

# On Polish Opinions and Deliberations Concerning National Socialism and the III Reich

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## Abstract

In his article the author analyzes selected opinions of Polish politicians, social scientists and intellectuals on National Socialism from the period of 1933–1948.

The first part of the paper is devoted to the insights provided by politicians, diplomats, and military figures of the Second Polish Republic, such as Roman Dmowski, Józef Piłsudski, Józef Beck, and Władysław Sikorski. Next the author comments upon intellectual discussions held in Poland and concerning the definition of the III Reich, its legal and systemic aspects, as well as social foundations. The author also analyzes the impact the outbreak of the War and the enormities committed by the Germans had on the Polish debate. He cites remarks offered by lawyers – such as Rafał Lemkin and Konstanty Grzybowski, sociologists – including Aleksander Hertz and Stefan Czarnowski, theologians – such as Father Jan Piwowarczyk, and finally writers, for instance Zofia Nałkowska.

In the conclusion the author points to several fundamental interpretations of National Socialism offered in the cited texts. During the period under discussion, Nazism was construed among others as the crowning achievement of German imperialism and militarism, as a symptom of inexplicable civilizational regress, and as an experience closely related to the collapse of Christianity in Germany.

On 19 May 1933, Doctor Alfred Wysocki, the Polish ambassador to Berlin, wrote the following memo to Józef Beck, the Polish Minister of Foreign Affairs: “We all doubted whether these dozen or so meager platitudes that made up Hitler’s program could rouse a whole nation, but since this is what has transpired, then we must resign ourselves to the fact and learn to assess also those factors which are responsible for the strength and attractiveness of Hitlerism” (Skóra, 2015, pp. 347–348). Such was the reality. A revolutionary coup had just taken place in Germany, although no actual revolution – understood as the bloody elimination of the existing regime – had taken place. Hitler’s takeover of power had been peaceful.

German National Socialism became the object of heightened attention on the part of Polish intellectual elites. It appeared on the scene of European history as a product of the age of decline of democracy, exerting a strong impact on the imagination of the leading thinkers of the time. In essence, it presented the world with a modern tyranny. One of the leading European nations, which had made an enormous contribution to Western civilization, had just yielded to a “dozen or so meager platitudes”.

Among others, the present study is an attempt at analyzing the reflections of representatives of Polish social sciences on National Socialism and the III Reich. Right until their fateful meeting with Nazi Germany as an occupier in 1939, Poles engaged themselves in a comprehensive exercise in political imagination.

There is no doubting the fact that totalitarian systems (the Soviet, Italian and German) were a complete novelty on the stage of history. They introduced social engineering on a hitherto unknown scale, bringing about the mass mobilization of ordinary people in order to attain ideological goals. Their hallmarks were large-scale militarization, concentration camps, and economic planning.

The years 1934–1939 were, as we know, a period of spectacular Polish-German *détente*. An open critique of the political system and policies of the III Reich in Polish newspapers was made difficult, for in March 1934 the two countries signed a press agreement pursuant to which the Polish authorities cracked down on any attempts at censure, and in particular those directed against the German head of state. In January 1935 the ban on *Mein Kampf* was lifted, although the book was not published in Poland (Borejsza, 2006, p. 101). But despite the restrictions on freedom of speech, a criticism of National Socialism was possible, first and foremost on the academic level.

Polish legal specialists, referencing the then topical concept of totalitarianism (or “totalizm”, a synonymic term derived from the German “Totalismus”; translator’s note), authored the first studies devoted to the political system of the III Reich. They made use of the possibilities provided by analyses of legal norms and political ideas.

But while 1933 appears obvious as the year in which to start the present lecture, the end date – 1948 – requires a commentary. Namely, this was the year in which the Communist totalitarian dictatorship took over power

in Poland, rendering the relatively free discussion into Hitlerite totalitarianism fundamentally impossible.

I would also like to add at this point that the current essay is not devoted to an analysis of the position taken by Polish opinion and political thought with respect to National Socialism. This issue should form the subject of separate analyses, which have already been undertaken by Polish historiography (Dmitrów, 1987; Górnicki, 1993; Musielak, 1997). Rather, the objective here is to attempt a comprehensive study – novel in its approach – into the viewpoints of politicians, social scientists and intellectuals concerning the unique phenomenon of Hitlerism.

