Lithuania was dragging. In the Crown, it had barely begun.²³ Nor was Repnin disposed to allow the present Confederacy to settle Radziwiłł's tangled affairs and debts. The court was putting pressure on the ambassador to have the business settled by an independent commission, after the conclusion of the Sejm. Radziwiłł feared that this expedient would only bog his affairs down indefinitely.²⁴

Worst of all, on October 1, Stanisław August Poniatowski, the man whom the malcontents had banded together to dethrone, acceded to the Confederacy of Radom, reducing the whole enterprise to an absurdity. The act took place in the king's private apartments, in the presence of Repnin, Podoski and Radziwiłł.²⁵ The accession was purely verbal, complained Radziwiłł, without any written record. If he chose, the king was in a position to dissociate himself from the Confederacy and heap all the odium of the dissenters' restoration of the Radomians alone.²⁶

To add to the general confusion, in September and October, the country was shaken by rumours of serf revolts in the palatinates of Volhynia, Lublin and Cracow. The rumours were fired by numerous copies in circulation of the so-called 'Petition of Torczyn,' ostensibly emanating from the peasantry, complaining of the exactions of the *szlachta*, clergy and Jews. The petition ended with a call to confederate, to force the Sejm to grant the peasants security of tenure and remove the burden of dues and services.²⁷ The Radomians suspected a royal plan to free the peasantry in order to destroy opposition to the king's reform plans.²⁸ In Moscow, their emissaries

²² Twardowski to Mniszech, Sept. 8, *ibid.* Act of accession of eleven senators, Warsaw, Aug. 30, B. Oss. 714, f. 134.

²³ Radziwiłł to the Radomian embassy, Sept. 5, AGAD/ARII 20/2928.

²⁴ *ibidem.* See also 'A project to establish a commission for suits arising between the princes Radziwiłł and citizens of the Crown and Lithuania,' B. Cz. 684, ff. 77-80.

²⁵ Sołtyk's (?) diary, Oct. 1, B. Oss. 714, f. 81.

²⁶ Radziwiłł to the Radomian embassy, Oct. 25, PAU 313.

²⁷ The 'Petition of Torczyn' is printed in *Polożenie Chłopów u schyłku Rzeczypospolitej szlacheckiej*, ed. B. Baranowski, Z. Libiszowska, R. Rosin (Warsaw 1953), pp. 111-117.

²⁸ Princess Lubomirska to Mniszech, Głogów, Sept. 20, PAU 1144; Essen to von Ende, Sept. 23, 26, SLHA 3562 IVb, ff. 382-383, 386-387.

tried in vain to use the 'Petition' to discredit Stanisław August.²⁹ In fact, royalists were as alarmed as the malcontents and regarded the possible implementation of the 'Petition' as a disaster for the *szlachta* as a whole. Possibly written by a commoner who wished to prod the nobility into reforming the miserable condition of Poland's serfs, the 'Petition' aroused greater reaction among the *szlachta* than it ever did among the peasantry. Royalists as well as malcontents took precautions on their estates against a rising. Replin was sufficiently impressed to send 1,000 cavalry to the palatinate of Cracow, to quell any troubles.³⁰ In the short run, the Torczyn affair was a flash in the pan. In the short and long run, it heightened the *szlachta's* mistrust of anything tending to alleviate the lot of the peasantry.³¹

Until reports from their embassy to Moscow began to arrive, the malcontent leaders could not decide whether Replin's activities had the full sanction of his court. Only at the beginning of October were they convinced that this was so.³² Their lack of cohesion precluded the adoption of a firm policy. Co-ordination was difficult, because they were scattered across Poland. Mniszech was at Dukla from early July, F. S. Potocki at Krystynopol from mid-August, bishop Adam Krasiński at Kamieniec Podolski, *hetman* Branicki at Białystok. Stanisław Brzostowski, apart from flying visits to Warsaw, remained at Wilno until a few days before the Sejm. The only leading Republicans in Warsaw were Radziwiłł, Wessel, Podoski and, after the *sejmiki*, Sołtyk. In the circumstances, the evolution of anything more than a broad, fluctuating strategy was unlikely. Their immediate object was to secure favourable directives from Moscow, through the medium of the embassy, which left Warsaw on August 16. Its first stop was *hetman* Branicki's residence at Białystok, where the emissaries were delayed, partly by Replin's recall of Ossoliński to the Sandomierz *sejmik*. On September 1, they were joined by Wessel and Sołtyk. The bishop forthrightly condemned the court and the pretensions of the dissenters.³³ To back up the

²⁹ Psarski to Ogrodzki, Oct. 22, AGAD/ZP 84, p. 206.

³⁰ J. M. Rostkowski, *starosta* of Wizna, to his wife, Oct. 4, *ibid.* Mała Wieś IIc/81; Newsletter from Warsaw, Oct. 22, *ibid.* ARII book 36, p. 294.

³¹ The authorship and purpose of the '*Torczyn Petition*' are in dispute and likely to remain so. The best summary of most of the evidence relating to this mysterious affair is given by E. Rostworowski, 'Domysły wokół tzw. "supliki torczyńskiej"' *Legendy i Fakty XVIII w.* (Warsaw 1963), pp. 145-194.

³² Durini to Torrigiani, Oct. 7, ASV Polonia 280, f. 227.

³³ Princess Lubomirska to Mniszech, Głogów, Sept. 2, PAU 1144; J. M. Rostkowski to his wife, Białystok, Sept. 14, AGAD/Mała Wieś IIc/81.

embassy, Sołtyk, Branicki and Wessel agreed to send personal emissaries to Moscow, to put their views to Panin.³⁴ F. S. Potocki, doubtless kept informed of the Białystok talks, sent his own representative to Moscow. Potocki and Branicki received their replies in October: the Russian court told them to co-operate fully with Repnin. Sołtyk was pointed out as a dangerous fanatic, who deliberately twisted the Empress' words to secure only limited concessions for the dissenters. By the time these letters arrived, Sołtyk was on his way to captivity in Russia.³⁵

In 1764, the Czartoryskis had invoked the Russians to put through their political programme. In 1767, the malcontents had done the same. Both encountered the same fundamental difficulty: at bottom, their aims and those of Russia did not coincide, or did so only up to a point considered by one or other of the parties unsatisfactory. Poniatowski tried to secure support from France, as soon as he had been elected, to lessen his dependence on Russia. The attempt failed when the Russians forbade him to establish permanent diplomatic relations with France or Austria.³⁶ Now the malcontents attempted to do the same. Sołtyk and Branicki feared that if Poland accepted the Russian guarantee, she would lose her independence to become a province of the Russian empire, with a relationship analogous to that of Royal Prussia to Poland. If the dissenters, in particular the Greek Orthodox, were given access to the Senate and to ministerial office, the process of subjection could be much accelerated by obliging the Poles to accept Russians of Polish ancestry (Sołtyk estimated that there were at least thirty important families of Polish origin in Russia) in their government. It was therefore necessary to delay the Sejm, to allow the Confederacy to gain effective control of Poland; to give foreign courts an opportunity to intervene; to come to an understanding with the Russian court, independently of Repnin. Should Frederick II, reputed to be ailing, die, Saxon troops could march into Poland unopposed, to

³⁴ Panin informed Psarski that he would refer to Repnin Sołtyk's and Wessel's emissaries (who may have left for Moscow even before the Białystok talks). Psarski to Ogrodzki, Sept. 9, *ibid.* ZP 84, pp. 184-185.

³⁵ Panin to J. Kl. Branicki, Sept. 30/Oct. 11. *Sb.* vol. 67, no. 1585. Two letters from Panin to F. S. Potocki, Sept. 30/Oct. 11, *ibid.* nos. 1583, 1584. Potocki also appealed to Frederick II to save Poland and the Confederacy from impending disaster. Frederick said he would do what he could, and promptly forwarded the appeal to Panin. Potocki to Frederick II, Sept. 6, PC XXVI 16 815n. Frederick's reply, Sept. 27, *ibid.* 16 815. Frederick II to Solms, Sept. 27, *ibid.* 16 816.

³⁶ See above, chapter II, p. 35 and chapter III, p. 63.

enthroned the young elector, Frederick Augustus III. The Porte, in particular, would oppose any Russian guarantee.³⁷

The malcontents set great store by Turkish intervention. A series of early eighteenth century treaties (of the Pruth, 1711, Constantinople, 1712, 1720 and Adrianople, 1713) with the Porte forbade the Russians to keep troops in Poland. In the early years of Stanisław August's reign, Russia successfully reassured Constantinople as to her intentions. Nevertheless, events in Poland remained an object of some interest to Turkey, in particular to the Crimean Tartars, whose geographical location made them ever suspicious of Russian designs. But the confederates had already scotched their best chance of involving the Porte. In April, 1767, the aggressive Arslan Girey, to whom Russian activity in Poland was a source of misgiving, was installed as Crimean Khan.³⁸ Only the Czartoryskis sought to alarm his emissary, Achmet Bey, over Russia's intentions. The malcontents assured him that Russia was concerned only with the restoration of the status quo ante.³⁹ In June, Arslan died, to be replaced by the less abrasive Makssud Girey, who ordered the immediate recall of his predecessor's envoy. Radziwiłł, as late as September 3, assured Makssud's emissary, in the name of the Commonwealth, that the Confederacy had been formed solely "for the restoration of our country's laws and liberties," which was all the Porte needed to confirm its complacency.⁴⁰ *Hetman* Branicki, ignoring the reassurances of the Confederacy itself, hoped that Turkish insistence on a Russian evacuation would be effective if "accompagnée de quelques menaces."⁴¹ After the Kamieniec *sejmik*, a number of *szlachta* took refuge in Turkish territory. Yet neither their presence, nor appeals from Adam Krasiński, Sołtyk or F. S. Potocki, were at this stage sufficient to arouse the Divan to war.⁴²

Almost certainly, plans for some kind of counter-confederacy were discussed at Białystok. The evidence for this is wholly circum-

³⁷ Sołtyk to Wielhorski (n.d.), letter intercepted by Repnin. Solov'ev, vol. XXVII, p. 484. Betański to Gérard, Białystok, Sept. 5, AE. Pol. 290, ff. 56-59.

³⁸ Jakubowski to Gérard, April 25, AE. Pol. 289, f. 332. Wł. Konopczyński, *Polska a Turcja (1683-1792)* (Warsaw 1936), p. 194.

³⁹ Gérault to Choiseul, May 2, AE. Pol. 289, f. 336; Jakubowski to Choiseul, June 18, *ibid.* f. 384.

⁴⁰ Makssud Girey's envoy, Hassan Aga, brought the demand for Achmet Bey's recall in the Khan's letter of notification of his appointment, presented to the Confederacy on August 24. AGAD/ML IX-36, ff. 107-108. Radziwiłł's reply, Sept. 3, *ibid.* ff. 108-109.

⁴¹ Betański to Gérard, Białystok, Sept. 5, AE. Pol. 290, f. 59.

⁴² Konopczyński, *Polska a Turcja* . . . p. 195.

stantial. The researcher enters a misty realm of speculation, where the history of the Confederacy of Radom fades imperceptibly into that of Bar. Professor Emanuel Rostworowski has recently shown that the prototype of the act of the Bar Confederacy was to be announced at the town of Dębica, in the diocese of Cracow, near the Hungarian border, on October 5, to coincide with the opening of the Sejm. Professor Rostworowski sees Sołtyk as the chief mover behind this conspiracy, the purpose of which was the defence of the Catholic faith against all dissenters.⁴³ It is not clear when exactly the plan took shape. Joseph Pułaski, *starosta* of Warka, and one of the planners of Bar, in a letter to Mniszech, on August 31, assured him "Our conspiracy and act of confederacy have been completed," which suggests the text was drafted hurriedly between the *sejmiki*, which dashed hopes of reaching a *modus vivendi* with Repnin, and the end of the month.⁴⁴ Pułaski can hardly have been referring to any wider organization. Dębica remained quiet on October 5, possibly because of the lack of good news from Moscow, or because of the additional troops that Repnin had sent into the palatinate of Cracow to deal with the supposed peasants' uprising, but most probably because of the sheer incompetence of the would-be conspirators. A surprising feature of the conspirators' programme included an affirmation of loyalty to Stanisław August (the act promulgated at Bar, in February, 1768, omitted all mention of the king). This was possibly intended as a sop to Catherine, who, the conspirators acknowledged, had not originally intended his dethronement. The lack of any hostile reference to Russia and the appeal to the king gave the conspirators room for manoeuvre vis-à-vis Moscow. It would also have put Stanisław August in an impossible position. If he washed his hands of a movement specifically directed against the dissenters, he would openly defy the wishes of the *szlachta* majority and reject its call for loyalty to himself. If he sided with the movement, he would immediately lose Russian support. Whatever choice he made, the confederates' embassy would be in a position to negotiate his removal. Whatever Russia's original intentions had been the confederates were confident that they could be altered.⁴⁵ What appears to have emerged between the *sejmiki* and the termination of the Białystok talks was a plan to

⁴³ E. Rostworowski, 'Dębica i Bar,' *Studia Historyczne*, vol. XIII (1970), pp. 389-401. The text and oath of the 'conspiracy' ('Sprzysiężenie'), from AGAD/ARII book 36, p. 381, are given in full on pp. 391-393.

⁴⁴ Pułaski to Mniszech, Aug. 31, PAU 1144: "Nasze sprzymierzenie i konfederacji dzieło nastąpiło." Professor Rostworowski tentatively puts the date of the text as September. 'Dębica i Bar' p. 395.

⁴⁵ Joseph Pułaski to Mniszech, Aug. 31, PAU 1144.

create the conditions in which the malcontents could negotiate with Russia to secure what they considered the rightful aims of the Confederacy of Radom: the defence of the Catholic faith and the deposition of Poniatowski. These conditions could best be achieved by simultaneous representations from Turkey and perhaps other powers and by a national demonstration in Soltyk's diocese of Cracow. The Radomian embassy deliberately delayed its journey to Moscow (where it arrived on September 19), in order to be present when the Sejm was in session.⁴⁶

The Białystok talks and the accompanying intrigues confirmed reservations earlier expressed about a Russian guarantee. They confirmed the abandonment of the malcontents' responsibility for the Commonwealth, for its existence and that of its freedoms and privileges was to be made dependent not on their own efforts, but on the efforts of foreign powers. The Czartoryskis and the king wanted a stronger Poland, the malcontents a return to the old anarchy, which could be maintained only by other powers. The whole business confirms their lack of any grasp of political realities. Soltyk seriously imagined that Saxony could send troops into Poland without hindrance if Frederick II died — a big 'if' — totally ignoring the presence of at least 26,000 Russian troops on Polish soil, making no allowance for the fact that even to extract appanages for August III's sons, the Saxons had to do their utmost to comply with Russia's demands. Saxony's road to the Polish throne, if it existed, led through the Russian court, not through independent military action, which Saxony, devastated by the Seven Years' War, was in no fit state to contemplate. The malcontents' plans for a new confederacy were, on the other hand, almost inevitable. They and Reppin had constructed the Confederacy of Radom for their own, very different, purposes. After June 23, this had become increasingly apparent with every single day. To keep the Confederacy on course, Reppin had to resort to greater and greater force. The malcontents could turn only to conspiracy and to their reserves of fantasy.

The Russian court had no intention of significantly changing its views. On August 25, Panin confirmed that his ambassador was to secure the maximum possible degree of equality for the dissenters.⁴⁷ Recognizing that difficulties with the malcontents were inevitable, he left it to Reppin to reconcile the differing points of view at the

⁴⁶ Gérault to Choiseul, Aug. 22, A.E. Pol. 290, f. 42. The embassy's dilatoriness caused considerable offence at the Russian court. Psarski to Ogrodzki, Sept. 2, AGAD/ZP 84, p. 182.

⁴⁷ Panin to Reppin, Aug. 14/25, Sb. vol. 67, no. 1552.

Sejm.⁴⁸ He suggested that this might be done by persuading the king to use his powers of reward in favour of both the malcontents and his immediate entourage, including his brothers.⁴⁹ Repnin had to take every care not to alienate the malcontents, for it was on them, particularly Podoski and Radziwiłł, that Russia's new party in Poland was to be based. The sincerity of the king's attachment remained questionable. He had proved unreliable in the past and could be so again. Yet Panin virtually admitted, not for the first time, that the malcontents could be at least as unreliable as the king had been. If the promise of future appointments failed to win their co-operation, Repnin should, in the last resort, give those who persisted in obstructing a settlement of the dissenters' affair twenty-four hours' notice before proceeding to military reprisals.⁵⁰

Probably only now the consciousness that he could not depend on the king or the malcontents led Panin to bring his views on the future role of the dissenters to a logical conclusion. Hitherto, he had seen them only as a channel for Russian influence in the Commonwealth. Now he saw in them the core of a new Russian party. Forever in a minority position, they would always look to Russia for protection, for only the treaty of guarantee would safeguard their position.⁵¹ Panin, in his muddled manner, wanted the co-operation of the dissenters, the malcontents and the king, even though he ought to have been aware of their incompatibility. The despatches to Repnin suggest a hierarchy of importance: starting from the king, at the bottom, then the malcontents, then the dissenters. Whoever stepped out of line would be coerced back by brute force. It was a poor way to build a dependable party.

Provided the principle of parity for the dissenters was accepted without trouble, Panin was ready to make certain concessions, suggested by Stanisław August. Catholicism was to be acknowledged as the state religion. Only Catholics could be elected to the Polish throne. It was not only desirable, but essential, that there be a fixed number of dissenters in the Senate and the chamber of deputies. Unless they were allocated specific seats and ministries, it was likely that, because of the Catholics' numerical superiority, no dissenting deputies would be returned or that the king would not use his powers of appointment to their advantage. Panin, however, rejected the suggestion for the enforcement of the existing penal laws against apostasy from Catholicism. He would not countenance the admis-

⁴⁸ Panin to Repnin, Aug. 14/25, *ibid.*, no. 1557.

⁴⁹ *ibid.*, no. 1552; Panin to Repnin, Aug. 16/27, *ibid.*, no. 1558.

⁵⁰ Panin to Repnin, Aug. 14/25, *ibid.*, no. 1553; *ibid.*, no. 1557.

⁵¹ *ibid.*, no. 1553.

sion of Uniate bishops into the Senate. The Uniates, by their own apostasy the original cause of the Orthodox sufferings, now had to pay the price by seeing the Orthodox bishop of Mohilev, Konisski, given a senatorial chair.⁵²

Renewed appeals from the king and Repnin convinced Panin and Catherine that their position had to be modified. On September 17, Stanisław August wrote directly to the Empress, begging her to permit the retention of penal laws against apostasy and the admission of Uniate bishops into the Senate. Otherwise, he feared mass conversions to Protestantism and Orthodoxy.⁵³ Repnin, too, had reminded Panin that the spread of dissenting faiths was contrary to Russian policy: Protestantism brought enlightenment, Orthodoxy attracted runaway Russian serfs to Poland. On a purely technical point, Konisski, who was not a *szlachcic*, was ineligible for the Senate. Repnin was actually unable to find a suitable replacement for him from among the Polish Orthodox ecclesiastical community.⁵⁴ Although Panin and Catherine would not accept Uniates in the Sejm, they were sufficiently impressed by the other arguments to agree to the confirmation of the apostasy laws and to desist from demanding a place for Konisski in the Senate.⁵⁵

Despite all the official concern for the dissenters, there was little liaison between them and the Russians.⁵⁶ Just before the Sejm opened, Panin repeated that a certain number of places should in future be assigned to their deputies, lest they be gradually excluded. It would otherwise cost Russia endless trouble to maintain their rights.⁵⁷ Yet the proposal alarmed the dissenters for they were counting on numerous conversions from Catholicism.⁵⁸ Ten days after ordering Repnin to secure the quota, Panin authorized him to seek an undefined number of seats for the dissenters.⁵⁹ Panin continued to expect the malcontents' co-operation and then slammed the door on it by finally rejecting their demands for a restriction of the king's power of appointment and for excluding

⁵² *ibid.*, no. 1553.

⁵³ Stanisław August to Catherine II, Sept. 17, AGAD/AKP 226, ff. 159-160.

⁵⁴ Reports from Repnin to Panin (n.d.), Solov'ev, vol. XXVII, pp. 489-490. See also above, chapter II, pp. 38-39.

⁵⁵ Panin to Repnin, Sept. 11/22, Sb. vol. 67, no. 1575, Sept. 21/Oct. 2, *ibid.* no. 1576.

⁵⁶ St. Saphorin to Christian VII, Oct. 1, RA. Cop. TKUA Polen AIII46.

⁵⁷ Sb. vol. 67, no. 1576.

⁵⁸ St. Saphorin to Bernstorff, Oct. 24, RA Cop. TKUA Polen AIII46. The dissenters were not aware, until too late, that Russia had approved the penal laws against apostasy. St. Saphorin to Christian VII, Nov. 25, *ibid.*

⁵⁹ Panin to Repnin, Oct. 1/12, Sb. vol. 67, no. 1586.

the royal family from government.⁶⁰ From Moscow, colonel Psarski assured Ogrodzki that once the dissenters' issue had been settled, there would be scarcely any further changes.⁶¹

Within the space of a few months, Russian policy underwent a series of remarkable fluctuations. On August 25, Panin ordered Replin to co-operate with the king, provided he did not alienate the malcontents. On October 2, he once again ordered Replin to work with the malcontents, but frustrated him by declaring the royal patronage powers sacrosanct. On August 25, he demanded Koniski's inclusion in the Senate; on September 22, he agreed to his exclusion. On August 25 and October 2, he demanded a fixed number of places for the dissenters in the Sejm; on October 12, he dropped the demand.

