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THE STATE AND LEGAL SITUATION OF THE POLISH LANDS IN THE LATE XVIII AND EARLY XIX CENTURIES

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Since 1795, there has been no single history of Poland – it has been transformed into the histories of its separate parts, which were part of three states: Russia, Prussia and Austria. However, thanks to a centuries-old tradition of statehood and a high level of national consciousness, the Polish people have largely preserved national unity, especially in spiritual life, culture, and the national liberation movement. Despite customs barriers and other obstacles, economic ties were not interrupted for a long time. Since the 1790s, emigrant circles have been a link in the spiritual and material life of Poles.

The three partitions gave Russia 62% of the territory of the Polish-Lithuanian Commonwealth, with 45% of the population, Prussia 20% of the territory and 23% of the population, and Austria 18% of the territory and 32% of the population. In all the lands annexed to Russia, Prussia, and Austria, the occupiers immediately introduced their own laws and administrative system, language, and taxes.

The absence of a state of its own was felt by all segments of Polish society. The gentry was deprived of the civil and political rights it had enjoyed for several centuries, including the ability to participate in lawmaking and taxation, as none of the three countries allowed their subjects to do so. The gentry could not openly express their opinions on public affairs, especially on the decisions of the monarch, and lost their own courts and local governments.

The loss of statehood also affected the position of the Roman Catholic Church, which fell under the full control of the authorities. All the monarchs demanded that the Polish clergy communicate with the Vatican only through their mediation.

Changes in borders led to changes in the economy: customs barriers were created within the once unified economic complex of the country, new money appeared in circulation, and prices rose. All of this hindered trade and worsened the situation of cities and urban populations. A striking example is Warsaw, which for several years was abandoned by almost a third of its inhabitants. The financial situation of the peasants did not change in general, although new taxes were introduced, as well as hard military service, which lasted 12-14 years in Austria and up to 25 years in Russia.

The most moderate representatives of Polish society hoped to revive the Polish state with the support of one of the states that had participated in the partition. For

example, magnates from the Austrian occupation zone, called the Kingdom of Galicia and Lodomeria, relied on Austria. Instead, Prince A. Czartoryski, the foreign minister of the St. Petersburg government, was making plans for the revival of Poland with the help of the Russian Tsar Alexander I. However, the majority of the patriotic Polish nobility pinned all their hopes for the country's liberation on France. The most active part of Polish emigration was concentrated there. In 1798, T. Kosciuszko settled in France. The radical wing of one of the emigrant organisations called the Deputation initiated the creation of special military units, legions, from Polish emigrant volunteers within the French army. In the future, they could become the core of the armed forces of independent Poland. Indeed, in 1797, in Lombardy, which was captured by the French, such legions were created under the command of General Jan Henry Dombrowski. However, the commander-in-chief of the French army in Italy, General Napoleon Bonaparte, although he tried to use the Polish legions to put pressure on his opponents in Europe, did not make any commitments to Poland. As the Italian campaign drew to a close, Napoleon signed a peace treaty with Austria, which did not even mention the Poles or their state.

Due to the French expansion to the east, the theatre of war moved closer to Polish lands. Under these circumstances, Napoleon continued to flirt with the Poles. Without promising them anything concrete, in 1806 he again allowed the creation of Polish armed units, which this time took an active part in the French war with Prussia.

Having defeated the Prussian army, Napoleon faced the Russian forces allied to it. After heavy fighting for both sides, France and Russia signed the Peace of Tilsit in June 1807. Under the terms of the peace treaty, the Polish lands that had belonged to Prussia were divided between Russia and France. Prussia retained only Silesia, Warmia, and Pomerania. Podlasie went to Russia. The central part of Poland, together with Warsaw and Great Poland, formed the Duchy of Warsaw, which Napoleon appointed his accomplice, the Saxon king Frederick Augustus, as its head. Gdańsk was declared a free city. However, both the Duchy of Warsaw and Gdańsk were under the protectorate of France.

Polish politicians and the military, who cooperated with Napoleon, spoke in favour of the restoration of the Constitution of 3 May 1791. However, Napoleon proposed his own version of the Duchy's state system. It was determined by the constitution that the French emperor signed in July 1807 in Dresden. According to it, the Duchy's foreign policy was guided by Saxon diplomats, but the Warsaw government was responsible for internal affairs. The constitution abolished the personal dependence of peasants, although by royal decree, which supplemented the constitution, land remained in the ownership of landlords. The principle of equality of rights for all residents of the Duchy was introduced. Political rights such as the right to hold public office, to elect and be elected to the Sejm were granted to those with a certain wealth or education.

In fact, the French civil code came into force in the Duchy, which undoubtedly contributed to the further political, social and economic development of this part of Poland.

In 1809, the army of the Duchy, led by Prince Józef Poniatowski (1763–1813), together with French troops, took part in hostilities against Austria, which attacked the Duchy of Warsaw.

According to the Peace of Schönbrunn, Napoleon annexed most of Lesser Poland, which had previously belonged to Austria, to the Duchy. As tensions between France and Russia grew, the Duchy of Warsaw became Napoleon's frontline outpost in the east. Polish armed forces, including a separate corps under the command of J. Poniatowski, also took part in the French emperor's campaign against Russia. The Polish corps supported the French army in the 1813 campaign. In October of that year, Napoleon was defeated in the «Battle of the Nations» near Leipzig.

Thus, the fate of the Duchy after Napoleon's final defeat in Europe was decided by the Congress of the Victorious Powers in Vienna. According to its final act, signed on 9 June 1815, a new division of Polish lands took place. Most of the Duchy of Warsaw was ceded to Russia under the name of the Kingdom of Poland, while the Poznan and Bydgoszcz departments of the Duchy, which formed the Grand Duchy of Poznan, as well as the city of Gdańsk, were reassigned to Prussia. Lesser Poland (without Krakow) returned to Austria. Krakow and a small district were declared a «free city» and were to be controlled by the three powers. Another division of the Polish lands disrupted the economic and political unity of the country and created specific conditions for the development of its various parts.

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