### Dmowski, Piłsudski, Sikorski, Beck

Not many opinions of the leading Polish statesmen concerning Hitler and his political movement have survived in writing to the present day. Those that are available, however, present an interesting and author-centric image of National Socialism.

In 1931, that is two years before Hitler took over power in Germany, an opinion on his political group was presented by the leading Polish nationalist politician, Roman Dmowski. He put forward his reflections in a series of articles printed in the “Gazeta Warszawska” daily under a title which summarized his essential viewpoint: “Hitlerism as a national movement”.

Dmowski, an eminent politician and one of the Polish signatories of the Versailles Treaty, started off by stating that “our civilization is in the throes of a terrible crisis”. This crisis, in his opinion, was only in its initial phase. And it was not just economic, but also moral. In Dmowski’s opinion, neither liberalism nor Communism constituted forces capable of bringing about a revival of Western civilization. Thus, “modern liberalism and Communism constitute two limbs of the same tree, one with rotted roots and condemned to wither away”, declared the author of *Mysli nowoczesnego Polaka*.

Nationalism in the form of Fascism and National Socialism was the response to the Enlightenment and its heritage. For Dmowski (2006), both these movements were anti-liberal. He wrote thus:

Younger minds are steadily freeing themselves of the overriding premise that progress consists in the victory of the individual over society. Indeed, they concur with the concept that the existence of states and the successful development of civilization must be based on a strong society. This, in turn is not some chance mechanical mix of different peoples, not some fiction made popular by the revolutionary philosophy of the 18th century, but an organic whole, built over long centuries of common statehood, with its common social instincts, common feelings

and thoughts, and common ambitions and goals. These ideas, now greatly popular in a number of countries, have provided the fundamental basis for modern national movements, first Italian Fascism and then German Hitlerism, which will doubtless be followed by others (Dmowski, 2006, p. 131).

Italian Fascism and German National Socialism made it possible “to focus on the innards of society, on strengthening its conjoining links, on sweeping out from one’s home all that which weakens these links and leads to the disintegration of society” (Dmowski, 2006, p. 132).

In this context he posed himself the following question: “What will become of Hitlerism?”

Dmowski (2006) considered that “a very large question mark should be placed over Hitlerism”. “The Germans are a nation of great vitality”, he wrote. “Of late, however, their internal life has experienced far-reaching destruction, and I think they more than anyone must work on achieving a national revival. But the organization of this undertaking, in spite of aspirations and yearnings, is in many respects more difficult to achieve in Germany than elsewhere” (p. 132).

The leading Polish right-wing politician obviously noticed the expansionist ideology of Hitlerism. His ambitions were directed to the east. But it is interesting to observe that for Dmowski the thirst for conquest, directed outwards, was not the real source of Hitlerism’s strength. While reflecting on Hitlerism as a national movement, he recalled the experiences of the II Reich – and its dramatic collapse in 1918.

Prewar Germany had its eyes set firmly abroad. This *Streben-volk*, as they called themselves, was constantly looking for new conquests and new profits to be made at the expense of other nations. And because they were successful, they thought that such was their destiny. But the war into which Germany unnecessarily rushed struck a painful blow to these designs and ambitions. Compounded by the economic crisis, this confronted not only the nation, but also individuals, who customarily associated their personal gain – large and at the same time immediate – with the nation, with a very difficult fate, wrote Dmowski (2006, p. 132).

For Hitler, the propaganda calling for territorial conquest was “a method of winning over followers”, however the expansionist orientation of his movement caused the “rallying calls of reorganizing the nation, of strengthening its internal bonds, to recede into the background insofar as they hindered the policy of external conquest. It would appear that Hitlerism is threatened by the fact that these calls, which have turned it into a novel movement and drawn mass attention to its aims and

development, will soon lose their consequence, and ultimately fall silent altogether. And then Hitlerism will become nothing more than a continuation of Prussianism, which has led Germany for so long – an established trend that brings nothing new to German life”. In this way, therefore, “Hitler shall become unnecessary. For as regards the former, established policy, the best administrators will be the von Papens and others, possessing long experience of the imperial German school. Soon, however, they will learn that this policy is now an anachronism, that although the German nation listens to its slogans, its historical foundations have long ceased to exist” (Dmowski, 2006, p. 133).