Increasing disillusion with the malcontents doubtless underlay Panin's decision to retain the king's powers of patronage. Replin suspected that some kind of conspiracy was afoot in Poland. From intercepted correspondence of the Confederate embassy, he realized that even Podoski was implicated in some kind of plotting. Replin believed Sołtyk was ultimately responsible. He believed that Podoski's loyalty could still be assured, with careful handling, but the king was the most reliable support he had in Poland.⁶² Regarding the dissenters, the Russians were at least as concerned with *éclat* as with concrete results. With the prospective treaty of guarantee, the religious issue had become secondary, for it was the guarantee, wrote Panin to Replin on August 25, which was most important, for it would permanently enshrine Russia's influence.⁶³ As the religious issue was the worst possible lever for prising the guarantee from the Poles, the Russian court, by refusing to make substantial concessions, was doing nothing to eliminate the difficulties.

The exact means of securing Russia's none too clearly-defined aims was left to Replin. Panin suggested, optimistically, that the religious issue would have a smoother passage in the Sejm if the malcontent leaders took the initiative in settling dissenters' grievances on their own estates. Adopting a proposal submitted by E. G. Goltz in Moscow, Panin suggested that future religious differences should be resolved by a special mixed court, composed equally of Catholics and dissenters.⁶⁴ Panin approved (or may even have inspired) Replin's proposal to entrust the formulation of contentious legislation to a special plenipotentiary commission, or Delega-

⁶⁰ *ibid.* no. 1576.

⁶¹ Psarski to Ogrodzki, Sept. 30, AGAD/ZP 84, p. 197.

⁶² Solov'ev, vol. XXVII, pp. 485-486

⁶³ Sb. vol. 67, no. 1554.

⁶⁴ *ibid.* no. 1552.

tion, of the Sejm. All the leading malcontents were to be included, to facilitate later confirmation of the Delegation's work.⁶⁵ After the *sejmiki*, Replin was convinced it would be out of the question to entrust the legislation to the normal working of the plenary Sejm "à moins de vouloir commencer par un massacre de la moitié de cette assemblée."⁶⁶ Replin preferred to appoint a Delegation from the Sejm, which would then adjourn, leaving the Delegation to draft all necessary legislation and the treaty of guarantee. The plenary Sejm would be reconvened to rubber-stamp the recommendations.⁶⁷ To ensure success, Replin ordered additional troops into the environs of Warsaw. By mid-September, at least 4,000 Russians were encamped around the capital, with more to come from Małopolska, under Krechetnikov.⁶⁸

Ironically, during the course of 1767, the Vatican had accepted the need for some religious concessions. An Extraordinary Congregation, held on April 7, decided they were inevitable, if only because Catholic monarchs were unlikely to intervene to restrain Catherine.⁶⁹ On June 4, a second Congregation agreed that, in principle, the admission of dissenters into the government and judiciary was unacceptable, as they might oppress Catholics. However, the assembled cardinals and bishops resigned themselves to the recommendations of a memorandum from Paolo Luigi Sylva, a member of the staff of the Warsaw nunciature. Sylva felt that dissenters should be allowed full access to local offices (Replin's minimum demand at the 1766 Sejm). They ought to be given two seats on the Tribunal: Sylva admitted the courts often discriminated against them, solely on religious grounds. At the very most, Sylva suggested they could be given four seats in the chamber of deputies and two in the Senate.⁷⁰ However, the other instructions to be given to the new nuncio, Durini, were sufficient to neutralize any effect

⁶⁵ Panin to Replin, Sept. 11/22, *ibid.* no. 1575.

⁶⁶ Benoit to Frederick II, Sept. 5, DZA 9/27-179, f. 128.

⁶⁷ Essen to von Ende, Sept. 9, SLHA 3562, IVb, f. 338. The idea of a Delegation may have been suggested by Panin, who had served for a time as Russian ambassador to Sweden, where a secret committee prepared much of the Riksdag's legislation. The committee's recommendations were mandatory. Wł. Konopczyński, 'Paralela historyczna Polski i Szwecji w XVIII w.' *Przegląd Warszawski*, vol. II, no. 19 (1923), p. 18.

⁶⁸ St. Saphorin to Bernstorff, Sept. 19, RA. Cop. TKUA Polen A III46. Replin to Krechetnikov, Aug. 29/Sept. 9, Sept. 7/18, *Pis'ma k... Krechetnikovu*, pp. 29, 33-34.

⁶⁹ Minutes of the Extraordinary Congregation, April 7, ASV Polonia 279, ff. 3-7.

⁷⁰ Sylva's memorandum (n.d.), *ibid.* ff. 21-34, read at an Extraordinary Congregation for Polish affairs, June 4, *ibid.* ff. 35-38.

these concessions may have had. He was to oppose any further concessions with the utmost vigour, even if this meant disrupting the Sejm. In particular, the Vatican opposed: the public exercise of the dissenters' faiths and the unfettered erection of private oratories; the full restoration of their civil and political rights to a par with those of the Catholics. The congregation banked on the numerous *szlachta* at the Sejm to prevent such concessions. It recognized that the king might try to by-pass the Sejm by referring the issue to a special commission. Unless its findings were to be referred back to the Sejm for discussion, the nuncio was to oppose it.⁷¹

Though these concessions might have served as the basis for a compromise in 1766, they came too late in 1767. Russia was not ready to withdraw the spiritual or the secular side of her demands. The Vatican accepted the need for concessions in the temporal sphere, but as an organization concerned with the salvation of souls, it could not countenance a retreat in matters spiritual. Nor is there any certainty that such political concessions as it was prepared to sanction were acceptable to the *szlachta*. As the Vatican recognized, its resistance to Catherine depended on the resistance which the Poles themselves could be induced to offer. In this respect, the Vatican saw the General Confederacy as a danger, for it furnished the instrument with which the Empress could bring a debilitated nation to meet her demands.⁷²

When Durini arrived in Poland, he could hardly have found a less congenial situation. The king had appointed one of the architects of Radom to the primacy. Three leading prelates had acceded to the Confederacy. The Polish Church was too cowed to resist the dissenters publicly.⁷³ Durini was convinced that Stanisław August was a religious sceptic, who had no interest beyond serving Russia, an opinion he also held of the bishops, with a few exceptions. He thought the senators corrupt and saw hope only in the common *szlachta*, if they could but be stirred out of their timidity.⁷⁴ As the Russian terror reached its height at the *sejmiki*, he claimed that even Sołtyk would have lost heart, had it not been for his encouragement.⁷⁵

In view of the Russian plans for a wide-ranging dissenter settlement, it was Durini's obligation to scuttle the Sejm. His interest coincided neatly with that of the malcontent leaders. Sołtyk was the

⁷¹ *ibidem*.

⁷² Sylva's memorandum, *ibid.*, f. 33.

⁷³ Visconti to Torrigiani, June 24, Theiner, pp. 213-214.

⁷⁴ Durini to Torrigiani, Sept. 2, ASV Polonia 280, ff. 184-186.

⁷⁵ Durini to Torrigiani, Aug. 26, Theiner, p. 220.

ideal link between the two. He was the malcontents' closest associate among the episcopate. He was a national figure, overshadowing Adam Krasiński, who preferred the safety of his estates at Kamieniec to the pitfalls of confronting Repnin in Warsaw. Podoski, despite Clement XIII's reluctant confirmation of his nomination, was too compromised. Five Extraordinary Congregations had been held in the Vatican, before it was decided, on August 23, to approve the appointment, on the grounds that a refusal might entail worse consequences for the Church in Poland, than subjecting it to the authority of such an unworthy individual as Podoski.⁷⁶ Durini granted that Sołtyk was partly motivated by the desire to sweep away the reforms introduced since the interregnum,⁷⁷ but, under the circumstances, this could only make him a more worthwhile ally.

When Sołtyk returned from Białystok to Warsaw on September 6, it became immediately obvious that he and the ambassador were on collision course. Repnin, seething over the bishop's letter to the *sejmiki*, had already told Panin that he would have to arrest him and other fanatics if the dissenters' legislation were to be passed.⁷⁸ In Warsaw, Sołtyk aimed at the creation of a solid block of deputies, headed by the bishops, to resist all religious concessions; and to create an atmosphere of tension and counter-terror, complemented by Turkish intervention and a rising or demonstration at Dębica, which would permit the Radomian embassy to negotiate new terms in Moscow.

In a stormy interview with Repnin on September 6, Sołtyk refused to sign a new formula of accession which Repnin had produced and which laid especial stress on satisfaction for the dissenters and loyalty to the king.⁷⁹ Both men invoked the Imperial declaration in support of their respective views of a final religious settlement. Sołtyk was strongly critical of Russian conduct during the *sejmiki*, and warned that, although the Poles were grateful for Catherine's assistance, they would tolerate despotic treatment from no-one. On September 8, Repnin sent Podoski to warn Sołtyk that unless he

⁷⁶ Congregation to examine Podoski's appointment, July 20, ASV Polonia 279, ff. 44-47; July 24, *ibid.*, ff. 62-63; July 27, *ibid.*, ff. 86-87; Aug. 7, *ibid.*, ff. 93-94; Aug. 23, *ibid.*, ff. 86-87. Clement XIII's bull confirming Podoski's nomination was issued on August 31, ASV Polonia 238, ff. 328-331. Podoski's consecration took place in Warsaw on September 27, presided over by Sołtyk. Leading dissenters, including Koniski and Russian officers, attended. Durini to Torrigiani, Sept. 30. Theiner p. 226.

⁷⁷ Durini to Torrigiani, Sept. 16, *ibid.*, p. 223.

⁷⁸ Repnin to Panin, Aug. 11/22, Solov'ev, vol. XXVII, p. 482.

⁷⁹ 'A project of accession now put forward by prince Repnin,' B. Oss. 714, f. 133.

moderated his stance, he would be sent to Siberia.⁸⁰ Sołtyk, unmoved, ostentatiously drew up his last will and testament and began making preparations for his exile.⁸¹

Under Sołtyk's leadership, the bishops rejected Repnin's formula of accession. Although only bishop Załuski of Kiev was prepared to support Sołtyk's agitation actively, by publishing an inflammatory letter to his diocese,⁸² Repnin was sufficiently impressed by the solidarity of the bishops to drop his demand for their accession to the Confederacy on the terms he wanted.⁸³

In order to build up his own party among the deputies, Sołtyk conducted a massive agitational correspondence across the country,⁸⁴ which he accompanied by threats of a massacre of opponents on the scale of the Sicilian Vespers. He was widely suspected of courting a martyr's crown to secure a cardinal's hat.⁸⁵ The Saxons despaired that his behaviour would destroy all their hopes of the Polish throne and force the Russians back into reliance on the Czartoryskis.⁸⁶ Essen tried vainly to negotiate an understanding between Sołtyk and Repnin. The bishop, in line with Vatican policy, would only consent to admitting the dissenters to the local administration.⁸⁷ But his agitation was not without its suspect side. He attempted to persuade Repnin to accept a compromise solution, whereby Sołtyk would publicly oppose the dissenters' restoration, but secretly second Russian. Whether this was to gull Repnin or to secure himself against reprisals is hard to say. Repnin, who wanted Sołtyk's public co-operation, rejected the offer.⁸⁸

The ambassador and his court took seriously the possibility of some kind of conspiracy and massacre, which might even include the king as a victim.⁸⁹ Panin approved the suggestion for Sołtyk's arrest, to overawe the opposition.⁹⁰ Repnin delayed as long as possible in taking any action against him, partly at the request of the dissenters, who feared the malcontents' vengeance.⁹¹ It was not

⁸⁰ Sołtyk's (?) diary, Sept. 6, 8, *ibid.*, ff. 125-131.

⁸¹ Durini to Torrigiani, Sept. 16, ASV Polonia 280, f. 201; Essen to von Ende, Sept. 19, SLHA 3562 IVb f. 370.

⁸² Durini to Torrigiani, Sept. 16, ASV Polonia 280, ff. 202-205.

⁸³ Sołtyk's (?) diary, Oct. 1, B. Oss. 714, f. 181.

⁸⁴ Essen to von Ende, Sept. 19, SLHA 3562 IVb f. 369.

⁸⁵ *ibidem*, and Essen to von Ende, Oct. 10, *ibid.*, f. 425.

⁸⁶ Von Ende to Essen, Dresden, Sept. 12, *ibid.*, f. 344.

⁸⁷ Essen to von Ende, Sept. 23, *ibid.*, f. 380.

⁸⁸ Essen to von Ende, Sept. 12, *ibid.*, ff. 348-349; Benoit to Frederick II, Sept. 23, DZA 9/27-179, f. 137.

⁸⁹ Radziwiński to Seyffert, Sept. 16, BP. 69, pp. 211-212; Panin to Repnin, Sept. 21/Oct. 2, Sb. vol. 67, no. 1576.

⁹⁰ Panin to Repnin, Sept. 11/22, *ibid.*, no. 1575.

⁹¹ St. Saphorin to Bernstorff, Sept. 27, RA. Cop. TKUA Polen A III 46.

until September 25 that Repnin ordered general Podgorichanin to quarter his troops on Sołtyk's estates. The news was to reach Warsaw before the Sejm opened, to give Sołtyk time to moderate his attitude.⁹²

The hopes which the confederates placed in their embassy failed to materialize. Panin, far from being ready to modify his court's stand on the dissenters, expected to use the embassy to influence the malcontents to reduce their opposition.⁹³ The embassy never received adequate information about events in Poland from the Confederacy.⁹⁴ It reached Moscow on September 19. Immediately, Osten-Sacken, the Saxon minister, took it to task for the too overt antipathy of the confederates to Stanisław August, which might prejudice chances of a Saxon restoration.⁹⁵ When Panin demanded an explanation of Sołtyk's conduct, the emissaries disavowed it, despite Wielhorski's correspondence with Sołtyk, of which Panin was well informed.⁹⁶ When Wielhorski tried to persuade Panin to delay the Sejm, or call a new one, where the malcontents could be sure of a majority, he was warned that these demands would be interpreted as duplicity on the part of the embassy and Confederacy. Panin confirmed that he fully approved all of Repnin's actions.⁹⁷ The embassy's official audience with Catherine had to be deferred to September 29, because the first version of the speech of thanks Pociiej was to deliver omitted to request her guarantee.⁹⁸ On October 5, the day the Sejm opened in Warsaw, Panin confirmed to Wielhorski Catherine's determination to restore the dissenters' rights; at most, the commissions might be modified, but the king's powers of patronage would remain unchanged. In despair, the embassy proposed dismantling the Confederacy, which Panin would not allow.⁹⁹ In private, the emissaries claimed they would never have confederated at all, had they known Russia would not further their aims.¹⁰⁰ The embassy remained in Moscow until January, increas-

⁹² Repnin to Krechetnikov, Sept. 14/25, *Pisma k . . . Krechetnikovu*, pp. 35-36.

⁹³ Panin to Repnin, Aug. 22/Sept. 2, Sb. vol. 67, no. 1563.

⁹⁴ L. Pociiej to F. S. Potocki, Oct. 20, AGAD/APP 297; Psarski to Ogrodzki, Oct. 26, *ibid.*, ZP 84, pp. 207-208.

⁹⁵ Psarski to Ogrodzki, Sept. 26, *ibid.*, p. 190. pp. 191-192; Panin to Repnin, Sept. 21/Oct. 2, Sb. vol. 67, no. 1576.

⁹⁶ Psarski to Ogrodzki, Sept. 26, *ibid.*

⁹⁷ Panin to Repnin, Sept. 11/22, *ibid.*, no. 1575.

⁹⁸ S. Kossakowski, secretary to the embassy, to Radziwiłł, Sept. 29, AGAD/ARV 164/7467. Pociiej's speech, with a demand for the guarantee, published as a fly-sheet in Warsaw, 1767.

⁹⁹ Wielhorski's account of a conference with Panin, Oct. 5, AGAD/ARII 20/2936; Shirley to Conway, Sept. 24/Oct. 5, PRO./SP. 91/78.

¹⁰⁰ Psarski to Ogrodzki, Oct. 28, AGAD/ZP 84, p. 208.

ingly demoralized, involved in petty, ineffectual intrigues against Replin, the king and even Radziwiłł, who, it felt, had yielded too easily to Russian pressure.¹⁰¹ Starved of information from Warsaw, the emissaries presented demands which, to them, were salutary, but which, as Panin pointed out, frequently conflicted with those the Confederacy officially put forward in Warsaw.¹⁰² The Russian court simply ignored their 'Gravamina' against Stanisław August. All their complaints were referred back to Replin.¹⁰³

On December 9, Panin informed Replin that the embassy was to be recalled as soon as possible.¹⁰⁴ Despite their protests, the emissaries were given their farewell audience on January 20, 1768, even before they had received their letters of recall.¹⁰⁵ Pociiej returned to Poland. The others decided to accompany the Russian court back to St. Petersburg, in their private capacities, hoping "de jouer encore leurs petites intrigues, dont le succès ne doit pas inquiéter plus."¹⁰⁶

While the embassy was parleying in Moscow, tension was growing in the Commonwealth. The malcontents' greatest fear was that the Sejm would confine itself to a settlement of the dissenters' issue, after which both it and the General Confederacy would be dissolved, leaving the king and his powers intact.¹⁰⁷ The king, on the other hand, wishing to exploit his rapprochement with the Empress, welcomed the Sejm as an opportunity to consolidate and even expand the achievements of his early reign. He was confident that he would be able to take over the malcontents' scheme for a permanent council, "to reap great advantage from it, and his country too."¹⁰⁸

At least three different proposals for such a council had been drafted in the course of August and September, but only one, drawn up by Podoski, envisaged abolishing the king's powers of patronage. Another plan, prepared by Aloy, would have given the council full supervisory powers over the administration, without appreciably restoring the powers of the *hetmani* and treasurers. Stanisław August presented his own plan for a council of five departments: foreign affairs, justice, finance, war and police, in which all decisions would

¹⁰¹ Psarski to Ogrodzki, Nov. 1. *ibid.*, pp. 210-211.

¹⁰² Confederate embassy to Radziwiłł, Dec. (n.d.), *ibid.* ARII 20/2931.

¹⁰³ Confederate embassy to Radziwiłł, Dec. 27, *ibid.* 20/2945.

¹⁰⁴ Panin to Replin, Nov. 29/Dec. 9, *Sb.* vol. 67, no. 1601.

¹⁰⁵ The Confederacy only approved the embassy's letters of recall on January 18, 1768. AGAD/ML IX-36, ff. 147-148.

¹⁰⁶ Psarski to Ogrodzki, Jan. 27, 1768, *ibid.*, ZP 84, p. 251.

¹⁰⁷ Łuniewski to Mniszech, July 14, PAU 1144; princess Lubomirska to Mniszech, Aug. 27, *ibid.*

¹⁰⁸ Wroughton to Conway, Sept. 23, PRO./SP. 88/94.

be reached by absolute majority. The king would have two votes.¹⁰⁹ Replin inclined towards the king's plan.¹¹⁰ The malcontents, alarmed, moved to sabotage their own proposals. If, as they had seen in the past, the king had been able to control whole Sejm, what could he not do with a much smaller body, by the judicious application of patronage and corruption?¹¹¹ Such a council, they feared, would eventually dominate the government entirely. Wielhorski was asked to work against its introduction in Moscow.¹¹²

The possibility of reforms brought renewed anxiety to Frederick of Prussia. So far, he had been content to watch from the sidelines. He was much more concerned by a dispute over recruitment with Danzig, and, on an international level, with keeping the possible consequences of Russian activity in Poland localized.¹¹³ The troubled course of the *sejmiki* led him to fear war with Austria, unless Polish affairs were speedily settled.¹¹⁴ On hearing news of the proposed permanent council, he ordered Benoit to do everything to prevent it.¹¹⁵ A stream of despatches was sent to Solms, in Moscow, to dissuade Panin from approving any measures tending to strengthen Stanisław August's authority.¹¹⁶ When the Sejm opened, Benoit even encouraged the malcontents to resist Replin's demands on the dissenters, in order to make him climb down over reform.¹¹⁷ The dissenters themselves, alarmed at the prospect of thoroughly alienating their would-be malcontent supporters, began to agitate against the reforms.¹¹⁸

In Warsaw, just before the Sejm opened, Replin was sufficiently impressed by Sołtyk's continued agitation to bring 700 troops and artillery into the grounds of his embassy.¹¹⁹ Encouraged by Durini,

¹⁰⁹ For a full discussion, of the various projects for a permanent council, see Wł. Konopczyński, *Geneza i Ustanowienie Rady Nieustającej* (Cracow 1917), pp. 107-116.

¹¹⁰ Benoit to Frederick II, Sept. 16, DZA 9/27-179, f. 134.

¹¹¹ 'Remarques sur le règlement du conseil d'état qu'on veut établir en Pologne,' communicated by Podoski (?) to Mniszech, PAU 313.

¹¹² Betański to Gérard, Sept. 17, AE. Pol. 290, f. 91.

¹¹³ Frederick II to Zegelin, in Constantinople, June 5, July 5, PC XXVI 16 679, 16 720; to Benoit, July 5, 15, *ibid.*, 16 722, 16 731.

¹¹⁴ Frederick II to Benoit, Aug. 18, *ibid.* 16 766; Finkenstein and Hertzberg to Solms, Sept. 18, *Sb.* vol. 37, no. 322.

¹¹⁵ Frederick II to Benoit, Sept. 16, 23, PC XXVI 16 799, 16 808.

¹¹⁶ Frederick II to Solms, Sept. 17, 24, *ibid.*, 16 800, 16 809; Finkenstein and Hertzberg to Solms, Sept. 19, 26, *Sb.* vol. 37, nos. 335, 336.

¹¹⁷ Entry for Sept. 28/Oct. 9, *Zhurnal* . . . *Krechetnikova*, p. 59.

¹¹⁸ St. Saphorin to Bernstorff, Sept. 19, RA. Cop. TKUA Polen AIII46.

¹¹⁹ Durini to Torrigiani, Oct. 5, Theiner, p. 229. Sołtyk actually threatened to raise a force of 60,000 Poles, but this, commented Replin, "exists only in his empty head." Solov'ev, vol. XXVII, p. 487.

Sołtyk and bishop Załuski of Kiev organized public prayers and processions in defence of the Catholic faith.¹²⁰ On October 4, under their leadership, the other bishops warned Podoski they would oppose any project for a Delegation, unless its members were freely elected by the Sejm, not chosen by the king, and its findings made subject to the Sejm's confirmation and approval.¹²¹ They made their stand in defiance of clear warning from Repnin of what he would do to those who opposed him. On the evening of October 2, Repnin sent colonel Karr to put five articles, containing the arrangements drawn up between the ambassador, the king, Podoski and Radziwiłł, for entrusting the Sejm's business to the Delegation, to a session of the Confederacy's councillors. Radziwiłł was to be appointed marshal of the Sejm directly, without any prior election; all judicial proceedings against the deputies were to be suspended for the duration of the Sejm; the Sejm was to be held *in camera*; deputies who had promised their electors they would permit no religious concessions were to be barred from the Sejm, on the basis of the 1764 law, which had abolished the deputies' oath; lastly, in answer to the growing clamour not to hold the Sejm in the presence of Russian troops, Repnin insisted their status be officially acknowledged as that of "troupes du pays ou auxiliaires et quiconque les nommerait troupes étrangères serait traité comme ennemi de la Patrie".¹²² Franciszek Kozuchowski, *cześnik* of Kalisz, led the resistance to these demands. The councillors were ready to agree only to the suspension of judicial proceedings. They refused to sanction the exclusion of any deputies.¹²³ As he left the meeting, Kozuchowski was arrested by the Russians. On October 3, the shocked councillors agreed to conferring the marshalcy of the Sejm on Radziwiłł, and recognizing the auxiliary status of Russian troops. A compromise was reached over the admission of deputies into the Sejm; all were to call on Radziwiłł beforehand, to have their credentials verified. The decree on Russian troops was issued with particular misgiving, for it meant not merely that the confederates had to acknowledge as friends the very troops who oppressed them, but it now became impossible to deny the validity of the Sejm because of their presence.¹²⁴ To

¹²⁰ *ibid.*, pp. 487-488.

¹²¹ Sołtyk's (?) diary, Oct. 4, B. Oss. 714, ff. 182-183; Durini to Torrigiani, Oct. 4, Theiner, p. 227.

¹²² Sołtyk's (?) diary, Oct. 2, B. Oss. 714 ff. 181-182; Solov'ev, vol. XXVII, p. 490.

¹²³ Durini to Torrigiani, Oct. 3, Theiner, pp. 226-227.

¹²⁴ Strictly speaking, Sejmy held in the presence of foreign troops were illegal. By being recognised as "troupes du pays" the Russian troops lost their foreign status. AGAD/ML IX-36, ff. 119-121. The proposal to exclude deputies from the Sejm was never put into effect, possibly because of fears of a mass walkout. Durini to Torrigiani, Oct. 5, Theiner, p. 229.

mollify tempers, Replin made the gesture of releasing Kozuchowski on October 5, but this only served to encourage further opposition.¹²⁵

The course and significance of the 1767-1768 Delegation Sejm, or, as it is also known, Replin's Sejm, are familiar to Polish historians. In particular, Alexander Kraushar has printed many *verbatim* extracts of the proceedings.¹²⁶ It forms a fitting close to the Confederacy of Radom, which remained in moribund being to the end of the Sejm. Throughout, the ambassador "jouait . . . à peu près le rôle de ces ambassadeurs Romains, qui, après les guerres Puniqes se faisaient arbitres des rois et des nations en Asie."¹²⁷ On more than one occasion, the king frankly told deputies that events had passed out of his and their hands.¹²⁸

By October 5, the day proceedings began, some 10,000 Russian troops had been concentrated in a tight cordon around the capital.¹²⁹ Early in the morning, Durini called on the king and Podoski, with fresh appeals from Clement XIII to resist the dissenters. He then called on the confederate councillors, in session at Radziwiłł's palace, to deliver a further papal letter, addressed directly to the *szlachta*, and to make a pathetic appeal for the rejection of the dissenters' demands.¹³⁰ Radziwiłł and the others, reduced to tears, resolved to sacrifice "vitam et sanguinem pro religione Catholica."¹³¹ After Durini's departure, Replin arrived to inform them that, having invoked Catherine's protection, they must follow her, and no other, directions, or suffer disagreeable consequences.¹³²

The threat was not enough to cow the deputies. After the opening ceremonies of the Sejm, a bill was read proposing its adjournment

¹²⁵ Solov'ev, vol. XXVII, p. 490. Some confederates assumed that the release meant that Catherine had ordered Replin to be less extreme. Father Alexander to E. Kuropatnicki, Oct. 11, B. Oss. 583, f. 103.

¹²⁶ A. Kraushar, *Książę Replin i Polska*, vol. II (Cracow 1898), pp. 22-316. See also S. Kutrzeba, *Sejm Walny dawnej Rzeczypospolitej Polskiej* (Warsaw n.d.), pp. 163-168; Z. Radwański, *Prawa Kardynalne w Polsce* (Poznań 1952), pp. 52-92 is the most detailed modern account in Polish. There is a good assessment in J. K. Hoensch, *Sozialverfassung und Politische Reform, Polen im vorrevolutionären Zeitalter* (Cologne — Vienna 1973), pp. 382-386.

¹²⁷ Poniatowski, *Mémoires*, p. 601.

¹²⁸ E.g. Stanisław August to a deputation from the Sejm, Oct. 15, *Dziennik Sejmu Extraordynaryjnego w Warszawie*, ed. A. Sozański (Lwów 1865), p. 77 (referred to henceforth as Sozański); to a deputation from the Delegation, Nov. 18, Kraushar, *op.cit.*, vol. II, pp. 181-182.

¹²⁹ Essen to von Ende, Oct. 7, SLHA 3562 IVb, f. 415.

¹³⁰ Clement XIII's letters to Stanisław August, to the bishops and to the senators (the last two delivered by Durini to Podoski) and to the *szlachta*, dated Rome Sept. 12 Theiner pp. 177-180.

¹³¹ Durini to Torrigiani, Oct. 7, ASV Polonia 280, f. 229.

¹³² Benoit to Frederick II, Oct. 7, DZA 9/27-179, f. 143.

and entrusting its powers to a Delegation, which would negotiate a treaty with Russia "to repair all abuses, according to the Commonwealth's needs." The treaty would make provision for a Russian guarantee; whatever decisions the Delegation made would be ratified by the Sejm, without further amendment. The Delegation was to be headed by the primate, with members drawn from the bishops, lay senators and chamber of deputies.¹³³ The next two days saw a barrage of criticism aimed at the bill, in particular by Sołtyk and Waclaw and Seweryn Rzewuski.¹³⁴ So strong was the reaction, that, on October 6, the king suspended proceedings until October 12, to give the deputies and senators time to reconsider.¹³⁵

Repnin, continuing his policy of involving as many magnates as possible in his work, used the interval to effect a formal reconciliation between Radziwiłł and Michael Czartoryski, whom he wanted to include in the Delegation.¹³⁶ When, on October 8, Radziwiłł, accompanied by Stanisław Brzostowski, Waclaw Rzewuski and other notables, called on the chancellor, the latter agreed to lay aside past differences to work together in Poland's critical circumstances.¹³⁷ Repnin's attempts to win the deputies over, however, were a failure. Durini and Waclaw Rzewuski were foremost in encouraging them not to yield to Repnin's demands, but even Benoit encouraged resistance by assuring deputies that Frederick II wanted simple justice for the dissenters and urged them not to accept the guarantee.¹³⁸ Adam Krasiński, who had arrived incognito at the suburb of Praga, across the Vistula, urged moderation on Sołtyk. He himself wanted to remain in hiding, to observe the progress of the Sejm. If violence erupted, a new confederacy would be prepared. Krasiński would seek aid in Paris and Vienna, Joseph Pułaski in Constantinople. Sołtyk maintained that if he provoked Repnin to violence, he would give Krasiński every justification for his plans.¹³⁹

The Sejm re-assembled on October 12, more truculent than ever. Bishop Załuski opposed all religious concessions, declaring that dissenters already enjoyed far greater toleration in Poland than in any Protestant country.¹⁴⁰ The king reminded the assembly that it was the Confederacy itself which had demanded Russian intervention.

¹³³ Text of the bill of adjournment, Sozański, pp. 17-23.

¹³⁴ *ibid.*, pp. 23-27, 31-37, 39.

¹³⁵ *ibid.*, p. 42.

¹³⁶ St. Saphorin to Christian XII, Oct. 14, RA. Cop. TKUA Polen AIII46.

¹³⁷ Sozański, pp. 43-46.

¹³⁸ Entry for Sept. 28/Oct. 9, *Zhurnal . . . Krechetnikova*, p. 59.

¹³⁹ Betański to Gérard, Białystok, Oct. 11, AE. Pol. 290, f. 130. K. Rudnicki, *Biskup Kajetan Sołtyk 1715-1788* (Cracow-Warsaw 1906), p. 172.

¹⁴⁰ Sozański, pp. 48-49.

The deputies, all now members of the Confederacy, wished to know what action to take. To assist them, he demanded the first public reading of the hitherto secret credentials of the Radomian embassy to Catherine.¹⁴¹

With this manoeuvre, he completed the discrediting of the Confederacy. For when Marcin Matuszewicz finished reading the embassy's official letter to the Empress, there was no longer any doubt that it was the Confederacy which had requested an extensive settlement in favour of the dissenters and a guarantee of Poland's constitution. No matter that the request had been made under threats from Repnin. It was there, part of the Confederacy's official record. Pandemonium erupted.¹⁴² Sołtyk launched an all-out attack on the Confederacy and the confederated Sejm. The actions of Radziwiłł and his councillors, he declared, "being diametrically opposed to the laws and usages of past confederacies, tending towards the destruction of the cardinal laws of faith and liberty, are utterly and in every respect worthless and harmful, and can have no validity, force, or justification." No Sejm, confederated or not, had the power to alter the cardinal laws of faith and liberty, as the present one proposed to do. He called the embassy's credentials "a veritable *monstrum*" extorted "solely through a despotic order..." He proposed a deputation to Repnin, which would demand to see if his official instructions authorized him to perpetrate the violences experienced at the *sejmiki* and elsewhere, for his actions "seem quite contrary to the declaration of Her Imperial Majesty, who... deigned to promise her friendship and support for the maintenance of our country's laws and liberties."¹⁴³

Sołtyk, in correspondence with Wielhorski, had, of course, long been fully apprized of the embassy's instructions. He had no doubt that Repnin's actions had the sanction of his court, yet he went out of his way to praise the Empress' good intentions. If this may have given him a possible line of escape from Russia wrath, in public it could only confirm the impression that Repnin was acting on his own initiative. The king warned the assembly, which applauded Sołtyk's proposals enthusiastically, that the ambassador would never receive such a deputation, the despatch of which could do more harm than good. He adjourned business for another three days.¹⁴⁴

¹⁴¹ *ibid.*, pp. 49-51.

¹⁴² Ogrodzki to Hylzen, Oct. 14, BJ. 6711, f. 129. At the same time, copies of Pocij's speech at the audience of September 19 reached Warsaw, tallying with the official requests for a guarantee and the dissenters' settlement. *ibidem*.

¹⁴³ Sozański, pp. 55-60. The speech is quoted *in extenso* *bl Kraushar*, *op.cit.* vol. II, pp. 65-71.

¹⁴⁴ *ibid.*, p. 71 and Sozański, p. 60.

At a meeting of the deputies of Małopolska on October 13, Sołtyk repeated his denunciations of the treaty of guarantee and the Delegation.¹⁴⁵ That evening, while having supper in Mniszech's palace, he was arrested by Russian soldiers. Bishop Załuski of Kiev, Wacław and Seweryn Rzewuski were also taken into custody. On October 14, they all left, under escort, to Wilno. From there, they were taken to Kaluga, in Russia, where they remained until their release, in January, 1773.¹⁴⁶ On October 14, Repnin issued a laconic proclamation. Sołtyk, Załuski and the two Rzewuskis had been arrested "for forgetting the dignity of Her Imperial Majesty, blackening the sincerity of her salutary, disinterested and truly amicable intentions towards the Commonwealth."¹⁴⁷

Repnin made the arrests when he felt matters had reached an intolerable stage, in order to shock the opposition into silence. Whether Sołtyk indeed planned a massacre of every non-Catholic in Warsaw, as Repnin claimed, is very doubtful.¹⁴⁸ Spreading such rumours served as a *post factum* justification for the arrests. Although Repnin alone was probably responsible for the arrests, they came as a relief to the king, who was rid of one of his most formidable antagonists, and to Radziwiłł, smarting from Sołtyk's criticisms.¹⁴⁹ If the king felt any satisfaction, it was tempered by the resignation of the grand chancellor of the Crown, Andrew Zamoyski, one of the mainstays of the reform programme, in disgust at the events.¹⁵⁰ On the other hand, opposition evaporated almost overnight.¹⁵¹ Curiously, the Russian court, although it had long advocated Sołtyk's arrest, was most disturbed. For a time, Catherine and Panin, fearing that they had gone too far, thought it would be necessary to placate the malcontents by bowing to some of their demands, such as the curtailment of royal powers of patronage.¹⁵² Stanisław August was, naturally, shocked, but, after receiving reports from

¹⁴⁵ Rudnicki, op. cit., pp. 175-179.

¹⁴⁶ Sozański, pp. 62-68; Kraushar, op.cit., vol. II, pp. 72-77; Rudnicki, op.cit., pp. 180, 185-191.

¹⁴⁷ Text in Kraushar, op.cit., vol. II, pp. 78-79.

¹⁴⁸ Essen to von Ende, Oct. 21, SLHA 3562 IVb, f. 464; St. Saphorin to Bernstorff, Oct. 21, RA. Cop. TKUA Polen AIII46.

¹⁴⁹ St. Saphorin to Christian VII, Oct. 17, *ibid*.

¹⁵⁰ Zamoyski was succeeded by the vice-chancellor, Andrew Młodziejewski, a less able and trustworthy figure. Jan Borch, palatine of Livonia, took over the vice-chancellorship. Both men were royalists. Had Repnin wanted, he could certainly have forced the king to make Republican appointments. That Repnin did not do so, reflects as much his lack of confidence in them, as their genuine lack of ability.

¹⁵¹ Essen to von Ende, Oct. 17, SLHA 3562 IVb, f. 447.

¹⁵² Panin to Repnin, Oct. 15/26, Sb. vol. 67, no. 1589; Catherine II to Stanisław August, Oct. 14/25, AGAD/AKP 226, ff. 163-164.

Repnin that the situation in Poland was calm, Panin and Catherine were able to reassure him that his powers would remain intact.¹⁵³

On October 19, the names of the members of the Delegation were announced to the Sejm, which accepted them and the bill of adjournment without discussion. The Sejm adjourned its proceedings until February 1, 1768. Most of those not included in the Delegation returned thankfully home.¹⁵⁴

The Delegation began its work on November 4. Its first task, as Repnin informed it, was to reach a satisfactory religious settlement.¹⁵⁵ On November 9, the dissenters presented a detailed statement of their demands: full freedom of worship; full equality with the Catholic *szlachta*; the establishment of a 'iudicium mixtum' to judge all religious cases relating to dissenters, who would no longer be subject to the jurisdiction of Catholic consistories; freedom to erect churches throughout the Commonwealth; dissenting *szlachta* were to be subject to no greater taxation than Catholic nobles.¹⁵⁶ Repnin informed the Delegation that he would tolerate no opposition. He had not brought 40,000 troops into the Commonwealth so that they might amuse themselves. If necessary, he would make further arrests.¹⁵⁷ The bill was ready by November 19. In return for the delegates' compliance, Repnin agreed to incorporate some demands they had put forward to safeguard the dominant character of Catholicism into the treaty of guarantee.¹⁵⁸

¹⁵³ Stanisław August to Catherine II, Nov. 12, *ibid.*, f. 165; Catherine II to Stanisław August, Nov. 28/Dec. 9, *ibid.*, f. 166. Panin to Repnin, Nov. 29/Dec. 9, *Sb.* vol. 67, no. 1597.

¹⁵⁴ Sozański, pp. 106-108. Essen to von Ende, Oct. 24, SLHA 3562 IVb, f. 473. The Delegation consisted of the primate and 69 members, including Karol Radziwiłł, Stanisław Brzostowski, Wessel, F. S. Potocki (who did not attend, but remained on his estates until the Delegation finished its business) and other members of the family. Royalists and reformers included M. Czartoryski, M. Ogiński, Młodziejowski, Borch, Xavier Branicki, Kazimierz Poniatowski. A full list is in Kraushar, *op.cit.* vol. II, pp. 325-328.

¹⁵⁵ *ibid.*, pp. 126-127.

¹⁵⁶ *ibid.*, pp. 135-136, 136-145.

¹⁵⁷ *ibid.*, p. 183.

¹⁵⁸ *ibid.*, p. 215. See page 222 below. Repnin rejected out of hand all proposals to keep the dissenters out of the legislature. *ibid.*, pp. 180, 183.

Bishop Konisski, A. S. Goltz and Jan Grabowski headed the dissenters' representatives at the talks with the Delegation. The ministers of the interested Protestant states, Benoit of Prussia, Wroughton of England, St. Saphorin of Denmark and baron Düben of Sweden also attended as observers, though Repnin excluded them from all further business. Düben had arrived in Warsaw in late September, after Russia had persuaded the Riksdag to send a representative, on the grounds that Sweden was party to the treaty of Oliva of 1660. On October 4, he delivered a declaration in favour of the dissenters to the king (text, Theiner, pp. 181-182), which went almost unnoticed. Benoit to Frederick II, DZA 9/27-179, f. 153.

On December 1, the delegates signed the bill as a treaty, to be included in the final treaty of guarantee.¹⁵⁹

The delegates suffered similarly cavalier treatment from Repnin in their second principal task, the framing of Poland's constitution into a form acceptable for the imperial guarantee. What emerged was a project inspired by Podoski,¹⁶⁰ dividing the constitution into three parts: the cardinal laws, which, once fixed, would be immutable; the so-called *materiae status*, where changes could be introduced solely by unanimity; and economic affairs, subject to plurality. The project became part of the final treaty of guarantee, signed by the Delegation on February 22, 1768. A mass of secondary legislation supplemented the treaty.¹⁶¹

This treaty, the culmination of Russian policy in Poland from 1764 to 1767, became part of the corpus of Polish law. The treaty proper, including a declaration of perpetual peace and friendship between the Commonwealth and Russia and a guarantee of mutual territorial integrity, was little more than a preamble to the two separate acts on religion and the constitution.¹⁶²

The preamble to the first separate act, on religion, mentioned Prussia, Denmark, Sweden and Britain as interested powers. It was the only gesture Russia permitted herself towards the Protestant powers, whose assistance she had, in any case, kept minimal. Article I made a number of concessions to Catholicism. It was acknowledged the ruling faith of Poland; only Catholics were eligible for election to the throne; apostasy from the Catholic faith was declared a criminal act. Article II annulled all statutes against and impediments to the free, full and unfettered exercise of the dissenters' faiths. They were allowed to erect their own churches, hold public processions and religious services in the same way as Catholics. Interference in the establishment or administration of dissenters' schools was forbidden. The see of Mohilev was specifically declared to belong to the Orthodox faith in perpetuity (although, as Panin had agreed, no mention was made of promoting its bishop into the Senate). Catholic ecclesiastical courts could no longer summon dissenters, Catholic clergy could no longer levy payments on dissenters or force them to attend Catholic ceremonies. To try cases arising from inter-denominational religious disputes, a 'iudicium mixtum' was to be instituted, of 16 persons, eight Catholics and eight dis-

¹⁵⁹ Kraushar, op. cit., vol. II, pp. 227-232.

¹⁶⁰ Panin to Repnin, Nov. 29/Dec. 9, Sb. vol. 67, no. 1597.

¹⁶¹ Kraushar, op.cit., vol. II, p. 302. For a detailed account of the Delegation's proceedings, see *ibid.*, pp. 122-303, *passim*.