The final words of Dmowski’s (2006) reflections were ambiguous: “The issues arising from the economic, political and moral crisis will have to wait for another man, one who will be much more than an excellent agitator” (p. 133). This is a clear allusion to Hitler as an expert in campaign oratory, with which he could easily enrapture the crowds, but much less able when it came to elaborating a vision for the future – first and foremost one that would help overcome the crisis consuming his state.

Dmowski’s deliberations clearly indicate that in his opinion imperialism cannot be reconciled with the doctrine of primacy of the nation state as the supreme invention of Western civilization.

The disintegration of the Weimar Republic and Hitler’s march to power in Germany were followed with the greatest attention by the statesman who at the time shaped Polish foreign policy (cf. Serwatka, 1997, p. 138 and subsequent). In June 1932 he expressed a very important opinion on National Socialism. It has survived in the form of a memo drawn up by an Undersecretary of State at the Ministry of Foreign Affairs, Józef Lipski (later the Polish ambassador in Berlin), for the then ambassador to Germany, Alfred Wysocki (Kania, 2011, pp. 337–340).

“Hitler has in his ranks many tub-thumpers and demagogues, however he lacks statesmen and politicians who would be able to maintain him in power. These people are present in the centrist parties. This fact, therefore, may one day facilitate political cooperation between the National Socialists and the center, which many here consider as Germany’s most fortuitous means of escaping its present situation”, Piłsudski stated (Kania, 2011, p. 339).

The reflections of the Polish Marshal concerning the head of the National Socialists do not allow us to surmise that he considered him in any way above average.

Hitler himself is neither a brilliant leader, nor an exceptional personality. His sole achievement has been to rekindle the tone that had for years been absent from German public life – that of the romanticism of the German soul. Hitler does not talk to his followers about the unjustness of treaties or reparations, but rather about the economic crisis. He calls

upon them to sacrifice their lives on the altar of love of the homeland, to free Germany from the snares of slavery, to create a new religion and a new state. These grandiose slogans are winning him the hearts of the youth, who however shall abandon him immediately if they see that they are no more than empty platitudes – for Hitlerism suffers from an internal emptiness. It is a patchwork of different theories made subordinate to demagoguery, and its contents change depending on the exact content in which it is being utilized. It awakens the nationalism latent in German society, making it white-hot, but it has hitherto been unable to harness it to positive work on the reconstruction of the system that it abhors.

For Piłsudski, National Socialism was a unique negatory movement. “Hitlerism contains more criticism, threats and negation than political clear-headedness or actual strength. For this reason those who make use of it (General Schleicher) are excellently aware of the danger that Germany would face if Hitler ever assumed power. Chancellor Brüning had to go, for he was unable to bridge the gap between the center and National Socialism, which is indeed the only solution to the problem of Germany’s internal policy” (Kania, 2011, p. 339).

As we can see, Piłsudski anticipated the emergence of a right-wing government in Germany based on a coalition of the Catholic Center Party, nationalist parties, and the National Socialists, that is the “united Right”. But the development of events did not confirm this thesis.

When asked by Lipski whether it was possible to “alleviate the internal difficulties of Germany”, Piłsudski replied in the negative, stating that these would rather increase as a result of the intensification of the struggle for power. For Poland, this would help “weaken the innate aggressive strength of the German state in international relations”. However, Piłsudski did not lose sight of Germany’s strivance for “a peaceful revision of its borders”. He predicted that “after settling the issues of reparations and disarmament, in all probability to its satisfaction, Germany will focus its attention on Poland, bringing to bear the entire might of the gigantic apparatus that it has at its disposal in order to convince the world that the present borders cannot be maintained and must be altered” (Kania, 2011, p. 340).

As we know, following the National Socialists’ rise to power Piłsudski took two decisions that were of fundamental importance for the whole of Europe.

First, he started preparing Poland and the continent to resist Hitler. Namely, he sounded out the French about a preventive campaign against Germany, however this did not lead to any tangible results. The military manifestation that took place in Gdańsk in March 1933, consisting in the

strengthening of the Westerplatte garrison, caused considerable alarm in Europe. An atmosphere of a preventive war became palpable, and we can find evidence of this in diplomatic materials authored by contemporary representatives of various countries (cf. Jędrzejewicz, 1966).