¹⁶² Vol. Leg. VII, pp. 253-254. The full text of the treaty, with the two separate articles, is given *ibid.*, pp. 248-285.

senters, under the presidency of the bishop of Mohilev. Cases unconnected with religion would continue to be heard before the regular courts. The right of advowson was reserved for dissenting as well as Catholic *szlachta*, although dissenting landowners could only appoint Catholic priests to Catholic churches, Catholic landowners dissenting priests to dissenter churches, on their properties. The rights of dissenter townsmen and peasantry were to be the same as those of their Catholic counterparts. Mixed marriages were to be permissible: sons were to follow the father's, daughters the mother's, faith. It became an offence to refer to the dissenters as heretics or sectarians. Potentially the most explosive part of article II was clause 16, which declared the dissenters "*capaces* of all offices of the Crown and the Grand Duchy of Lithuania" from the Senate and chamber of deputies to all posts in the local administration, from seats on the Tribunals to seats in all the lesser courts. Articles III, IV and V reserved similar conditions for Royal Prussia and the duchy of Courland.

Of greater significance was the second separate act, laying down the Commonwealth's constitutional norms. For the first time, the cardinal laws, a term loosely used since the mid-seventeenth century to denote the basic liberties and privileges of the Polish nobility, were formally classified.¹⁶³ In their final version, the cardinal laws were a mixture of these old conceptions and some newer ideas. They were to be unchangeable. Article I declared the legislative power of the Commonwealth to reside in the three estates of king, Senate and knights, though during interregna, the last two alone could pass binding legislation. Articles II and III repeated the provisions of the first separate act, declaring Catholicism to be the ruling faith and forbidding apostasy. Kings could only be elected by unanimity and from among Catholics (articles IV and V). A king's subjects could withdraw obedience if the monarch attempted to break the *pacta conventa*, his traditional commitments made to the nation at his election, or to infringe the cardinal laws (article XXI). No *szlachcic* could be arrested before a court conviction (article VI). The king could not quash appointments, once made, to offices or dignities, without the unanimous consent of the Sejm (article VII). All *szlachta*, including dissenters, were equal in their rights and eligibility for office and honours (articles XI, XII). Article IX affirmed the territorial integrity of the Commonwealth, but articles VIII and XIII confirmed the existing privileges of the various provinces, including the semi-autonomous status of Royal Prussia.

¹⁶³ Z. Radwański, *Prawa Kardynalne w Polsce* (Poznań 1952), pp. 22-23, 52.

This did not safeguard Poland's territories from future Russian designs, for article I of the treaty of guarantee had renewed in full the provisions of the Russo-Polish treaty of 1686, which had not definitively settled Poland's eastern frontier but provided for a final demarcation at a later date. Article XVII of the second separate act confirmed the restoration of the *liberum veto*, but confined its application to *materiae status*. The use of the veto at any Sejm would invalidate all agreements made on *materiae status* by that Sejm and prevent all further legislative proceedings.

Most of the provisions departed little from the traditional views on cardinal laws. The two chief exceptions were the points relating to the dissenters and the limitation of the veto to *materiae status*. The debates of the Delegation and witnessed vigorous discussions on the problem of serfdom. A small group, led by Roch Jabłonowski, castellan of Wiślica, had favoured some alleviation of serf burdens, in which they discerned one of the causes of Poland's economic stagnation. Jabłonowski's ideas aroused strong opposition within the Delegation and, outside Warsaw, they rekindled fears aroused by the Petition of Torczyn.¹⁶⁴ In the event, article XIX confirmed "the entirety *dominii et proprietatis* of the *szlachta* estate over its landed, hereditary properties and its serfs." However, the right of the noble landlord to inflict the death penalty on his serfs was transferred to the *gród*, county or municipal courts. The practical effect were minimal, as the *ius vitae ac necis* had any way fallen into disuse.¹⁶⁵ Article XX enshrined a demand made by Jabłonowski to impose the death penalty on any *szlachcic* convicted for the murder of a serf. Hitherto, in the Crown, the punishment had been the payment of a fine.¹⁶⁶ Neither article made any substantial improvement in the serfs' lot. Nor, on another level, was the restriction of the *liberum veto* to *materiae status* (which formed the subject of the second half of the second separate article) an appreciable boon. Compared with the 1764 legislation, which could be interpreted to obviate the veto altogether, it was a step backwards. The *materiae status* covered taxes and tariffs; the size of the army; alliances and trade treaties; declarations of war and peace; ennoblements and the conferment of the 'indymgenat'; the determination of currency values; the powers of ministers and officials; the creation of new offices;

¹⁶⁴ *ibid.*, pp. 71-74. Kraushar, *op. cit.* vol. II, pp. 241-246; J. M. Rostworowski to his wife, Nov. 29. AGAD Mała Wieś II c/81.

¹⁶⁵ Radwański *op. cit.* pp. 84-87.

¹⁶⁶ Article XX brought the Crown into line with Lithuania, where the death penalty for the murder of a serf had existed since 1726. *ibidem.* and Vol. Leg. VII, p. 281.

standing orders for the Sejm; the powers of the Tribunals; the status, purely advisory, of the council of the Senate; the acquisition of landed property by the king, even in a private capacity; the summoning of the *arrière ban*. As Stanisław August put it, the *materiae status* "furent en si grand nombre et si importantes qu'elles absorbaient tout ce qu'il y a de plus essentiel dans tout gouvernement."¹⁶⁷ All that could be said for the arrangement was that it could have been worse. A number of delegates, headed by Stanisław Brzostowski, wanted to see the veto extended to the third class of legislation, economic affairs, which were simply all those not covered by the cardinal laws or the *materiae status*.¹⁶⁸

Among the supplementary legislation, the reformers scored several gains. The new standing orders for the Sejm laid down that, after the completion of the inaugural ceremonies, the Sejm would deal with economic affairs by majority vote. The decisions reached in this sphere would remain valid even if the veto was later applied to the *materiae status*.¹⁶⁹ The commissions were left substantially unscathed. The majority vote was introduced at *sejmiki*, though an attempt to restrict participation in them to landowning *szlachta* failed.¹⁷⁰ The coinage reform and the general *czopowe* and *szeleżne* introduced in 1766 were retained.

The major short term gain was undoubtedly the containment of Radziwiłł. The settlement of his debts and of suits arising from them was to be referred to a special commission. Repnin, foreseeing that the 'Family' could still prove a useful counterweight to the untrustworthy Republicans, persuaded his court to agree to halt all further judicial reprisals against it, even though the confederates had hoped that Michael Czartoryski and Antoni Przezdziecki would be deprived of office.¹⁷¹

A blow to the king was the abandonment of the plan for a permanent council. Panin, bowing to Frederick II's insistence, agreed that it would arouse not only the suspicions of Poland's neighbours, but of the Poles themselves, accustomed as they were to a lack of government. The king should content himself with the commissions.¹⁷²

The Russian court did not forget the services of Saxony. Prince

¹⁶⁷ Poniatowski, Mémoires, p. 598.

¹⁶⁸ Kraushar, op. cit., vol. II, pp. 216-217.

¹⁶⁹ Vol. Leg. VII, p. 291.

¹⁷⁰ Kraushar op. cit., vol. II, p. 272.

¹⁷¹ Solov'ev, vol. XXVII, pp. 510-511.

¹⁷² Panin to Repnin, Nov.29/Dec. 9, Sb. vol. 67, no. 1597.

Xavier and prince Charles of Courland were each assigned an annual pension of 12,000 ducats from the Commonwealth treasury.¹⁷³

The Delegation had still not finished its work, when the Sejm reassembled on February 1, 1768. Proceedings were again adjourned, until February 26.¹⁷⁴ Over eighty deputies were absent “persuadés que leur présence serait inutile.” Some eight thousand Russian troops were mustered around Warsaw.¹⁷⁵ The reading of the treaty of guarantee and the supplementary legislation filled six sessions, from February 27 to March 5, when the Sejm ratified all the business done by the Delegation, almost without discussion.¹⁷⁶ The dissolution of the confederacies of Thorn and Słuck, of the Grand Duchy and of the Crown, was among the legislation confirmed.¹⁷⁷ After a thanksgiving mass, the Sejm dispersed, its work done.¹⁷⁸

In theory, the Confederacy of Radom continued to exist as a separate entity alongside the Sejm. In practice, it took no major decisions after the Sejm had opened.¹⁷⁹ It is worth nothing that the Tribunal of Małopolska did not officially recognise the Confederacy until November 6, the Tribunal of Wielkopolska until December 6.¹⁸⁰

The last entry in the minutes of the Confederacy, dated March 5, 1768 is a copy of the statute decreeing its dissolution.¹⁸¹

¹⁷³ Vol. Leg. VII, pp. 286-287. Panin had approved the payment on August 25. Panin to Replin, Aug. 14/25, Sb. vol. 67, no. 1553. 12,000 ducats was the minimum the Saxons would consider. Flemming to Essen, July 1, SLHA 3562 IVb, ff 39-40.

¹⁷⁴ Sozański, pp. 113-114.

¹⁷⁵ Jakubowski to Choiseul, February 9, 1768. AE. Pol. 290, ff. 350-351.

¹⁷⁶ Kraushar, op. cit., vol. II, p. 310.

¹⁷⁷ Vol. Leg. VII, p. 402.

¹⁷⁸ Sozański, p. 143.

¹⁷⁹ Replin to Panin, Dec. 11/22, quoted in S.M. Solov'ev, *Istoriya Padeniya Polshi* (Moscow 1863), p. 74.

¹⁸⁰ These are the dates on which the Confederacy received the Tribunals' deputations of recognition. Małopolska's act of recognition, dated Oct. 14, Wielkopolska's Nov. 8. AGAD/ML IX-36, ff. 137-139, 141-142.

¹⁸¹ *ibid.*, ff. 154-156.

CHAPTER VIII

RADOMIAN PROPAGANDA

The events of 1767, the hopes and fears consequent on them, found expression in a flood of political literature, which, in turn, served to influence the attitudes of its audience. In chapter V, we examined the mentality and outlook of the *szlachta*. A survey of the political literature inspired by the Confederacy of Radom enables the reader to form a closer idea of how the nobility viewed that movement. Most of this propaganda, often in verse, circulated from hand to hand in manuscript. Its role, among the ordinary or illiterate *szlachta*, was to act as substitute for an almost non-existent popular press.¹ The examples reviewed below cannot claim to be a comprehensive selection of Radomian propaganda, but they include some of the texts most commonly found in the archives of Warsaw and Cracow.

Perhaps the most striking aspect of this literature is not what it contains, but what it omits. No matter how sound the legal, historical or moral arguments of Polish polemicists against yielding to Russian demands on behalf of the dissenters, there was little attempt to face up to the enormous disproportion in strength between Poland and Russia and to the Commonwealth's inability to mount effective resistance to demands backed by force. To compensate for Poland's weakness, the polemicists appealed to wider foreign intervention and, since they could not count on immediate response from that quarter, they also appealed to divine intervention.

God can be a potent source of consolation. In a ramshackle, strongly Catholic state incapable of reform (even if not altogether through its own fault), He was an illusory substitute for strength. In chapter V, we have drawn attention to the prophesying clerics who roamed Małopolska with predictions of Poniatowski's dethronement.² None was more influential than the Carmelite, Father Marek Jandołowicz, author of the 'Prophecy concerning the future of

¹ J. Maciszewski, 'Literatura Barska, 1767-1772,' *Przemiany Tradycji Barskiej* (Cracow 1972), pp. 64-65.

² See above, p. 146, n. 116.

Europe and the kingdom of Poland.’³ The ‘Prophecy’, though written in 1767, was one of the inspirational pieces behind the confederacy of Bar⁴ and influenced a number of other Radomian texts. Written in a mystifying, well-nigh incomprehensible style, it foresees a period of disaster and religious suffering for Poland, which will change only when the throne passes to a new monarch, a Wettin. If the nation entrusts itself to God, Poland will arise
“...as a phoenix from the ashes”

and

“The Schism, Lutherans and Pagans will tremble with fear...
Russia will change her nature from cold to warm...”

With time, then, Jandołowicz expected a more positive attitude from Russia towards malcontent aspirations.⁵

The ‘Prophecy’ is exceptionally misty in reference to contemporary events. Rather more comprehensible is the ‘Cabal,’ a versified question and answer dialogue, written just before the 1767 Sejm. Like the ‘Prophecy,’ it foresees a period of trial for the Catholic faith, culminating in the deposition of Stanisław August in favour of a Saxon ruler (“The entire nation desires him . . .”). The worst time will be the approaching Sejm, which will see

“A strange success, for the Polish nation is betrayed,
The Lutherans of the Crown wish to work evil.”

The ‘Cabal’ implies that “Moscow”, responsible for enthroning Poniatowski, will now overthrow him. How this is to be accomplished is not explained, although God will be the motive factor. Criticism of Russia is muted. The chief villain is the king, who wishes only to introduce absolutism. He is seconded by Michael Czartoryski, who will be consigned to hell

“For his machiavellian dealings, diabolic⁶ trade.”

No distinction is made between the king and the Czartoryskis. On the other hand, Radziwiłł is criticized as unfit to defend the faith, or his country

“...because he is in debt, without brains”

although

³ E. Rostworowski, ‘Książd Marek i proroctwa polityczne doby radomsko-barskiej,’ *Przemiany* . . . pp. 29-57.

⁴ *ibid.*, p. 38.

⁵ By ‘Pagans’ is probably meant Stanisław August’s entourage. This follows Professor Rostworowski’s interpretation, which fits the tangled text very well. Printed in full (with variants), *ibid.*, pp. 52-55. I have used the text in AGAD/ARII book 36, p. 316, ‘Excerpt proroctwa o przyszłych Europy, królestwa Polskiego czasach, z listu pewnego 1767 anno.’

⁶ The Polish has a play on the word “Czart,” meaning devil.

⁷ ‘Kabała’ AGAD/ARII book 36, pp. 317-318 and *ibid.* Sucha 19/28.

“...the Russians lend him their brains.”

It was precisely because of his deficiencies that the dissenters engineered his election as marshal-general. Yet Radziwiłł and Russia remain incidental targets. The author’s spleen is reserved primarily for the king, the Czartoryskis and the dissenters. God will destroy them and restore the Saxons.⁷

Radziwiłł receives more sympathetic treatment in the ‘Lament for Poland, whose Faith, Freedom and Laws are in Danger,’ which probably appeared in late September, 1767. The prince is portrayed as having been trapped by the king and the Russians, who wish to destroy him. However, the ‘Lament’ is one of the first texts to criticize *szlachta* “wickednesses” which have prevented them from displaying courage at the *sejmiki*. The main villain is the king, who

“...cares not for faith
...And, worse, plans to bury freedom.”

For this purpose, he has brought Russian troops into Poland. The messianic note is re-echoed in the assertion that true repentance will open the way to recovery. True faith will permit the *szlachta* to regain their ancient laws and liberty.⁸

More elaborate in its criticisms is the ‘Lament of Freedom and Faith,’ written towards the end of Replin’s Sejm. “Faith” and “Freedom” are presented as two worthy matrons, whom the traveller finds, bedraggled, assaulted by thieves from a “robbers’ nest, lair of brigands” — doubtless a reference to the Delegation. The consciousness of the present degradation of “Freedom” is seen in the contrast with past greatness, when “Freedom” dethroned and enthroned kings. Now, she cannot even lay claim to her name, for she is

“A Muscovite prisoner,
...almost a slave
...now stripped of all my ancient laws...
A Muscovite presides over my councils,
I may not do as I wish, but as he commands.”

For “Faith,” the senior of the two, the chief villain is “the Muscovite” who, to satisfy his own honour, artificially reconciled the mutually antagonistic monsters of Lutheranism and Orthodoxy, in order to wring advantages for them from the Sejm. A strong element of xenophobia, of reaction against the increasingly fashionable intellectual influences of Western Europe, is present. All Poland loved “Faith” until news came of

⁸ ‘Lament and Polska, w niebezpieczeństwie Wiary, Praw, Wolności zostającej, roku 1767,’ *ibid.*, ARVI II-77, pp. 285-286.

"...a fashionable dame,
 Her name, Protestant, daughter of notorious
 Luther...
 Your own countrymen, those who travel
 To Foreign lands...
 To bring home fashion and new manners
 Brought back her infectious teachings on the Faith."

All this, however, is an aspect of divine retribution for the Poles' own vices. Morality has been undermined, luxurious habits are rampant, the nobility suffer from "boundless pride". Referring to the Torczyn scare and the mooted serf reforms of the Delegation, "Faith" admits that the *szlachta* have exploited the peasantry. God will now use the peasantry to punish them. A bloody period of religious warfare is foreseen. As in the 'Prophecy' and 'Cabal' the Poles are urged to be patient, to seek God's mercy and forgiveness. Meanwhile, "Faith" will attempt to secure immediate help from Joseph II of Austria, who will doubtless still be grateful for Jan Sobieski's relief of Vienna, in 1683. Ultimately, salvation rests in God, who will look favourably on the Poles only when He sees "a reform of manners."⁹

Although the author of this 'Lament' criticizes the shortcomings of the *szlachta*, he does so in a traditional, superficial manner. Salvation will come if the Poles conduct themselves virtuously, not if they amend their constitution (which would be to assault "Freedom" anew). The root cause of Poland's misfortunes is spiritual demoralization, not ineffective government, or a perverted notion of liberty.

Some of the bitterest attacks on the king and the reformers date from the beginning of the malcontents' enterprise. The two 'Odes of the Polish Revolution' were probably written in June 1767, after Radziwiłł's triumphant restoration at Wilno and before the disillusion of Radom. They may have originated in the Grand Duchy. The first ode attacks Michael Czartoryski and the reforms. These are a house built on sand, to be swept away by the lightest wind. The chancellor's misdeeds are catalogued at length. He has uprooted the old laws, fettered liberty, extended the royal powers and made his nephews princes.¹⁰ Displeased by the powers of the *hetmani*, he "imposed his tyrannous authority over the army." He showed ingratitude towards the house of Saxony, which had conferred so many benefits on him. These are simple, blanket charges which,

⁹ 'Lament Wolności i Wiary,' *ibid.*, Sucha 19/28.

¹⁰ The Coronation Sejm conferred the title 'Prince' on Stanisław August's brothers.

reflecting the views of the Czartoryskis' opponents, need no further elaboration. But the chancellor's calculations have broken down, because Moscow is not at his beck and call. He is discomfited by the restoration of the injured Radziwiłł. To avert the wrath of God, Michael Czartoryski should recompense Radziwiłł for the harm he has done him.¹¹

Stanisław August, the second ode makes clear, is not fit to be king of Poland. Perpetually miserable, he wallows in sin, serving the goddesses of concupiscence (foreign mistresses) and greed (to which he has erected a new temple — the mint). The writer staunchly upholds the honour of Catherine II: the king stands condemned by all, for his vices and ingratitude have offended her. Of course, it was always part of his intention

“...to make the dissenters equals of the Romans [the *szlachta*]” but the “zeal of the faithful” has thwarted him. The ‘Second Ode’ is a prime example of the warped conception of the Confederacy held by the malcontent rank and file. The writer urges the king to show repentance, by abdicating and retiring to Rome, where, if he shows himself a good Catholic, he may even become a cardinal.¹² He is not advised to linger in Warsaw. There, he risks being struck down by the new Achilles — Karol Radziwiłł.¹³

The strongest attack on the king is found in the ‘Reflections for king Stanisław,’ written after the arrests of October 13. Russia is presented as the king’s instrument in carrying out the arrests, for which he is responsible.

“Maintain your innocence, king, as much as you please,
Blaming Replin and Panin for this affair.
But what good are you to a virtuous nation,
When Moscow vexes your citizens so sorely?”

The old, familiar list of charges is paraded: the king and his ministers wish to destroy freedom and faith. Hence, they have authorized the arrests of the leading defenders of faith, liberty and the laws. Stanisław August aims only at imposing absolutism. As a preliminary step, he has abandoned Catholicism. Michael Czartoryski is guilty of having summoned the Russians into Poland. To further his own (unspecified) intentions, he has taken the army from the *hetmani*, the treasury from the treasurers. The reform pro-

¹¹ ‘Oda pierwszej rewolucji polskiej, anno 1767,’ AGAD/ARII book 36, pp. 322-324 and *ibid.* Sucha 81/100.

¹² In 1667, king Jan Kazimierz, who had also failed to curb Polish ‘liberty’ abdicated and resumed his previous office of cardinal, which he had resigned to become king in 1648.

¹³ ‘Oda drugiej rewolucji polskiej, 1767’ AGAD/ARII book 36, pp. 324-326.

gramme of 1764 is condemned en bloc. The relatively slender resources of Stanisław August are held against him: he cannot distribute largesse to the *szlachta*, so he is unworthy to be king. To remedy these evils, he is recommended

“...to ask God’s forgiveness
Then think of distributing rewards to the deserving.
Do not confer honours and places on treacherous flatterers
But to sage and dignified statesmen.”