Unexpectedly, however, Piłsudski decided to seek an arrangement with Hitler. Warsaw concluded that an attempt should be made at reaching some kind of *modus vivendi* between the two opposing states. In short order, the Polish leader obtained a unilateral declaration from Hitler concerning the observance of treaties in relations with Poland, whereafter he came forward with an initiative to sign a written agreement. It did not have the rank of a treaty. Neither was it a pact, as the critics of Piłsudski's and Minister Józef Beck's diplomacy have frequently repeated. The Polish-German Declaration on Non-Aggression, dated 26 January 1934, was subject to ratification. It was concluded for a period of ten years, and did not contain any secret attachments. The text did not touch upon the issue of borders. It also omitted any reference to the Locarno Treaties of 1925. Both parties only declared that they would resign from using force to settle any differences in mutual relations. Contentious issues were to be resolved in accordance with the provisions of the Briand-Kellogg Pact of 27 August 1928, which was a multilateral agreement on the renouncement of war as an instrument of national policy. It appeared that Germany had reconciled itself to the existence of the Polish state, discarding the theory – derogatory to Poles – of the country being no more than a “seasonal state”. The historian Józef Feldman (1934), writing under the impression of the moment, declared that these transformations were proof that “the Polish state is not an ephemera created out of nothing by the Versailles Treaty”, and that Germany had finally accepted the fact (p. 58).

When attempting to reach an agreement with Hitler's Germany, Marshal Piłsudski was preoccupied with one question: does the National Socialist regime have any prospects for permanence, or is it only a temporary regime? “In 1933 Germany, the sole alternative to Hitler was a conservative military regime supported or even established by the army”, writes the well-known American historian John Lukacs (2001, p. 290). Piłsudski's view was more or less the same. He was of the opinion that, similarly as in the case of Soviet Russia, it was necessary to negotiate with the German government that was actually functioning, irrespective of its policy. Attempts should be made to stabilize mutual relations without attaching undue importance to who was in power; the decisive factor was a readiness to compromise.

First and foremost, Piłsudski considered the Hitlerite movement to be anti-Prussian, and thus somewhat less anti-Polish. The supposition upon which his reasoning was based was tied to the conviction that any alternative to the Hitlerites could be worse for Poland. Germany's return to parliamentary democracy appeared impossible, while a possible military government would facilitate the dominance of the “Prussian element”.

In turn, any reinstatement of the conservative monarchy appeared convenient to a renewal of close relations with Russia in the name of geopolitical necessity. In all probability, the Polish Marshal did not pay close attention to *Mein Kampf* or any other writings of the German leader.<sup>1</sup> It would seem he considered these works as nothing more than propaganda material. In any case, we are not aware of any references made by Piłsudski to the “bible” of National Socialism.

The thesis that Piłsudski trusted Hitler, which continues to reemerge in historiography, is blatantly untrue. To the contrary, he did not believe in the permanence of the Polish-German agreement. He expressed this view with the utmost clarity on 7 March 1934, stating that “Poland is sitting on two stools”. The Speaker of the Polish Parliament, Kazimierz Świtalski, summarized Piłsudski’s most important thoughts in his *Diary*: “The Commandant does not believe, however, and warns that we should not think that this arrangement of peaceful relations between Poland and its two neighbors will last forever. Indeed, the Commandant has estimated that good relations between Poland and Germany will continue for perhaps four more years, due exactly to the mental changes occurring in the German nation; the Commandant does not guarantee any greater length of time” (cf. Świtalski, 1991, pp. 660–661). As we can therefore see, he opined that favorable relations with Germany would continue for no more than four years. These were prophetic words.