The last reference is presumably to the Potockis, Mniszech or the *hetmani*, individuals responsible for the chaos of 1767, but who remained aloof from the Sejm. The author did not have Karol Radziwiłł in mind, whose “simplicity” permitted him to be exploited by the king, his uncles and Russia for their nefarious purposes. The ‘Reflections’ close with an exhortation to the king:

“Trust not the Muscovite power, ever treacherous.
God preserve you and us from such protection.”¹⁴

The ‘Conversation between a Saxon gentleman and a Polish Senator’ which appeared in December, 1767,¹⁵ inveighs likewise against the court and the Czartoryskis, Russia and various confederate leaders. The Saxon gentleman speaks from a position of ignorance and innocence regarding Polish events. The Polish senator enlightens him. The Czartoryskis are “accursed” because they were the first to summon Russian troops into the Commonwealth. However, it is the king who is responsible for the present confusion. Desiring to extend his powers, he has promised Prussia and Russia support for the dissenters’ creeds. With the collapse of his plans at the 1766 Sejm (a reference to Zamoyski’s bill and to the religious concessions then mooted), he brought in Russian troops and formed the Confederacy to bolster his position. Thus, the blame for Radom rests squarely with the king. Violence reigns everywhere. The king sets Russian soldiers on his opponents. The arrests of October 13 have deprived Poland of wise councillors. As for the members of the Delegation:

“One lacks intelligence, another fibre,
Yet a third lacks courage, that one has sold
Liberty for money...”

Only a handful have not sold their souls. For the rest

“The king and Repnin have chosen the worst scum”

such as Gaspar Lubomirski, Władysław Gurowski, Teodor Wessel.

¹⁴ ‘Reflexje dla króla Stanisława, 1767,’ PAU 313.

¹⁵ J. Błęszyński to Mniszech, Warsaw, Dec. 17, *ibid.* 1144.

To the Saxon gentleman's question on the bishops' attitude, the senator replies:

"The wise have been taken and only the timorous and stupid remain."

He does not deny that Podoski has talents and virtues, but he has sold them to the Russians and dissenters. Now he waits to grab Sołtyk's lands. The Saxon reproaches the senator for the Poles' rejection of the Wettins in 1764, but consoles him that

"If the Czarina dies, or war begins
In spring..."

the dynasty will surely be restored.¹⁶

In its criticisms of the clergy, the 'Conversation' may have drawn on the 'Opinion of the bishops in the matter of faith and freedom, 1767.' Here, the character and behaviour of all of Poland's Roman-Catholic bishops is examined and found wanting, with the exceptions of Załuski of Kiev and Sołtyk of Cracow. Podoski,

"...an open hedonist, and Replin
Looked for ways of driving faith and liberty from Poland."

Massalski, bishop of Wilno, is castigated for his support of the Czartoryskis' confederacy in 1764. Now he has fled to France, while in Poland, his fellow-bishops are persecuted. Sierakowski, arch-bishop of Lwów, though well-intentioned, lacks courage. In contrast, Załuski

"Is the true support of Christians...
For he is a pious pastor and a true senator."

The greatest praise is reserved for Sołtyk, a worthy successor to Poland's martyr-bishops of the Middle Ages. Echoing some of the sentiments of Jandołowicz's 'Prophecy' and the 'Cabal', the 'Opinion' declares that after the Commonwealth cleanses itself of its sins in blood, the time will come when the sun melts the Northern ice — Catherine will look favourably on the policies advocated by Sołtyk. He will be honourably restored, with a cardinal's hat.

Among the remaining bishops, the 'Opinion' sees hope only in Adam Krasieński of Kamieniec. Instead of sitting passively in the fastness of his frontier-town, he should use his influence to secure Turkish intervention against Russia. Only then will he be recognized as a true senator, bishop and Pole.¹⁷

This literature has a number of common features. Reasoned

¹⁶ 'Rozmowa Kawalera Saskiego z Senatorem Polskim o awanturach Rzeczypospolitej Polskiej,' AGAD/ARVI II-77, pp. 287-289; *ibid.* Sucha 88/109, 134/158.

¹⁷ 'Zdanie o biskupach, anno 1767, przy wierze i wolności,' *ibid.* ARVI II-77, pp. 290-296; *ibid.* Sucha 88/109.

analysis is absent. The reforms are seen as pernicious, responsible for Poland's degradation, though no attempt is made to trace cause and effect. Axiomatically, anything changing the status quo ante interregnum is harmful. The king is a tyrannous despot who uses the religious issue for his own ends. After the Delegation Sejm opens, he is frequently accused of having instigated the Confederacy of Radom, which has patently taken a course the malcontents wished to avoid. These accusations are matched by disillusion with the confederate leaders, though this should not be seen as an anti-magnate reaction in general. The 'Conversation between a Saxon gentleman and a Polish senator' criticizes the king for employing the wrong magnates — the Czartoryskis — as advisers. The 'Opinion of the bishops' is not anti-episcopal, but critical of the failings of individuals. Many sentiments are repeated from one tract to another, a testimony to their popularity. There are variations of emphasis and style, rather than content. What cannot be gainsaid is the disillusion with the Confederacy itself. Because it had gone so drastically wrong, the king's opponents were only too happy to attribute the responsibility to him. It was much easier and less embarrassing than to examine the malcontents' own misconceptions which underpinned the venture from start to finish.

The depth to which the Confederacy of Radom had sunk in contemporary eyes is amply illustrated by the 'Confederacy of Polish Women,' a satire which appeared in late 1767.¹⁸ It opens with a parody of the act of General Confederacy: "We, the estate and sex of Women, free and unfree, maids, widows and wives, mindful of the present perilous circumstances of the Commonwealth, daily seeing... and constantly hearing of the excesses, degradation, cowardice and fear of our menfolk, be it of husbands, bachelors, sons, relatives or lovers, disappointed... in our hopes of our posterity... take God... and His Most Holy Mother as our defence. We do confederate in the manner of our worthy forbears, the Sabine women... the more ancient heroines of Sparta and other Greek matrons, the warlike Amazons..." In their articles of confederacy, they undertake "to ban the miserable cowards from our beds," to refuse all advances and flirtations, "to betray our husbands, disinherit our sons and reject bachelors..." Most humiliatingly, "we will strive most strongly to elect not men... but deputies from amongst ourselves to the Sejm..." The women have no time for men who cannot defend their country or faith or their womenfolk from Rus-

¹⁸ J. Błeszyński to Mniszcz, Dec. 24, 1767, PAU 1144. As there are references to proposed *sejmiki* in the text, it probably appeared even before August 25.

sian soldiers. Instead, "We summon the polite and gracious nations of France and Spain to support our confederacy..." which might even arouse the Poles to action.

This text stands out from the others in that the main object of attack is the Confederacy. The king, the Czartoryskis, the reforms are not mentioned. It seems to have been popular; it is one of the rare examples of propaganda mentioned by name in the extant correspondence.¹⁹ Although the confederates were guilty less of cowardice than stupidity, it is perhaps the only piece of polemic to heap on them the vitriol they deserved.²⁰

Royalist counter-propaganda is generally less in evidence. Despite the rapid disintegration of the Confederacy of Radom, progressives had little cause to rejoice. The twists and turns of Russian policy, the superficial dominance of Radom, the uncertainty of the future only bewildered them.²¹

A serious attempt to discredit the Confederacy was made by Gaspar Rogaliński, *starosta* of Nakło, who disseminated an open letter to prince Antoni Jabłonowski (1732-1799), palatine of Poznań and a malcontent sympathiser. There was even a proposal to summons Rogaliński before the Confederacy's courts over the letter.²² The charges made are certainly serious. Jabłonowski is taunted with not having the courage to join his friends in the Confederacy. The Confederacy is without a will of its own, but directed by others. Those responsible are guilty of ingratitude towards God, king and country. It is their intention to admit dissenters into the Sejm, to all public offices and to allow them full exercise of their faiths. Rogaliński endeavours to exploit *szlachta* privileges as much as the malcontents, only he aims to turn them against the Radomians, not the king. "That accursed Voltaire has affected our minds with his optimism. Evidently, we adhere to Pangloss' teachings, since we hold the worst things to be the best." He reserves his strongest anger for Mniszech — "The man has burned the temple of Diana of Ephesus, thinking he will acquire fame," whereas even in their

¹⁹ *ibidem*. On September 25, Hylzen enclosed a number of lampoons against the Confederacy, circulating in Lithuania. Possibly the 'Confederacy of Polish Women' was among them. To Ogrodzki, B. Cz. 665, f. 42.

²⁰ 'Konfederacja Dam Polskich' AGAD/Sucha 19/28, *ibid.* 88/109.

²¹ " . . . from non-confederates, I hear only lamentations at the imminent collapse of the Commonwealth, which will probably be the case.' Jan Magnuszewski, a member of August Czartoryski's entourage, to Joseph Konopka, Warsaw, Aug. 19, B. Łop. 2110.

²² Anonymous correspondent to Mniszech, Warsaw, Aug. 5, PAU 1144.

work of destruction, he and other confederates will be frustrated, for the commissions and other reforms will remain.²³

Jabłonowski wrote a reply, in which he compares the Commonwealth to ancient Rome, which flourished despite internal upheavals. Such upheavals, he claims, are actually necessary for Poland's strength, though he does not explain this strange alchemy further. He accuses Rogaliński, apparently a notorious free-thinker, of hypocrisy and of being motivated primarily by hatred of Mniszech. His strictures against the Confederacy are shallow and superficial — he fails to penetrate the real significance of the Confederacy's business, which Jabłonowski himself does not analyse any further. He observes that it remains to be seen who has fired the temple of Diana: implying that it is the reformers, by their destruction of Poland's ancient laws.²⁴

The 'Considerations arising from the circumstances of the present Extraordinary Sejm of 1767' and the attendant 'Short reply to the preceding points' merit attention as the sole publicistic attempt to bring the king and his opponents together. They may well have been penned by a royalist or neutral, tired of the continued, unproductive factional struggles. The 'Considerations' propose the restriction of the Sejm to the dissenters' issue. The 'Reply' maintains that the Sejm provides an opportunity for the whole nation to compose its differences, by rallying around the Catholic faith. It emphasizes (as do the 'Considerations') that the Confederacy has been formed not just in defence of the Catholic faith, laws and liberty, but of the king also, who is described as possessed of "good intentions." The author does not see the dissenters as a threat. He denies that the Catholic religion or the Commonwealth will suffer if the erstwhile rights of the Protestants and Orthodox are restored.

The author's principal object is to attack the *liberum veto*, which leads to too much abuse. Only plurality can prevent private interest from gaining the upper hand over the public. In deference to his audience's feelings (and Russia's?), the writer grants that expansion of the army or increases in taxation should be voted only by unanimity; but all other *materiae status* should be decided by plurality. He does not disapprove of Russia's intention to guarantee the Polish constitution. He would like the Sejm to last no more than two weeks — the norm for Extraordinary Sejmy — after which

²³ 'Kopia listu J. Pa. starosty nakielskiego do Xiążęcia Imci Jabłonowskiego, wwdy poznańskiego, pisanego.' AGAD/ARVI II-77, pp. 269-270.

²⁴ 'Kopia responsu J. O. Xiążęcia J.Mci. Jabłonowskiego, wdy. poznańskiego, do J. Pa. Rogalińskiego, stty nakielskiego,' *ibid.*, pp. 270-272.

both Sejm and Confederacy should be dissolved and old bitternesses forgotten.²⁵

The recommendations are sufficiently similar to the final settlement to suggest that they emanated from a well-informed royalist source, which tried to reconcile king, malcontents, dissenters and Russia: the dissenters would be restored, the Catholic faith would not suffer, the king-malcontent division would be healed by a compromise over the veto, Russia would have her guarantee. It was an utopian compromise between reform and reaction, but, at the height of the Polish court's optimism in autumn, 1767, it was the most that royalists and reformers might have dared hope for.

In the atmosphere of prolonged religious tension, it was inevitable that attacks directed primarily against the dissenters should continue. In its crassest form, most likely to appeal to the masses of Catholic *szlachta*, the assault may be seen in the 'Discourse between a Pole and a dissenter concerning the present misadventures and the seizure of the Senate and offices.' The contrast between the virtuous Pole and the wicked dissenter, the Catholic's overweening desire to satisfy his inflated amour-propre are quite clear;

"Whence comes that thought into your empty head

To sit in company with a lord, like an owl with a falcon?"

asks the Pole (who is addressed as "virtuous"). The dissenter is an "half-wit" —

"The virtuous Pole is not content to sit with clowns."

The dissenter is fit only to be the brother of a dog. The Poles will drive him and his kind out of office. They do not want the company of such devilish brethren. The Catholic rejects all offers of friendship. The dispute confines itself to religion. There is no animosity displayed towards the king or Russia. The sole aim of the 'Discourse' is to demonstrate the innate superiority of the Catholic over the dissenting *szlachcic*, whom the former does not even deign to acknowledge as a Pole.²⁶

More subtle, smacking of provocation, are the 'Letter from one of the Greek Orthodox of Lithuania to General Goltz, marshal of the Confederacy of Thorn' and 'Goltz's' reply. The sentiments expressed rule out the possibility of the two letters originating from genuine dissenting sources. They do not confine themselves to the religious issue, but contain a much wider critique of Poland's predicament, the *szlachta's* mores and leadership in general. Their

²⁵ 'Propozycje z okazji terazniejszego 1767mi. extraordinaryjnego Sejmu . . . ' and ' Na te punkta, odpowiedź krótka,' both in AGAD/Sucha 19/28.

²⁶ 'Dyskurs Polaka z Dyssydentem o terazniejszych awanturach i o wzderaniu się do Senatu i Urzędów,' AGAD/Sucha 88/109.

purpose appears to have been threefold: to sow confusion among the dissenters, to goad the Poles into some kind of preventive action against the dissenters, and to alert them to the dangers of Russian activity.

The letter to Goltz, dated June 26, shows the dissenters' undertaking as hopeless. The Protestants and Orthodox have only the appellation 'dissenters' in common. The Orthodox are theologically closer to the Catholics. Like them, the Orthodox are ready to die for their faith, unlike the Protestants, as the author claims. Goltz's main concern, he charges, is grabbing a greater share of the honours system. The dissenters base themselves on the support of foreign powers, who doubtless have ulterior motives which Goltz has failed to perceive. Catherine II and Frederick II are monarchs too intelligent to introduce religious turmoil into Poland deliberately. Goltz, who has set out to wreck Poland's laws and liberties, is urged to restrain himself. If the writer were of the dominant religion, he would rather die than tolerate such an affront to his faith and country; even now, he would be ashamed if his fellow-Poles did not defend themselves. Goltz should remember that 100,000 *szlachta* have confederated in defence of the Catholic faith. Goltz is asked to keep the letter a secret, lest it be misinterpreted.²⁷

In his reply, 'Goltz' dismisses his addressee as a fanatic, and attaches no weight to his assertions of fundamental differences between Protestant and Orthodox. It is not for the dissenters to question the policies of Prussia and Russia. 'Goltz' proceeds to list the failings of the Catholic *szlachta*, who will "shout, scream and rage" over their faith, but lack the courage to defend it. Like their bishops, they are easily corrupted and intimidated. Sniping at the Piarist and Jesuit educational reforms, he accuses the clergy of educating the *szlachta* youth in a Voltairean spirit, to scoff at religion. At Radom, 'Goltz' claims, the dissenters would have obtained all they wanted, if they had to rely solely on the younger magnates, who do not care about religion, but for "ready access to offices, *starostwa* and honours" and fleshly pleasures. They are quite ready to assume whichever faith facilitates their prospects. As for the king, he observes only the forms of Catholicism. He cares only to advance the liars, blackguards and corruptors. If, as 'Goltz' asserts, Stanisław August was ready to support the dissenters to secure his throne, he will be equally ready to abandon his faith to retain the throne. 'Goltz' is quite content to see the Commonwealth

²⁷ 'Kopia listu od jednego z dyzunitów greckich z Litwy pisanego do Imci Pana Generała Goltza, marszałka konfederacji toruńskiej, die 26 Juni 1767mo. Ao.' AGAD/Sucha 19/28, *ibid.* 134/158.

lose its independence, for, in future, it is the dissenters, not the Catholics, who will lay down the law. He agrees that loss of independence is what the projected guarantee entails. Poland will be kept helpless and divided by its form of government; the *liberum veto* will frustrate Sejm; but the dissenters' faiths will be protected. 'Goltz' is cast in a double role: as a dissenter, who is glad to see his faith triumphant; as a patriot, who mourns the passing of liberty. Confidentially, he lets his addressee know what advice he would give, as a patriot, to the Poles. It is to seek the guarantee of other powers, Protestant and Catholic. Poland has nothing to fear from the altruistic Catherine II, but the situation may change under her successors. A multilateral guarantee will preserve the balance of power in Europe. How it would arrest the process of constitutional degeneration, he does not explain. Although he has just bewailed Poland's inefficient government and the effects of the veto, he is prepared to see these in continued existence.²⁸ 'Goltz' writes from the standpoint of the intelligent Sarmatian. He criticizes the, to him, deleterious effects of the Enlightenment, as transmitted through the progressive members of Poland's clergy. He sees a direct link between them and the Commonwealth's stagnation. He admits that all is not well with the Polish constitution, but he cannot bring himself to change it. He prefers to shift the responsibility for his country's existence into the hands of foreign powers.

Similar in tone is the 'Copie d'une lettre d'un marchand de Spaha ... datée le 15 juillet, 1767.' It reiterates the arguments of much of the literature of Stanisław August's early reign on religious dangers. "Je conviens que la tolérance est bonne quant aux consciences, mais une admission de différentes religions dans le gouvernement y donne nécessairement une division dangereuse..." Particularly alarming about the putative parity of dissenters with Catholics is that Poland will become a vassal state of Russia, the more so with a Russian guarantee. With time, Poland may become fully Protestant. The king seems to be in league with Russia, the younger Republican leaders, indifferent to religion, will exploit the situation by apostasy. The riches and ignorance of the clergy will contribute to the destruction of Catholicism.²⁹ The letter is free of the outright slanderous accusations that characterize popular propaganda. Written in

²⁸ 'Respons Imci Pana Goltza, marszałka konfederacji toruńskiej, na list dyzurny litewskiego, pisany die 15to Augusti 1767Ao.' AGAD/Sucha 19/28, *ibid.* 134/158, *ibid.* ARVI II-77, pp. 277-280.

²⁹ 'Copie d'une lettre d'un marchand de Spaha à un de ses amis en Pologne, ou l'on voit, ce que les gens sensés pensent dans les pays étrangers touchant la situation des affaires en Pologne, datée le 15 juillet, 1767.' AGAD/Sucha 19/28. Polish version, PAU 313.

French, it seems to have been framed to appeal to the more educated elements of Polish society, the magnates and richer *szlachta*. It reflects the very real fears of the possible consequences of conceding the dissenters' equality. Its insinuations against the king, if temperate, are ominous. The tragedy of Stanisław August's situation was that, to salvage the reforms, he had to co-operate willy-nilly with Russia. Because of the unpopularity of Russian policy, he could only do so at the cost of cutting himself off from the nation whose condition he was striving to improve.

Undoubtedly, the literature just examined reflects significant trends in public opinion. To some extent, it suffers from the disadvantage of all propaganda: if it reflects public opinion, it is also mannered polemic, designed to influence that opinion. As such, the degree to which it represents the spontaneous feelings of the Catholic *szlachta* is arguable. Literature obviously traceable to the *szlachta* rank and file is virtually non-existent. However, one example of such a genre survives: the 'Letter of the Masovian, Truthspeaker,' according to one version, written at Nur on 25 October, 1767.³⁰ The letter is composed in a direct transcription from the colloquial language of the Masovian region. Numerous, often earthy anecdotes of village life are used to illustrate the author's points; the respectful attitude towards more educated local luminaries, from whom the writer receives news and information give the document a flavour of spontaneous authenticity and tavern politics missing from its more sophisticated counterparts (the nearest to approach it in style is the 'Discourse between a Pole and a dissenter concerning the present misadventures...'). 'Truthspeaker' claims to be a cook who travels about the parishes of Masovia, preparing meals for the local clergy, a major source of his news. Sometimes, he travels as far afield as Warsaw, "so I don't just sit at home, and, from what I hear, there is something wrong with your [the dissenters'] brainboxes."

The letter is addressed to general Jan Grabowski, marshal of the confederacy of Słuck. A. S. Goltz, marshal of the more closely-based Thorn confederacy, would seem to be the more natural addressee, but, possibly, neither 'Truthspeaker' nor his informants were to clear as to who was marshal of what.³¹ He is under the impres-

³⁰ 'List Mazura Prawdeckiego,' date and location (supported by internal evidence) given with the version in AGAD/Sucha 233/281; other copies, *ibid.* 19/28, *ibid.* 88/109, *ibid.* APP. 313, vol. III.