According to Piłsudski, a German-Polish rapprochement was not altogether impossible despite the differences in political systems and the ideological chasm between National Socialism and Communism. On 7 March 1934 he made an emphatic statement to this effect: “During the reigns of Catherine of Russia and Frederick the Great, Poland experienced firsthand what happens when these two of her mighty neighbors reach an understanding. Poland was then ripped to shreds. This danger is always there for Poland. After the Great War it was reduced in that Germany was conquered by the Entente, while the Commandant himself defeated Russia. Thus, these two states were made less powerful. They did, however, sign the Treaty of Rapallo, which although not directed exclusively against Poland, but rather against the world at large, was still dangerous for our country” (Świtalski, 1991, p. 659). Piłsudski did not develop his very realistic opinion, however we may conclude that he assumed that the state interests of the two opposing superpowers (Hitler’s Germany and Stalin’s Russia) may one day prove stronger than their ideological variance.

With all certainty, Piłsudski did not approve of the III Reich’s regime, but his approach was based on a specific rationalization of Hitler’s actions.

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1 At the time, Hitler’s other work – the *Zweites Buch* – was unknown. It was published only after the War, edited by Gerhard L. Weinberg (1961).



First of all, he considered it beneficial from the point of view of Polish interests that the leader of the new Germany was not a Prussian, for this seemed to indicate that German expansionism would not be directed against Poland in first order, but perhaps southwards (Austria, Czechoslovakia). Secondly, the Polish Marshal noted Hitler's hostility to the USSR and to Russia in general, and this gave some opportunity for a rapprochement between Warsaw and Berlin. Thirdly, he considered that the romantic revolutionism professed by National Socialism heralded the transformation of Germany according to an ideological program. This in turn would take a longer time to accomplish than the regime's creators thought. Fourthly, the *modus vivendi* established by the Polish-German Declaration on Non-Aggression could contribute to a weakening of the antagonism between the two nations. Time therefore would work to Poland's advantage. Fifthly and finally, Piłsudski was of the opinion that Germany could not be trusted, and that a potential warming of relations between Berlin and Moscow should be kept in mind by Poles, especially in light of the tragic experience of the Partitions.

In 1933, General Władysław Sikorski completed his most important book – *The Future War*. Having been dismissed from the army five years previously, he was at the time a politician vehemently opposed to Piłsudski's regime. His work was an analysis of the forthcoming war. First and foremost, the Polish General was convinced that the conflict would be both total and universal (Sikorski, 2010, p. 104 and subsequent). Sikorski's deliberations were soon translated into French, English and Russian.

In the present text we shall focus our attention on Sikorski's attempt at providing an answer to the fundamental question which he openly posed himself: "Is the Third Reich readying itself for a new war?" (Sikorski, 2010, p. 90 and subsequent).

Sikorski (2010) wrote thus:

At first glance it would appear most difficult to agree upon the motives that are driving Chancellor Hitler in his foreign policy; at one time he dons the mask of Bellona, but soon after he assumes the mask of peace. [...] In any case, Chancellor Hitler is probably too experienced a politician not to understand that in the present situation the Third Reich, due to factors of both an internal and external nature, is unable to implement its foreign program with the use of force. The National-Socialist economic plan, calculated for a period of four years, one of the primary objectives of which is to prepare Germany for the future war, is only in the course of execution. The economic situation of Germany, hitherto difficult, has worsened immeasurably in recent times. Its complex issues cannot be resolved by means of propaganda, or even by the large-scale activation of the war industry. In contemporary Germany there exists visible religious friction, and also secret revolutionary centers

that could display their destructive force in the event of an armed conflict being unleashed. There is no doubt, however, that in the present circumstances the external isolation of the Third Reich would soon become complete if the country were to provoke hostilities afresh (pp. 90–91).

Just as in the times of the late Hohenzollern Empire, when the plans for a future war were drawn up by General Graf von Schlieffen, the new German Reich is faced with the specter of war on two fronts, Sikorski considered. “The Germans should reckon with the unfavorable hypothesis that a war would have to be waged on two fronts simultaneously. On the one hand they would have to face France and Belgium, which may be joined by England. While on the other they would have Poland and Czechoslovakia, which have taken the place previously occupied by Russia in the east. At present, the vehemently anti-Communist and anti-Russian standpoint of the Third Reich has resulted in a rapprochement between France, Poland and the USSR, which in practice negates the potentially disastrous effects that the Treaty of Rapallo of 1922 could have had on peace” (Sikorski, 2010, p. 91). Clearly, the Polish General viewed the evolution of Soviet policy after 1933 as a valuable development furthering opportunities for the establishment of an anti-German coalition.