³¹ 'Truthspeaker' also claims to have been in the service of the Grabowski family in his youth. He remembers his addressee's mother, "and old woman, mighty polite," who, if she were still alive, "would never allow you to make so much trouble."

sion that only the Calvinists are pressing religious demands — “We have Lutherans, Tartars and Jews, but none of them want honours, being content with a comfortable life, and sometimes military rank.” It would have been better if the Calvinists, too, had “attended your synods and there counselled about some devil or other, why, we would never have said a word to you.” ‘Truthspeaker’ reasons that if their religion is as good as the Catholic, any Catholic would help them achieve honours. If their faith is better, they should remain quiet, like Catholics in England or Holland. But if the Catholic faith is better, they have no business demanding advantages in Poland. To call in the Russians is to let the wolf into the backyard. If, as the dissenters claim, in their “Federation,” they are loyal subjects of the king, they would never have done so. ‘Truthspeaker’ has heard “from scholars” that the dissenters’ real intention in invoking Russian aid is to force the king to use his powers of patronage in their favour — but they will be confounded. Ivan the Terrible, sorely pressed by the Poles under Stefan Batory, promised obedience to the papacy, later to go back on his word. Equally, Stanisław August would be justified in breaking any promises made over the dissenters. The latter claim that the Sejm will promulgate immutable constitutions. “My lovely Saviour! how stupid of you! Why, I heard from the deputy-judge at Zakroczym, God rest his soul, he was a fine man and always gave good advice, he always said that one statute can annul another.” By their conduct, the Calvinists have degraded Poland. A few weeks ago, in Warsaw, ‘Truthspeaker’ heard “a dog of an Italian” declare that “in Poland, there is much learning, but little sense, there are many people, but few men, there is much bread, but little comfort, too much bravery, but too little strength...” Though ‘Truthspeaker’ almost burst with fury, he had to admit the Italian was right, “And it’s you Calvinists who are responsible.” They also put Replin up to the arrests of October 13. It is not Russia directly which is to blame. “Why, the Czarina is our wise friend, as everybody says.” She is fully aware of the dangers of attacking the state religion—that led to her late husband’s downfall. Thanks to her, the Commonwealth has its own, Polish king—“we’ve had as much as we can take of the Saxons.” After the 1766 Sejm, the dissenters and Replin falsely told the Empress that Poland’s liberties and laws were threatened. Thus, they aroused her anger, but, if she knew the truth, she would never have sent in troops. “Moscow” will turn against the Calvinists. At a sermon, ‘Truthspeaker’ recently heard how Judith put the Babylonians to rout by cutting off the head of Holofernes. “If the Lady Judith could do that, what may not Our Lady of Częstochowa, our eternal queen, do?” After all, she had put the Swedes, under

Charles X, to flight.³² He cannot understand why the dissenters should have had recourse to such a "stupid" way of altering the country's constitution. Today, even Luther and Calvin would admit that they would not make any new converts "for now the world has grown wiser." Catholics and Calvinists alike are Christians. Their religions are so similar, that if the latter wish to be elected to the Sejm, they should adopt Catholicism. By turning against Catholicism, they turn against Poland.

The value of 'Truthspeaker's' letter lies in the unique insight it offers into the *szlachta* mind. The particular opinions he voices are not, of course, representative of the nobility as a whole. As a Masovian, a native of an area close to Warsaw and of a palatinate held by Stanisław August's father, his loyalty to the king is not surprising. His faith in Catherine II's good intentions is alarming, but, as we shall see, it was an attitude encouraged by the Polish magnates. He shows a rough and ready tolerance of religious minorities, only their inflated pretensions upset him. He ascribes all of Poland's ills to the dissenters, just as the Republicans ascribed them to the king. Constitutional niceties are of little interest to 'Truthspeaker'. He does not perceive any threat to Poland's liberties in the 1764 reforms. He makes no reference at all to the Confederacy of Radom, a pity, for his opinion (if he had one) would have been interesting. As his main concern is to criticize the dissenters, he may have found it irrelevant. Inevitably, his sources of information—the pulpit, gossip, local worthies—colour his view of events. He is not even too sure of what is actually happening in Poland. The views of *szlachta* further removed from the capital, and who scarcely left their villages, particularly the illiterates, could only have been hazier still. To the vast majority, the events of 1767 could only have appeared as a bewildering succession of Russian troops, well-worn slogans and rumours of strange goings-on.

These writings emanated principally from the *szlachta* themselves. They were accompanied by propaganda 'from above', from the leaders of the Confederacy and from other eminent personages. We have already seen some examples: the letters of Mniszech, J.Kl. Branicki, Sołtyk to the 1767 *sejmiki*, copies of major speeches, circulating in manuscript or printed form. This category includes Panin's open letter to Repnin, the Imperial declaration of March 26 and, last but not least, the numerous papal letters fulminating against concessions to the dissenters. In the letters of Polish digni-

³² A reference to the unsuccessful siege of Częstochowa by the Swedes, in 1656. The Polish victory was popularly attributed to the assistance of the Blessed Virgin.

taries, the person of Catherine is always beyond reproach, no matter what criticisms might be made of Repnin or of Russian troops. In the direst circumstances, Republicans made every effort to praise the Empress and her good intentions. By the beginning of October, the Radomian embassy's reports had confirmed that Repnin's actions had the full backing of his court. Nevertheless, the declarations of confidence in the Empress were fully maintained. They may be seen as insurance against her wrath and as providing the Russian court with the opportunity, should it wish to use it, of moderating its policies without loss of face. Secondly, the Poles had a concrete set of documents to fall back on: the open letter and the Imperial declaration. To invoke these against the excesses of Russian troops was a natural step for the *szlachta's* legalistic cast of mind. Whatever the reasons behind such dutiful posturing towards the Empress, it must be remembered that these sentiments were aimed at the *szlachta* masses and emanated from the highest in the land. Their publicly expressed opinions could not but rub off on their younger brethren.

From his house-arrest at Poryck, Felix Czacki, *podczaszy* of the Crown, sent two open letters to Karol Radziwiłł, immediately before and after the *sejmiki*. The first, dated August 23, describes the course of his arrest and his conditions of detention. Czacki declares he is innocent of any crime. It is Repnin, in Warsaw, who is responsible for his unjust treatment. Against his fiat, Czacki will appeal to Catherine II, "a lady as wise as she is just, who has graciously declared that she desires the happiness of every citizen . . . according to our ancient laws . . ." ³³ Three days later, Czacki urged Radziwiłł to lay his case before the Empress, through the embassy (failing which, he would appeal to her directly himself). For the arrest of a *szlachcic* en route to the *sejmik* was an injury done not only to the nation, but to the Imperial declaration "which assures us of the security of our national liberties and fortunes." ³⁴

Letters from Mniszech, J. Kl. Branicki and Sołtyk, written for the *sejmiki*, contained similar invocations of the Imperial declaration. Sołtyk, in expectation of his arrest, drafted a *manifest*, which he entrusted to one of his entourage to register after his seizure. The *manifest* contains a summary of Sołtyk's services to the nation. As a bishop, he has tried to keep Catholic souls free of the errors of the dissenters; as a senator, he has opposed the dissenters' pernicious demands; and, as a citizen, he has sought the good of his country,

³³ 'List J. W. Podczaszego Kor. do J. O. Xcia Imci Radziwiłła 23 Aug. 1767' AGAD/Sucha 19/28.

³⁴ 'List drugi tegoż J. A. Czackiego . . . do J. O. Xiążęcia Imci Radziwiłła . . . die 26 Augusti 1767 Ao. z Porycka' *ibid.*

threatened by the dissenters. For fulfilling his obligations, he has been arrested. In his person, the freedom of Poland has been violated—not by Catherine II. It is unthinkable that she, “who fills the world with the magnanimity of her soul, who provides celebrated and immortal instances of wisdom, justice, goodness and other most excellent qualities, has ordered the imprisonment of a bishop and senator for the execution of his . . . duties.” The Polish nation is privileged to have as its neighbour Catherine, “who has deigned to demonstrate the magnificent fruits of her friendship through her declaration. Prince Repnin alone . . . should be condemned for such actions against me, I see his hand in this, inspired by the dissenters . . .” Playing the role of the humble pastor, Sołtyk urges his flock not to have recourse to violent measures, but to resist the demands of the dissenters and defend Poland’s liberties. He does not say how this can be done without violence. He does not even suggest appealing to the Empress against her ambassador’s methods.³⁵

Sołtyk’s *manifest* was first registered in Grodno, in Lithuania, by Karol Litawor Chreptowicz, marshal of the confederacy of Grodno, and deputy to the Sejm.³⁶ On October 26, Chreptowicz registered and published his own *manifest*, which gained some notoriety in the country.³⁷ This lengthy document, an indictment of Repnin’s use, or rather, misuse, of Russian troops, is a paean of praise to Catherine II. It also contains ideas of what she would have done in Poland, had it not been for the deleterious intermediacy of her ambassador.

Chreptowicz protests before God and the Trinity, before king and Commonwealth and “especially before Her Most Gracious Majesty, the Empress of all the Russias” against Repnin’s activities in Poland. He traces a history of Catherine’s intervention in the Commonwealth. As the wise, compassionate and respectful neighbour of a free nation, she received the complaints of patriots at the infringement of Poland’s fundamental laws, and of dissenters at the derogation of their rights. She had decided that an Extraordinary Sejm would best resolve the various problems. She sent in her troops to succour those who called to her, that she might see the Commonwealth “free, content, and completely at peace.” Confident that they could now settle all differences without hindrance—as the Empress intended—the patriots confederated and prepared for the

³⁵ ‘Manifest J. O. Xcia Biskupa Krakowskiego’ (dated October 13, 1767), *ibid.* 19/28, *ibid.* 88/109, *ibid.* 233/281, *ibid.* 134/158.

³⁶ St. Saphorin to Bernstorff, Feb. 17, 1768, RA. Cop. TKUA Polen AIII 46.

³⁷ St. Saphorin to Christian VII, Feb. 11, 1768, *ibid.*

Sejm. Repnin's use of force at the *sejmiki* came as a great shock. The arrests of Sołtyk and the others during the Sejm were equally horrifying and unexpected. "The declaration of Her Imperial Majesty . . . confirmed by count Panin's letter, not only forbids us to expect or even to entertain the prospect of such steps, but, on the contrary, assures us of the total and inviolate security of our liberty, ruling faith and national laws . . ." The Empress expects Poland's citizens to conduct their affairs as a free and independent nation. Repnin's proclamation of October 14, accusing his prisoners of disrespect towards Catherine, is nonsense: his own actions are contrary to her intentions. His conduct will only arouse widespread international sympathy for Poland. It is impossible, Chreptowicz repeats, for the Empress to have authorized the perversion of her sincere intentions. Far from wishing to harm the Catholic faith, Catherine wishes to safeguard and respect its dominant character. As for the dissenters, she wishes to ensure that none of the Commonwealth's denominations exceed their lawful sphere. True, in her declaration she says that she will punish those who move against the dissenters or against Russian troops, but, maintains Chreptowicz, she has been deliberately misinterpreted by Repnin, who persecutes the defenders of the cardinal laws, religion and liberty. The persons arrested by him have committed no crime, beyond seeking the consolidation of justice and the laws, in keeping with Catherine's wishes. Repnin uses his troops to exalt the dissenters at the expense of law and liberty. In so doing, he offends not only the Commonwealth, but besmirches the name of his own sovereign. In view of all this, Chreptowicz protests, the proceedings of the Sejm in general, and the Delegation (itself illegal) in particular, are irregular, invalid and contrary to the Catholic faith, the Commonwealth's liberties and cardinal laws.³⁸

Chreptowicz's *manifest* brings out the many contradictions of the malcontents' position. Even as he proclaimed his country's right to independence, he admitted that its internal affairs could and should be settled by the (benevolent) intervention of a foreign power. He avowed his attachment to Poland's ancient laws and liberties, the very institutions which kept the Commonwealth weak and incapable of dealing on equal and independent terms with its more powerful

³⁸ 'Manifest J.W.J.P. Karola Litawora Chreptowicza, marszałka konfederacji, pisarza ziemskiego i posła powiatu grodzieńskiego na Sejm Extraordynaryjny Warszawski,' AGAD/Sucha 19/28, *ibid.* 232/281, *ibid.* 134/158. . After registering his *manifest*, Chreptowicz fled Poland and made his way to Rome, where he was received with great honour by Clement XIII. St. Saphorin to Christian VII, Feb. 11, 1768, RA. Cop. TKUA Polen AIII 46.

neighbours. Whether Chreptowicz and his ilk were actually capable of seeing any contradiction in this remains debatable. Branicki, Wessel, Sołtyk and Mniszech were well aware that Poland's territorial integrity was threatened.³⁹ But if short-sighted, the Republicans' attachment to Poland's ancient constitution, for all its recognized faults, was genuine. For them, the Commonwealth was but the sum total of its illusory liberties, the maintenance of which was equivalent to the maintenance of independence. Independence, in the sense of a nation controlling its own affairs and destiny, was an irrelevant concept. The malcontents were content with the status *quo ante interregnum*. The point of their politics was that Poland should have no affairs or destiny, beyond the preservation of ancient laws and liberties. This could only be done by neighbouring states. To give the Commonwealth its own means of preserving those laws and liberties could only mean destroying those laws and liberties. In the Polish context, independence meant dependence. Because it did so, the Commonwealth's dependence developed, with time, into physical assimilation by the tutelary powers.

It is difficult to gauge the extent to which the illusory confidence in Catherine proclaimed by the magnates established itself among the *szlachta* rank and file. At the Kamieniec Podolski *sejmik* in August, 1767, a spontaneous outburst of fury engulfed the participants, who spat and trampled upon the Imperial declaration and Panin's letter. Much of the literature we have seen is strongly anti-Russian in content. Yet it remains improbable that the reassurances of the confederate leaders, enunciated even in the most extreme circumstances, could not have had some effect on their following. Where the Russians are attacked in the Radomian literature, they form just one, and not always the major one, of a number of 'targets of invective. More sophisticated literature, such as the 'Goltz' or the Spaha merchant's letters, shows Russia possessed of active schemes for the subjugation of the Commonwealth. Elsewhere, Russia is attacked not because she is an occupying power, but because she assists the dissenters or the king in setting up despotism, trampling on religious rights, defiling the ancient constitution—in other words, doing all the malcontents did not want to be done. It is necessary to pose the hypothetical question: how would Radomian propaganda have treated Russian activity if it had been directed along the channels envisaged by the malcontents? The answer is surely

³⁹ For J. Kl. Branicki, see Mokronowski to Essen, Białystok, Jan. 20, 1766, SLHA 3561 IIIa, f. 106; for Wessel, Essen to Flemming, Oct. 1, 1766, *ibid.* 3561 IIIb, ff. 324-326; for Sołtyk and Mniszech, see Sołtyk to Mniszech, Kielce, Feb. 28, 1767, B.Cz. 3862, no. 24.

that it would have hailed Russian intervention as fulsomely as Sołtyk, Mniszech, Czacki, Branicki et alii praised the Empress's good intentions. The attitudes expressed in the 'Second Ode of the Polish Revolution' or in 'Truthspeaker's' letter offer some indication of this. Russia was attacked because of her lack of understanding and inept handling of Polish affairs, not because she intervened. It is significant that, after the formation of the Confederacy of Bar, before the first clashes with Russian troops, the Barists were sufficiently naive to think that they could persuade the Russians to support their cause.⁴⁰ As late as September, 1768, after several months of bloody guerrilla warfare, Franciszek Machczyński, *komornik* (assistant to the *podkomorzy*) of Dobrzyń, once regent to the Confederacy of Radom, could register a *manifest* deploring Russian military activity, but placing the responsibility on Repnin alone. "My maltreated country, you have nothing to fear if prince Repnin's conduct is unbridled and wicked. He remains the servant of the absolute mistress of his country. He has forgotten the obligations of service, obedience and loyalty . . ." His actions have violated the declarations of Catherine II. His misdeeds will be suitably rewarded.⁴¹ In the early years of Stanisław August's reign, the attitude of large sections of the *szlachta* towards Catherine II was characterized by a classic "subject mentality"; the Empress is good, her ministers are bad, once the truth reaches her, matters will be put right. Without realizing it, many of the Polish *szlachta* had become the Empress's subjects in all but name.

CHAPTER IX

RADOMIAN PERSPECTIVES

The Confederacy of Radom threw into relief the worst aspects of the *szlachta*. They showed themselves incapable of mobilising to meet the threat of foreign intervention, many of them did not even realize that such intervention posed a threat to the existence of their state. Polish 'Liberty' which reserved extensive rights for the *szlachta*, which enabled a large proportion of the country's citizens to participate in the political and constitutional decision-making

⁴⁰ Wł. Konopczyński, *Kazimierz Pułaski* (Cracow 1931), p. 24.

⁴¹ *Manifest* of Franciszek Machczyński, Lipno, Sept. 26, 1768. PAU 953, f. 1663.

processes, was a luxury which the nobility could afford only if they took the responsibilities of their position seriously. In a state encumbered with a constitutional monstrosity of the magnitude of the *liberum veto*, the prerequisite even of physical survival was a widespread will to reform in general, of the veto in particular. This the *szlachta* failed to show. Certainly, individual *sejmiki* did, at certain times demand far-reaching reforms. But the instructions enunciated over the years fail to show any widespread, consistent desire for specific reforms. Too often they were the expression of the self-interested policies of the great magnates, to whom the Commonwealth's anarchy permitted a degree of authority over the nobility and over the functioning of the government which would have been denied them in a well-ordered state. True, the local assemblies accepted that there was something rotten in the state of Poland, but they did not dare, collectively to translate their awareness into remedial action.

The citizens of the theoretically sovereign Commonwealth were, on the whole, content to let a foreign power, Russia, be the arbiter of their affairs, provided their privileges and prejudices were respected. The Confederacy of Radom did not arouse the spontaneous enthusiasm of the *szlachta*, as Russia and her magnate allies hoped it would. The Russian demands at the *sejmiki* of 1767 encountered strong resistance and the settlement imposed at the Delegation Sejm of October 1767—March 1768 provoked a national uprising. But the nature of this resistance must be clearly understood. It was provoked not by the fact of Russian intervention in Poland, but by the methods used. Russia did not respect the religious prejudices of the *szlachta*; those prejudices were too tightly entwined with the *szlachta's* view of themselves to permit any power to trample on them without arousing the most serious consequences. There was also resistance on constitutional grounds. But the forces anxious for reform had to co-operate with the Russians merely to survive. The opposition in 1767 came mainly from conservative elements which hankered after a return to the Saxon anarchy and which feared that the Russian-imposed settlement, which they had unwittingly aided and abetted, would cheat them of their longed-for prize. The Commonwealth had to wait almost thirty years before a genuine, widespread craving for national independence and sovereignty emerged among the *szlachta*.

The misunderstandings and chaos which characterized the Confederacy of Radom sprang from the clash between the two diametrically opposed social and political systems of Russia, a dynamic despotism, and the decaying republicanism of Poland-Lithuania.

Russia tried to impose her own policies on a weak, defenceless Commonwealth through the medium of the Poles' own decaying institutions, which the Russians made little attempt to understand. "On ne commande pas une Diète comme un régiment" wrote Stanisław August to Franciszek Rzewuski in St. Petersburg.¹ Perhaps the closest eighteenth century Russia approached to parliamentary forms of government was Catherine II's legislative commission of 1767-1768, but this was indeed commanded very much like a regiment. There was none of the acrimonious discussion which marked Polish Sejm. Control of the assembly remained very much in the hands of the Empress and her advisers.²

The practice and traditions of the Commonwealth ran completely counter to such an approach. The Sejm could be made to accept repugnant decisions from above only by the application of brute force. Repnin incurred considerable censure from his diplomatic colleagues for the harshness of his behaviour towards the Poles,³ yet he himself had little faith in his court's policies on the dissenters, the major point of friction, and several times confessed his inadequacy for handling Polish affairs.⁴ However, the very people who criticized his methods believed that force was the only way to deal with the Poles. At one time or another, Wroughton, St. Saphorin, Essen and Benoit all thought it should be used to further Russia's aims.⁵ For the only alternative was to reinvigorate the Commonwealth's institutions, rendering it capable of undertaking momentous constitutional and political changes, a course which neither Russia nor Prussia would consider.

Overt resistance to Russian demands was impossible for the Poles, who could resort only to persuasion and prevarication, which, in turn, only drove the exasperated Russians to further violence. Under the rule of the Saxon kings, Poland had counted for increasingly

¹ Sept. 17, 1766, Sb. vol. 67, no. 1405; in a letter to Stanisław August of July 22, 1766, Michael Czartoryski likewise observed that Russia had little appreciation of Poland's constitutional problems. B. Cz. 659, ff. 321-324.

² P. Dukes, *Catherine II and the Russian Nobility* (Cambridge 1967), pp. 77-83.

³ Essen to Flemming, July 4, 1767, SLHA 3562 IVb, f. 46; Wroughton to Conway, Oct. 14, 1767, PRO. SP. 88/94.

⁴ St. Saphorin to Bernstorff, Sept. 27, 1766, RA. Cop. TKUA Polen AIII45; to Bernstorff, Feb. 11, 1767, *ibid.* AIII46; Essen to Flemming, Nov. 15, 1766, SLHA 3561 IIIb, f. 590; to Flemming, Jan. 3, 1767, *ibid.* 3562 IVa, ff. 5-6.

⁵ Wroughton to Conway, Nov. 26, 1766, PRO. SP. 88/92; St. Saphorin to Bernstorff, Sept. 19, 1767, RA. Cop. TKUA Polen AIII46; Flemming to Essen, April 15, 1767, SLHA 3562 IVa, f. 358; Benoit to Frederick II, Aug. 29, DZA 9/27-179, f. 127.

less in international politics. The attentions of her statesmen and leaders were almost wholly absorbed by unproductive, internal family power struggles. Isolated from the wider European world, proud of their own positions, flattered by the attentions of the foreign powers that used them, Poland's magnates were all too often incapable of adapting to the harsh realities that international politics forced upon them after the death of Augustus III. Reformers, as well as Republicans, were easily gulled by worthless promises. Even Michael Czartoryski believed that should any rectification of Poland's frontiers take place, Russia would be prepared to cede her share of Livonia to the Commonwealth.⁶ The Republicans were prone to the most fantastic feats of self-delusion, as we have seen: that Stanisław August would be deposed, that Catherine would abandon the dissenters, all declarations and evidence to the contrary notwithstanding. During the confederacy of Bar, even as Russia, Prussia and Austria were negotiating the first partition, Adam Krasiński or Teodor Wessel actually believed that the Poles, with Turkish or French aid, were not only capable of expelling Russian troops from their territories, but even of recovering the Commonwealth's former possessions of Smolensk or Kiev.⁷ Persons who gave themselves to this degree of self-delusion were no match for the representatives of the military despotisms of Prussia or Russia.

The Russians were able to triumph in Poland in 1767 not because of any diplomatic or political finesse, but because of their immense superiority in strength over the Poles. Their attempt to use the dissenters as an instrument of domination in the Commonwealth may have had its rationale in terms of propaganda value in the age of "écraser l'infâme" but in political terms, it was a blunder of the first magnitude, which no number of appeals to *szlachta* solidarity or equality could redeem. The language of the act of the Confederacy of Radom, observed count Flemming, "devrait être adopté en tout lieu, pour le bonheur du genre humain." It was a poor reflection on the confederates that such "maximes justes et raisonnables" repelled them.⁸ The sentiments of the act on equality, on the place of the citizen in the state, its insistence on the rule of law against despotism might indeed have served to secure it a position comparable to that of the American Bill of Rights or the French 'Déclaration des droits de l'homme et du citoyen.' It could not oc-

⁶ M. Czartoryski to Stanisław August, June 6, 1766, B. Cz. 659, f. 298.

⁷ J. Michalski, *Schylek Konfederacji Barskiej* (Wrocław-Warsaw-Cracow 1970), pp. 5-6, 15, 35.

⁸ Flemming to Essen, Dresden, July 8, 1767. SLHA 3562 IVb, f. 54.

copy a comparable position for its language and slogans reflected the ideology of a privileged minority, which in any case disagreed with what the act said about the dissenters, which was determined, as perhaps never before in its history, to maintain its exclusive, elitist position. In the eyes of the malcontents, the very terms 'despotism', 'liberty', 'law', 'equality' had acquired a perverted meaning which masked their desire for a reversion to the pre-Stanislawian anarchy. In 1576, the *szlachta* had agreed voluntarily, among themselves, to throw the highest offices of the state open to dissenters. In 1767, the Catholic *szlachta* were struggling to retain their identity and ossified privileges and were in no mood to accept the fashionable phrases of the Enlightenment, even if clothed in their own ideological language, from powers which did not believe in them themselves.

Repnin's Sejm and the treaty of February 24, 1768, were disasters for Poland. The Commonwealth was locked in the rigid grip of a Russian guarantee. The future activity of Sejmy was to be confined to the supervision of the administration, not to the framing of policy or meaningful legislation. Though the anarchy of the Saxon era had been curbed, Poland was reduced to political impotence and dependence on Russia.

The settlement of 1767/68 was to prove an illusory triumph for Russia herself. Panin still hoped that Poland might prove a useful member of his Northern alliance, particularly in a future war against Turkey.⁹ Yet, by making increases in the army, alliances, declarations of war and peace as well as financial policy subject to unanimity, the Russian court had excluded that possibility. The solution, Panin said, lay in further confederacies.¹⁰ It was a tacit admission of failure, even if Panin did not realize it. Poland, in its natural state, remained useless to Russia, despite four years of effort. It could be activated only with the exertion and expense that had attended the Czartoryskis' confederacy of 1764-1766, and the Confederacy of Radom in 1767. Both had proved most unreliable instruments of policy.

Panin was aware of the frailty of the settlement in Poland. Early in 1768, the Porte, finally alarmed by Russian activity, began to show active concern for events in Poland. To allay its fears, Obreskov promised that Russian troops would leave Poland as soon as the Delegation Sejm had concluded its work. Panin was not yet ready for an open breach with Turkey, and, although he regretted Obres-

⁹ Panin to Repnin, Nov. 29/Dec. 9, Sb. vol. 67, no. 1597.

¹⁰ *ibidem*.

kov's precipitate promise, he agreed the Russian withdrawal should start in May, 1768, after the spring thaw.¹¹ Ideally, he would have preferred to retain "some of the troops in Poland to the next Sejm [due in October, 1768], so that the dissenters may enter their new role under the troops' protection; without which they may not even be admitted to the *sejmiki*..." He hoped the Poles would be too intimidated to exclude the dissenters, but, if necessary, it might be possible to draw out the evacuation of Poland until the *sejmiki*. If no dissenters were elected, Russia would have an excuse to prolong her troops' stay, on the grounds that the Commonwealth had renounced its treaty obligations.¹² In other words, Russia would have to start all over again. Try as he might, Panin could not hide the fact that Russia had failed to secure a satisfactory restoration of the dissenters, but had placed a millstone around her own neck. On March 6, 1768, the day after Repnin's Sejm closed, news reached Warsaw that a counter-confederacy had been formed in defence of the Catholic faith and Poland's ancient liberties, at Bar, in Podolia, on February 29, by Joseph Pułaski and Michael Krasin'ski, brother of the bishop of Kamieniec Podolski.¹³

The settlement was regarded as unsatisfactory not merely by Catholics, but by the dissenters themselves. After the Delegation Sejm had arranged their affairs, dissenter artisans began complaining that they would be faced by unfair competition from numerous foreign immigrants. Hitherto, they had considered their position perfectly adequate. Only the *szlachta* stood to gain substantially.¹⁴ In turn, the *szlachta*, led by A. S. Goltz, were angry at the official designation of Catholicism as the ruling religion and the punishments against apostasy, as they had counted on attracting leading Catholic notables to their faiths.¹⁵

Konisski accused Repnin of having done too much for the Lutherans and Calvinists, too little for the Orthodox. He was dissatisfied that only the see of Mohilev had been confirmed for his denomination. He also wanted the restitution of the three other Orthodox sees taken over by the Catholics since 1686.¹⁶ On Karol Radziwiłł's estates, Orthodox burghers wanted more places in the

¹¹ Panin to Repnin, Jan. 29/Feb. 9, 1768, Sb. vol. 87, no. 1631.

¹² *ibidem*.

¹³ Entry for Feb. 23/March 6, 1768, *Zhurnal general-maiora i kavalera Petra Nikiticha Krechetnikova*, ed. O. M. Bodyansky (Moscow 1863), p. 90.

¹⁴ Łuniewski to Mniszech, Nov. 28, 1767, PAU 1144.

¹⁵ St. Saphorin to Christian VII, 25, 28, 1767, RA. COP. TKUA Polen AIII46.

¹⁶ Jakubowski to Choiseul, Jan. 13, 1768, AE. Pol. 290, ff. 305-306.

town administration.¹⁷ Konisski, too, wanted converts. During the Sejm, Orthodox priests increased their proselytizing activities.¹⁸ Russia was not interested in the expansion of Orthodoxy, which would only attract serf refugees from her own territories. Orthodox proselytizing was one of the causes underlying the last of the great peasant uprisings of the Polish Ukraine, from April 1768 to July 1769. It was bloodily suppressed, mainly by Russian troops.¹⁹

During the Confederacy of Radom, the dissenters' issue, originally a means to the consolidation of Russian influence in Poland, had become an obsessive end in itself. Within a few years, Catherine was forced to admit the folly of supporting the dissenters. At the Sejm of 1775, which concluded the settlement of the Commonwealth after the first partition, the religious legislation of Repnin's Sejm was largely reserved. The 'iudicium mixtum' was abolished, the use of bells at dissenters' religious services was forbidden. Most importantly, dissenters were expressly excluded from the Senate and from ministerial office and only three places were allocated them in the chamber of deputies, one for each of the provinces of Wielkopolska, Małopolska and Lithuania. They remained eligible for all other judicial and administrative posts.²⁰ Their new position was but a token of the efforts earlier expended on their behalf by Russia, which now chose to supervise the Commonwealth through ambassadors, in partnership with the king. Stanisław August was able to exercise a degree of authority within Poland through the medium of a permanent council, finally established in 1775 as the executive organ of the Sejm. The ultimate authority in Poland, up to 1788, however, continued to be the Russian ambassadors.

Substantial parts of the Delegation Sejm's arrangements survived. The formal, tripartite division of Polish law into the cardinal laws, *materiae status* and economic matters remained until the final disappearance of the Commonwealth in 1795. Their content varied from time to time, but only for a brief period after the reforms of the Four Years' Sejm, in 1791, when the *liberum veto* was abolished

¹⁷ B. Niepokojczycki to K. Radziwiłł, Sept. 26, 1767, AGAD/ARV 226/10402.

¹⁸ Kroger, *gród* judge of Orsza to J. Smogorzewski, Jan. 24, 1768, B. Cz. 707, f. 65; anonymous correspondent to Smogorzewski, Feb. 7, 1768, *ibid.* f. 62.

¹⁹ There was constant friction between peasants and landlords in the Polish Ukraine, exacerbated by religious differences. The apparent progress of Orthodoxy at the Delegation Sejm encouraged the serfdom, particularly of the palatinates of Braclaw and Kiev, to rise against the *szlachta*. Polish troops were insufficient to restore order, which was done by the Russians, who feared that their own peasantry might be encouraged to revolt. W. Serczyk, *Hajdamacy* (Cracow 1972) pp. 306, 347-368.

²⁰ Vol. Leg. VIII, pp. 47-49.

(only to be restored under Russian and Prussian pressure in 1793), was the constitution to permit the Commonwealth a real measure of political independence and legislative efficacy. The device of a Delegation, first used in Poland during the 1767-1768 Sejm, was employed to expedite the legislation of the confederated Sejm of 1773-1775, and on occasions by the Four Years' Sejm, although the latter, under wholly Polish control, did not give its delegations as wide-ranging powers as its predecessors.

The effects of the Radomian episode were not confined to the constitution. For Radom contributed to the demoralization of the Commonwealth. *Szlachta*, king and magnates hastened to prostrate themselves before Catherine II. Stanisław August admittedly had no choice. Only by self-abasement could he rescue anything of the reforms introduced in 1764. Yet too many of the Poles were prepared to let others run their affairs for them, too many were concerned for the survival of their privileges, too few for the survival of their state. Despite local revulsions of feeling against the magnates during the Radomian adventure, they continued to retain their grip on the *szlachta* masses. The decentralizing doctrines of the malcontents continued to flourish among the Republican opposition to the end of Stanisław August's reign. The Radomian proposals, which would have split the Commonwealth into a federation of autonomous principalities controlled by local magnates, were once more enunciated by Seweryn Rzewuski and F. S. Potocki's son, Felix, during the Four Years' Sejm and under the confederacy of Targowica, a latter-day Radom, which, in 1792-1793, served the Russians once more to overthrow Polish reforms. In 1792, the king and many of his supporters acceded to Targowica, as they had to Radom in 1767, in a desperate effort to muzzle its destructive tendencies — with as little success. Soon after Targowica, came the final destruction of the Polish state.²¹

The sole person to make any positive gain from Radom was Frederick II. He foresaw, correctly, that the involvement with the dissenters would bring Russia only trouble. He was content to watch from the sidelines, stepping in only at any hint of reform in Poland, convinced that, sooner or later, her dismemberment and the territorial consolidation of Prussia were inevitable. In 1772, he obtained his reward — most of Polish Prussia.

By using the dissenters, the Russians bungled their chances of turning the entire Commonwealth into a vassal state. Their policies provoked a fierce, Catholic, nationalist reaction in Poland in the

²¹ W. Smoleński, *Konfederacja Targowicka* (Warsaw 1903), pp. 176-177, 215-216, 222-223; E. Rostworowski, *Ostatni Król Rzeczypospolitej*, (Warsaw 1966), pp. 266-272.

shape of the confederacy of Bar. In 1768, war broke out with Turkey and, although Catherine emerged victorious in 1774, she was unable to use all her resources to crush the Barists, who continued to harass her troops until 1772, when the international tensions accumulating over Poland, particularly between Austria — afraid of growing Russian power — and Russia found their resolution through the first partition. Catherine thus renounced the solemn undertaking she had given in the treaty of February 22, 1768, to preserve the Commonwealth's territorial integrity. Not only the Commonwealth suffered. The guarantee had made the entire state, the second largest in Europe, Russia's vassal. In 1767, the entire Commonwealth of the two nations lay at Catherine's feet. In 1772, she was obliged to share it with Frederick II and Maria Theresa. True, Russia retained real control of the still extensive remaining Polish territories. But the lion's share of the partitioned territories went to Austria and the wealthiest to Prussia. Russia gained a naturally defensive frontier with the Commonwealth, which she did not need. Two potential rivals, Austria and Prussia, received new strength in manpower and natural resources.

The major losers were, of course, the Poles themselves. Radom demonstrated that they did not deserve to retain their independence. Not until the Four Years' Sejm was there an outburst of reformist, national fervour, which might earlier have stood Poland in good stead. At the end of Stanisław August's reign it came too late. Yet, had it come in 1764-1768, Poland's position was still so weak, that the final result would almost certainly have been the same.

APPENDIX I

THE ACT OF THE CONFEDERACY OF RADOM ¹

To whom it may concern: We, the estates spiritual and temporal, Senators, dignitaries, marshals and councillors of the confederated palatinates and counties, officials of the counties and *grody*, knight-hood, *szlachta*, citizens of the Polish Crown and its provinces, fired by true zeal for the ruling Holy, Roman, Catholic Faith, and for our ancestral laws and liberties, having assembled in a General Confederacy of the Crown at the town of Radom, for the salvation of our country, Make known that the subversion of our fundamental laws was too evident, not to arouse the whole country. Divers excesses were too oppressive for a free nation not to feel the yoke; the inordinate ambition of those born our equals too swollen for us not

¹ AGAD/ML IX-38, pp. 1-14.

to take note, that it was directed to that end which befits only despotism, subverting the laws of equality, thereby threatening a free nation with intolerable absolutism. Hitherto, we have seen and... suffered this in timid silence, as ambition, outstripping equality, has, in a thousand ways, shut the lips of the right-thinking, bringing the whole nation to such an unfortunate pass, that it did not dare to groan, even in the extremity of suffering, for, at the smallest sign of complaint, our citizens were threatened that our neighbourly, auxiliary forces would be employed to further the will and aims of the covetous spirit of domination.

The declaration of Her Imperial Majesty, her minister's letter to prince Repnin... do not only finally fully inform us of this monarch's excellent intentions, but lead us to render due gratitude for the assurances, whereby she graciously promises to assist us in restoring our attenuated liberty, our fallen equality, the tarnished dignity of our citizens and internal peace. Who would not avail himself of the means to link our desires to the salutary intentions of Her Imperial Majesty... against oppression, ambition and despotism? Certain citizens had brought matters to such a pass, that, under the pretext of the public weal, they hypocritically sought to establish their own domination, calling it by different names, such as measures useful to our country, zeal for the faith, and so on. In fact, they had only one end in view — to spread confusion, sow discord among our citizens, and, after removing from the government persons thereto authorized by the law, to bring about the loss of liberty... under the pretext of upholding the Faith, and, in this confusion, to impose their long-desired despotism. Having, by such... means blinded, won over or deluded some of our citizens at the last Sejm, the spirit of domination sought (as from the outset of the Convocation Sejm) to destroy and subvert our statutes, and to annihilate the fundamental laws of our country. We, too, would have been the victims of these wicked snares... had not Her Imperial Majesty's foresight penetrated boundless ambition's designs, so pernicious to our country. This sagacious Empress realized that those, who wished to become all-powerful in our country, were trampling the most sacred laws underfoot, in order to exalt themselves on the ruins of the entire nation. To-day, not merely some of our citizens, but the whole Commonwealth, receives adequate proofs of Her Imperial Majesty's friendship... The Empress sends us armed help, so that we may counter further misrule betimes, uproot the faults threatening our fundamental laws, alter the statutes which destroy equality and restore that equality to our oppressed citizens.

We would be answerable to our successors and to our beloved country for the loss of our sweet liberty, we would deserve all the

misfortunes long prepared for us, if we put off any further the ways and means necessary for the salvation of our laws, liberties and freedoms. Therefore, we do unite, combine and confederate in defence of the ruling Holy, Roman, Catholic Faith in its entirety, in defence of the laws, liberties, freedoms and prerogatives serving each and every one of us, swearing on our Faith, conscience, honour and integrity, that we will not dissolve our union, until an Extraordinary Sejm, held under the guarantee and protection of Her Imperial Majesty (which we most strongly beseech), to determine in perpetuity the maintenance of our laws and liberty and the Commonwealth's form of government, does not restore our ancient freedoms, liberties, prerogatives and laws, the laws which are the cornerstone of our constitution, the laws which assure the security of each citizen, the laws bought by the blood of our ancestors, which have hitherto kept our beloved country in prosperity, peace and perfect happiness. We affirm that we do not combine against His Royal Majesty, but that our intentions are directed towards the common good. We are fully cognisant of that loyalty towards the king and his dignity enjoined by law, honour and duty on each citizen. We are certain that His Royal Majesty has no other aim but the happiness of his country and that he will deign to join his strength to ours for the restoration of our ancient laws, which have ever constituted the support of the throne and the good fortune of every citizen.

We are brought to confederate by the need to save our oppressed fellow-citizens and our subverted laws. Henceforth, we oppose and will oppose with all our strength all misrule imposed in defiance of the cardinal laws, all excesses harmful to liberty, all the irregularities of recent statutes, all the *vitia* and *abusus* introduced by the army and treasury commissions, detrimental to law and prerogative, and we shall demand their rectification. We desire to restore all innocent, persecuted citizens to their former dignities, and, as their unfortunate plight demands speedy rescue, we ask all our brethren to accord justice to those seeking relief as soon as possible. The excessive, unprecedented severity meted out to prince Karol Radziwiłł, the harsh edict of the previous Confederacy of the Grand Duchy of Lithuania, now justly reversed and declared illegal by the decree of the present Confederacy of the said Duchy,² should not only arouse compassion in every citizen, but should also be a salutary warning to us, not to oppress innocent citizens in similar fashion.

² The Lithuanian act of Confederacy differed from that of the Crown only in carrying a clause to this effect. Text of the Lithuanian act of Confederacy, AGAD/ML IX-36, ff. 62-67.

As to the Greek Orthodox and dissenters of *szlachta* estate, as well as persons of lesser degree, merchants, craftsmen and peasants, it is hard to pass over their distress in silence. A man of whatever condition and estate, in whatever country, under the equal protection of the laws, is honoured with citizenship. How true is this in our country, where, in every estate, our laws and statutes are wont to be established on the basis of equality. For how may a *szlachcic* be a *szlachcic* if he is not party to the laws of his own estate, how may a townsman be a townsman, when he is the equal of his fellow only in the weight of the burden he bears, but not in the benefits he enjoys? How may a peasant be a peasant, if he must work, but lacks land and home? Our country, like a good, just mother should love all her children equally, regardless of unavoidable human failings. It is no detriment to the Holy Catholic Faith to uphold the rights and prerogatives of those, who do not worship as we do. The spiritual condition is one, the temporal condition is another, the former belongs to the soul, the latter to the state. The former is subject to the decrees of God, the latter to the statutes of our country. Many Commonwealths have fallen, by beginning to destroy the equality of even a handful of their people. Ours, too, would have met this end, had we wished to modify the law of equality in any way. Therefore, in order to obviate all tensions, hatreds, animosities and passions, which might result from the perversion of equality amongst the sons of the same mother and the members of a single body, taking into consideration the weighty intercession of Her Imperial Majesty and of her allied courts, and that Empress' gracious announcement, that she means no harm to the ruling Holy Catholic Faith or detriment to our rights and liberties, in gratitude for her concern for the general welfare of the aforementioned dissenters, who, just as we, have rallied to the defence of our laws and liberties, risking life and fortune, as is plainly visible from the acts of the confederacies of Thorn and Suck (which we recognise *pro legalibus* from their inception and demand that they send their delegates to negotiate with us), We the Confederated Estates, accept their demands and agree to restore to them that which they sought at the last Sejm of the king and the assembled estates of the Commonwealth, so that we might be bound not just by the bonds of unity, but even more closely by love of our neighbour, brotherly amity and entire confidence. We order our secretary to register their Petition [presented to the Sejm of 1766] in the acts of our Confederacy. We swear to spare no endeavour to find a sure way of granting the dissenters due justice at the next Sejm and thereby of satisfying the concern shown for them by Her Imperial Majesty and her allied powers. Let not those who are wont to exploit confusion

seek to misrepresent our intentions to our brethren by a false zeal, as though, by our undertaking, we meant any harm to the ruling Holy Catholic Faith, in which we wish to live and die, or as though we purposed even the slightest detriment to the prerogatives of our clergy, ever honoured, respected and esteemed by us. And even if the most extreme impiety were to induce us to such audacity, the declaration of Her Imperial Majesty herself be a check on such wickedness. In that declaration, that virtuous Empress not only assures us of the entirety of our country's laws and the integrity of our ruling Holy Catholic Faith, but graciously promises, that she herself will be the first to oppose any unnatural son of his country, who would dare to subvert the fundamental laws or who would sacrilegiously, in any way, attack the ruling Holy Catholic Faith.

[The act goes on to notify of the election of Karol Radziwiłł as marshal-general, at Radom, on June 23, 1767. The towns of the Crown were expected to swear loyalty to the Confederacy within six weeks.] ... We shall regard anyone who would be disobedient or (which we do not expect), who would agitate against or oppose our Confederacy, as an enemy of liberty and our country and we shall treat him according to the measure of his misdeeds.

We guarantee the full security of the persons and fortunes of His Highness, the marshal-general, as also of the marshals of the local confederacies, their councillors and secretaries...

APPENDIX IIa

*Breakdown of the organizational responsibilities of the Confederacy of Radom at a local level.**

| Palatinate or County | Organizational responsibility for the local confederacy |
|------------------------------|---|
| Bełz | F. S. Potocki, palatine of Kiev & Joseph Potocki, <i>krajczy</i> of the Crown. |
| Braclaw | F. S. Potocki, palatine of Kiev. |
| Brześć Kujawski & Inowrocław | Antoni Dąbski, palatine of Brześć Kujawski. |
| Chełm | F. S. Potocki, palatine of Kiev. |
| Cracow including | Teodor Wessel, Grand Treasurer of the Crown assisted by |
| Oświęcim & Zator | Franciszek Wielopolski, margrave of Pinczów; Wodzicki, <i>starosta</i> of Stobnica; Piotr Małachowski, <i>starosta</i> of Oświęcim. |

* Based on "Direction Générale de toutes les confédérations," Essen to Flemming, May 30, 1767. SLHA 3562 IVa, f. 549.

| | |
|--------------|--|
| Czernichów | F. S. Potocki, palatine of Kiev. |
| Dobrzyń | Michael Podoski, castellan of Rypin. |
| Halicz | F. S. Potocki, palatine of Kiev. |
| Kiev | F. S. Potocki, palatine of Kiev & Joseph Potocki, <i>krajczy</i> of the Crown. |
| Lublin | Jędrzej Tarło, <i>starosta</i> of Trześniew & Jacek Jezierski, treasurer of Łuków. |
| Łęczyca | Teodor Wessel, grand treasurer of the Crown. |
| Masovia | Michael Krasieński, <i>podkomorzy</i> of Rózan. |
| Płock | Ignacy Zboiński, castellan of Płock. |
| Podlasie | J. Kl. Branicki, Grand <i>Hetman</i> of the Crown. |
| Podolia | F. S. Potocki, palatine of Kiev & Joseph Potocki, <i>krajczy</i> of the Crown. |
| Rawa | Michael Krasieński, <i>podkomorzy</i> of Rózan. |
| Ruthenia | F. S. Potocki, palatine of Kiev & Joseph Potocki, <i>krajczy</i> of the Crown. |
| Sandomierz | Joseph Ossoliński, <i>starosta</i> of Sandomierz. |
| Sieradz | Jan Mączyński, castellan of Sieradz. |
| Volhynia | F. S. Potocki, palatine of Kiev & Joseph Potocki, <i>krajczy</i> of the Crown. |
| Wielkopolska | Jerzy Mniszech, marshal to the court of the Crown. |
| Wieluń | Teodor Wessel, Grand Treasurer of the Crown. |

All Lithuanian confederacies were under the overall direction of S. Brzostowski, *starosta* of Bystrzyca and Ludwik Pociąg, Grand Seneschal of Lithuania.

APPENDIX IIb

List of local marshals of the Confederacy of Radom.

*The Crown **

| Palatinate or County | Marshal |
|----------------------|---|
| Bełz | Antoni Głogowski, ensign of Horodło |
| Braclaw | Joachim Potocki, <i>podczaszy</i> of Lithuania. |

* Compiled from the official records of the Confederacy of Radom, AGAD/ML IX-36.

| | |
|---------------------------------|---|
| Brześć Kujawski & Inowrocław | Stanisław Dąbski, <i>starosta</i> of Kowal. |
| Chelm | Łukasz Węgleński, <i>podstoli</i> of Chelm. |
| Cracow | Franciszek Wielopolski, margrave of Pińczów. |
| Czernichów | Stanisław Sadowski, <i>łowczy</i> of Bełz. |
| Dobrzyń | Joseph Nałęcz, <i>Podczaszy</i> of Dobrzyń. |
| Halicz | Marian Potocki, <i>starosta</i> of Grabowiec. |
| Kiev | Wojciech Zagórski, <i>starosta</i> of Owruż. |
| Lublin | Jędrzej Tarło, <i>starosta</i> of Trzeźniew. |
| Łęczyca | Stanisław Wessel, <i>starosta</i> of Golub. |
| Masovia: | |
| Ciechanów | Michael Krasiński, <i>podkomorzy</i> of Różan. |
| Czersk | Paweł Boski, ensign of Czersk. |
| Liw | Jan Łopacki, major-general of the Crown armies. |
| Łomża | Joseph Radziwiński, <i>podkomorzy</i> of Ciechanów. |
| Nur | Jan Woliński, steward of Nur. |
| Różan | Andrzej Zieliński, <i>podczaszy</i> of Różan. |
| Warsaw | Teodor Szydłowski, ensign of Warsaw. |
| Wizna | Kazimierz Szydłowski, steward of Przasnysz. |
| Wyszogród | Franciszek Kanigowski, steward of Wyszogród. |
| Zakroczym | Ludwik Krasiński, general of the Crown armies. |
| Oświęcim & Zator | Piotr Małachowski, <i>starosta</i> of Oświęcim. |
| Płock | Marcin Żorawski, <i>cześnik</i> of Płock. |
| Podlasie | Karol Radziwiłł, (ex-) palatine of Wilno. |
| Podolia | Teodor Potocki, <i>starosta</i> of Smotryca. |
| Rawa | Teodor Wojczyński, <i>podkomorzy</i> of Rawa. |
| Ruthenia | Joseph Potocki, <i>krajczy</i> of the Crown. |
| Sandomierz | Joseph Ossoliński, <i>starosta</i> of Sandomierz. |
| Sieradz | Tomasz Bleszyński, <i>podkomorzy</i> of Sieradz. |
| Volhynia | Olizar, <i>starosta</i> of Łojów. |
| Wielkopolska | Michael Skórzewski, <i>podkomorzy</i> of Poznań. |
| Wieluń | Jan Poniński. |

* Based on a list enclosed with Essen's despatch to Flemming of June 6, 1767, SLHA 3562 IVa, ff. 579-580.

The Grand Duchy of Lithuania *

| Palatinate | District | Marshal |
|-------------------------|------------|---|
| Brześć Litewski | | Michael Radziwiłł, <i>krajczy</i> of Lithuania. |
| | Pińsk | Tomasz Kurzeniecki, county notary of Pińsk. |
| Mińsk | | Stranowski, <i>starosta</i> of Mińsk. |
| | Mozyr | Joseph Radziwiłł, grand notary of Lithuania. |
| Nowogródek | Rzeczyca | Joseph Dermałłowicz, ensign of Rzeczyca. |
| | | Chryzostom Rdułtowski, <i>podwojewodziec</i> of Nowogródek. |
| | Słonim | Kazimierz Wołłowicz, marshal of Słonim. |
| Połock | Wołkowysk | Kazimierz Bielawski, county notary of Wołkowysk. |
| | | Jan Korsak, <i>podwojewodziec</i> of Połock. |
| Troki | | Stefan Romer, ensign of Troki. |
| | Grodno | Karol Chreptowicz, county notary of Grodno. |
| | Kowno | Kossakowski, county notary of Kowno. |
| Wilno | Upita | Konstanty Puzyna, <i>starosta</i> of Upita. |
| | | Tadeusz Żaba, ensign of hussars. |
| | Oszmiana | Antoni Koziełł, <i>starosta</i> of Dzierżana. |
| | Lida | Judycki, (son of) castellan of Mińsk. |
| Witebsk | Wiłkomierz | Jan Dąbrowski, <i>podkomorzy</i> of Wiłkomierz. |
| | Brasław | Robert Brzostowski, colonel in the Lithuanian army. |
| | | Michael Szyszko, <i>skarbnik</i> (treasurer) of Witebsk. |
| (Principality of) Żmudź | Orsza | Jerzy Galiński, ensign of Orsza. Stanisław Przeciszewski, <i>ciwun</i> * of Eyszagoła. |

* The office of **ciwun** was peculiar to Lithuania and was the highest in the scale of Lithuanian local honours, superior to the **podkomorzy**.

Appendix III: archival sources of major local enactments in Poland, 1764 - 1767.

| Palatinate or county. | Convocation instruction (6 February 1764) | Accession to the General Confederacy (23 July 1764) | Coronation instruction (29 October 1764) |
|-------------------------------|--|--|---|
| | (Where the above dates differ, they are given with the source reference) | | |
| BEŁZ | | AGAD/ML IX-144 ff.110-112 | |
| BRACZAW | | | |
| BRZEŚĆ KUJAW-SKI & INOWROCZAW | Pawiński V no.53 pp.168-181 (Family party) | Pawiński V no.52 pp.152-161 (Family confederacy 6 Feb.1764) | Pawiński V no.57 pp.198-204 (31 October 1764) |
| CHEŻM | WAPL.RMO 66/20393 ff.482-488 | | WAPL.RMO 163/20248 ff.415-417 |
| CRACOW | | AGAD/ML IX-144 ff.49-56 | Waw.CC 197 pp.2668-2680 |
| CZERNICHOŃ | | | |
| DOBRYN | Kluczycki X no.159 pp.319-325 (Republican party) Kluczycki X no.161 pp.328-332 (Family party) | AGAD/ML IX-144 ff.229-235 | Kluczycki X no.163 pp.335-339 |
| HALICZ | Akta XXV no.307 pp.570-581 (30 January 1764) | Akta XXV no.314 pp.600-603 (Family confederacy 13 August 1764) | Akta XXV no.319 pp.610-615 |
| KIEV | | AGAD/ML IX-144 ff.67-72 (28 July 1764) | |
| LUBLIN | WAPL.RMO 373/21532 ff.98-105 | WAPL.RMO 374/21533 ff.409-412 (25 August 1764 at Warsaw) | WAPL.RMO 374/21533 ff.682-685 |
| ŁĘCZYCA | AGAD/Ks.Gr.Łęczyckie oblaty 53 pp.380-395 | AGAD/ML IX-144 ff.198-207 | |

Acts referred to in the dissertation but not accounted for in this appendix are given their source reference under the appropriate footnotes.

| 1766 instruction (25 August) | 1767: act of confederacy | 1767: marshal's proclamation | instruction to the Extraordinary Sejm (24 August 1767) |
|---|--|---|--|
| PAU 314 ff.31-36 | AGAD/AKP V 85/2 ff.94-97 27 May 1767 | | |
| | | | AGAD/AKP V 85/2 ff.134-138 |
| Pawiński V no.62 pp.225-231 | Pawiński V no.65 pp.237-245 29 May | | |
| WAPL.RMO 165/20250 ff.469-471 | WAPL.RMO 70/20397 ff.450-452 25 May | | WAPL.RMO 70 pp.401-402 |
| B.CZ. 839 pp.329-360 | Waw. CC 200 pp.1834-1841 25 May | Waw. CC 200 pp.1640-1642 27 May | Waw. CC 200 pp.2556-2559 |
| | AGAD/AKP V 85/2 ff.88-92 27 May | | |
| Kluczycki X no.165 pp.340-345 | Kluczycki X no.167 pp.347-349 25 May (AGAD/ML IX 35 ff.36-38 for accessions) | Kluczycki X no.168 pp.349-350 25 May | Kluczycki X no.171 pp.353-356 |
| Akta XXV no.331 pp.625-630 | Akta XXV no.336 pp.636-641 29 May | Akta XXV no.337 pp.641-642 29 May | Akta XXV no.341 pp.647-650 |
| AGAD/ZP 121 p.70 | AGAD/ML IX-35 ff.30-35 4 June | | PAU 313 ff.19-22 (26 August) |
| WAPL.RMO 384/21543 ff.9-12 (27 August) | WAPL.RMO 389/21548 26 May ff.384-391 | WAPL.RMO 389/21548 f.345 29 May | WAPL.RMO 390/21549 |
| AGAD/Ks.Gr.Łęczyckie,relacje i oblaty 241B ff.146-151 | AGAD/Ks.Gr.Łęczyckie relacje i oblaty 242A ff.267-274 25 May | AGAD/Ks.Gr.Łęczyckie,relacje i oblaty 242A f.276 2 June | AGAD/Ks.Gr.Łęczyckie,relacje i oblaty 242B ff.46-48 |

| Palatinate or county | Convocation instruction (6 February 1764) | Accession to the General Confederacy (23 July 1764) | Coronation instruction (29 October 1764) |
|----------------------|---|--|---|
| PODLASIE MIELNIK | | | |
| PODLIA | | | |
| PRUSSIA (ROYAL) | | | |
| RAWA: GOSTYNIN | | AGAD/ML IX-144 ff. 35-37 | |
| RAWA: RAWA | | AGAD/ML IX-144 ff. 236-237 (no list of accessions) | |
| RAWA: SOCHACZEW | Paw. 30 ff. 378-382 | Paw. 30 ff. 386-388 | |
| RUTHENIA | Akta XXIII no. 174 pp. 448-453 | Akta XXIII no. 175 pp. 453-458 (Family confederacy 6 February 1764) | Akta XXIII no. 182 pp. 477-479 |
| SANDOMIERZ | Paw. 24 pp. 561-601 | Paw. 24 pp. 609-680 | Paw. 24 pp. 681- 704 |
| SIERADZ | AGAD/Ks.Gr. sieradz- kie, relacje 134 ff. 204-210 | | AGAD/Ks.Gr. sieradzkie relacje 134 ff. 305-307 |
| VOLHYNIA | | AGAD/ML IX-144 ff. 118-131 | |
| WIELKOPOLSKA | | | |
| WIELUŃ | AGAD/Ks.Gr. wieluńskie oblata 19 ff. 15-19 | AGAD/Ks.Gr. wieluńskie oblata 19 ff. 307-308 | AGAD/Ks.Gr. wieluńskie oblata 19 ff. 425-428 |
| LI THUANIA BRZEŚĆ | | | pp. 571-577 * (30 October 1764) |
| MIŃSK | | | |
| NOWOGRÓDEK | | | |

* From Akty izdawaemie vilenskoiu archegraficheskoiu Kommissieiu, vol. 4 (Vilna 1870).

| 1767: instruction (25 August) | 1767: act of confederacy | 1767: marshal's proclamation | instruction to the Extraordinary Sejm (24 August 1767) |
|---|---|---|---|
| | | | AGAD/Sucha 345/441 pp. 47-48 |
| | AGAD/AB 627 pp. 1-8 29 May (list of acce- ssions incomplete?) | | |
| WAPG 300, 29/229 ff. 41-48 (9 September) | | | |
| | | | B.Cz 840 pp. 143-146 |
| | AGAD/ML IX-35 ff. 39-42 15 June | | |
| Paw. 30 ff. 405-406 | Paw. 30 ff. 407-409 5 August | | Paw. 30 ff. 411-412 |
| Akta XXIII no. 203 pp. 514-517 | AKTA XXIII no. 211 pp. 535-537 27 May | Akta XXIII no. 212 pp. 537-538 27 May | Akta XXIII no. 216 pp. 545-546 |
| Paw. 24 pp. 733-772 | Paw. 24 pp. 785-828 25 May | | Paw. 24 pp. 828-840 |
| AGAD/Ks.Gr. sieradz- kie, relacje 137 ff. 508-511 | Paw. 28 pp. 581-612 25 May | Paw. 28 pp. 617-618 25 May | AGAD/Ks.Gr. sieradz- kie, relacje 140 ff. 136-137 |
| PAU 314 ff. 27-30 | | | |
| | WAPFoz.Gr. 409 pp. 300-313 27 May | WAPFoz.Gr. 409 pp. 317-318 30 May | WAPFoz.Gr. 410 |
| AGAD/Ks.Gr. wielun- skie, oblata 20 ff. 598-605 | AGAD/Ks.Gr. wielun- skie, oblata 21 ff. 408-410 26 May | | AGAD/Ks.Gr. wielunskie, oblata 21 ff. 575-576 |
| pp. 582-589 * | AGAD/Sucha 345/441 pp. 45-46 22 May | | |
| | | | AGAD/Sucha 233/281 pp. 533-541 |
| | Waw. Archiwum Sanguszkow 649 pp. 1-2 22 May | | |

| Palatinate or county | Convocation instruction (6 February 1764) | Accession to the General Confederacy (23 July 1764) | Coronation instruction (29 October 1764) |
|-----------------------|--|---|--|
| MASOVIA: CIECHANÓW | | | |
| MASOVIA: CZERSK | Paw. 3 ff. 357-374 | Paw. 3 ff. 375-380 | Paw. 3 ff. 387-390 |
| MASOVIA: LIW | | | |
| MASOVIA: ŁOMŻA | Paw. 15 ff. 329-333 (Family Party) Paw. 15 ff. 347-359 (Republican party) | Paw. 15 ff. 324-328 (Family confederacy 6 February) | Paw. 15 ff. 364-371 |
| MASOVIA: NUR | AGAD/Ks.Gr.nurskie, relacje, oblaty 36 ff. 536-540 | AGAD/ML IX-144 ff. 41-47 | AGAD/Ks.Gr. nurskie, oblaty 36 ff. 793-795 |
| MASOVIA: ROZAN | AGAD/Ks.Gr.różańskie relacje, oblaty 37 ff. 19-24 | AGAD/Ks.Gr.rozańskie relacje, oblaty 37 ff. 13-16 | |
| MASOVIA: WARSAW | Paw. 32 ff. 299-306 | | Paw. 32 ff. 322-325 |
| MASOVIA: WIZNA | Paw. 34 ff. 224-229 | Paw. 34 ff. 230-238 | Paw. 34 ff. 241-243 |
| MASOVIA: WYSZOGROD | Paw. 35 ff. 223-229 | Paw. 35 ff. 230-238 | |
| MASOVIA: ZAKROCZYM | | Paw. 37 ff. 239-241 (24 July 1764) | |
| OŚWIĘCIM & ZATOR | | Waw. CO 97 pp. 630-635 | Waw. CO 97 pp. 728-734 |
| PŁOCK | AGAD/Ks.Gr.płockie oblaty 14 ff. 184-193 | AGAD/ML IX-144 ff. 160-164 | AGAD/Ks.Gr. płockie oblaty 14 ff. 232-236 |
| PODLASIE BIAŁA | | | |

| 1766: instruction (25 August) | 1767: act of confederacy | 1767: marshal's proclamation | instruction to the Extraordinary Sejm (24 August 1767) |
|---|--|--|---|
| AGAD/ZP 121 ff. 88-94 | AGAD/Ks.Gr.ciechan- owskie, relacje, oblaty 34 ff. 388-390 25 May | AGAD/Ks.Gr.ciechan- owskie, relacje, oblaty 34 ff. 391-392 25 May | Paw. 1 ff. 316-317 |
| | Paw. 3 ff. 397-400 6 June | | Paw. 3 ff. 405-406 |
| Paw. 5 ff. 526-531 | Paw. 5 ff. 535-539 11 June | | Paw. 5 ff. 545-546 |
| Paw. 15 ff. 374-383 | AGAD/Ks.Gr.ciechan- owskie, relacje, oblaty 34 ff. 348-349 29 May | AGAD/Ks.Gr.ciechan- owskie, relacje, oblaty 34 ff. 164- 165 29 May | Paw. 15 ff. 387-389 |
| AGAD/Ks.Gr.nurskie relacje, oblaty 39 ff. 87-89 | AGAD/Ks.Gr.nurskie relacje, oblaty 40 ff. 160-162 27 May | AGAD/Ks.Gr.nurskie relacje, oblaty 40 ff. 163-164 29 May | AGAD/Ks.Gr.nurskie relacje, oblaty 40 ff. 237-239 |
| | AGAD/Ks.Gr.różańskie relacje, oblaty 39 ff. 40-42 27 May | | |
| Paw. 32 ff. 331-335 26 August | | | Paw. 32 ff. 347-349 |
| Paw. 34 ff. 249-258 | Paw. 34 ff. 263-265 30 May | | Paw. 34 ff. 269-272 |
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POLAND 1764-1768

0 250 km

National Frontiers

--- Boundaries of Palatinates

-X-X- Boundary between the Crown and the Grand Duchy of Lithuania

--- Boundary of the Duchy of Courland (Ebbish fief)

||||| Boundaries of areas covered by Russian surveys in 1767.

Palatinates:

| | | |
|---|-----------------|--------------|
| ① | Malbork | Royal |
| ② | Czerniewice | (Polish) |
| ③ | Chełmno | Prussia |
| ④ | Poznań | Wielkopolska |
| ⑤ | Kalisz | |
| ⑥ | Inowrocław | |
| ⑦ | Brześć Kujawski | |
| ⑧ | Płock | |
| ⑨ | Rawa | |
| ⑩ | Łęczyca | |
| ⑪ | Sieradz | |
| ⑫ | Masowia | |
| ⑬ | Sandomierz | |
| ⑭ | Crağow | |
| ⑮ | Podlasie | |
| ⑯ | Lublin | |
| ⑰ | Chelm (county) | |
| ⑱ | Betż | |
| ⑲ | Ruthenia | |
| ⑳ | Volhynia | |
| ㉑ | Podole | |
| ㉒ | Kiev | |
| ㉓ | Bracław | |
| ㉔ | Livonia | |
| ㉕ | Witebsk | |
| ㉖ | Polock | |
| ㉗ | Wilno | |
| ㉘ | Troki | |
| ㉙ | Minisk | |
| ㉚ | Nowogródek | |
| ㉛ | Brześć-Litowski | |
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