As we can see, Sikorski considered that any possibility of halting Germany lay in the creation of a coalition of the country’s neighbors, looking with confidence towards Bolshevik Russia and daydreaming about its anti-German stance.

If the Third Reich was to provoke a war of aggression, it would be threatened simultaneously from the east and the west, and in order to meet the challenge it would have to have at its disposal a powerful land army and air force. The German air defenses would have to be strong enough to effectively protect the Ruhr Basin, the centers of industry located in the Rhineland, Upper Silesia, and – finally – the infrastructure of the war industry in Saxony. A joint aerial operation executed by French, Belgian, Polish and Czechoslovak squadrons against the abovementioned industrial areas could halt Germany’s war production and debilitate its capacity to continue the conflict. It therefore comes as no surprise that the leaders of the Third Reich are attempting to proceed in line with the well-known German principle: “Only he who is strong determines the opportune moment for drawing his sword”. Making full use of the political means at their disposal, they multiply German might and arm themselves speedily (Sikorski, 2010, p. 92).

Sikorski observed the strategy adopted by National Socialism to uniformize (*gleichschalten*) the German nation with unease. He saw in it both a source

of irredentism and a method of implementing plans of aggression aimed against Austria, the Saar Basin and all other territories “where there exist German minorities open to the overtures of National Socialist ideology” (p. 92).

Recalling the unsuccessful Polish-Prussian Alliance of 1790, Sikorski (2010) looked for an analogy in the Agreement of 26 January 1934. He opined that those in power in Germany, “while soliciting Poland’s friendly neutrality to the *Anschluss*, deluded themselves that in return for the mirage of far-reaching Polish expansion to the north and east they would gain Poland’s approval for the adjustment of the common Polish-German border”. But “the administrators of the Third Reich did not abandon – despite the new course which they have taken – the possibility of one day returning to this matter, the subject of which could have been ousting Poland from Gdańsk Pomerania and Upper Silesia” (p. 93).

The objective of German policy with respect to Poland was its “neutralization”. “This newest plan of the Third Reich is to a certain extent audacious”, the author of *The Future War* noted.

Poles would have to be incredibly naive, however, not to view attempts at its implementation as the most dangerous *memento* for their own future. At the moment, the problem simply concerns neutralizing Poland, which is to be followed by making it subordinate to German influence in one form or another. And each Pole knows instinctively that the consolidation of his country’s western borders and ensuring strong control of the lands threatened by the Third Reich is the *sine qua non* of the complete independence and safety of the state, and also of its status as one of the leading European powers (Sikorski, 2010, p. 93).

Sikorski (2010) considered it absolutely obvious to “restore normal relations between Poland and Germany”. What is more, he was of the opinion that:

[such a] change is desirable – even if it were to be temporary – both as regards general European interests and from the point of view of all our reliable and trustworthy friends. Presently, however, Poland’s international position in no way resembles that of the Polish Republic in the second half of the 18th century. The Polish nation, full of youth and vibrant energy, is certain of its great future, even though it is temporarily suffering poverty. Whereas the Polish nation has learned from bitter experience that its otherwise desirable rapprochement with Germany, if it were to be distorted and exploited to serve the latter’s hidden and insidious intentions, so as to both morally and politically weaken Polish defensive power in the West and

bring about the collapse of the Polish-French alliance based on the common – permanent and equal – material and moral interests of both nations, would be something more than a political error: it would be tantamount to suicide (pp. 93–94).

But it would be wrong to assume that in his *Future War* General Sikorski engaged in purely political deliberations. For his book was a military study, devoted to an analysis of the strategy and tactics that would be applied in the coming war.

Let us stress that Sikorski (2010) opined that the strength of totalitarian Germany lay in the “unity of the state, nation and army” engendered by Hitler’s movement. This formed the systemic basis and the premise for reconstructing the country’s might, following its loss of superpower status in the wake of the defeat suffered in 1918 (p. 66).

“A nation in arms” – this slogan was much used in the interwar period in a host of countries, including Poland. In Germany, however, it gained a particular significance. The country witnessed the “integral mobilization of the nation”. Sikorski (2010) viewed the training of large numbers of people as exceptionally important, for this allowed the country to create a pool of reservists for the future conflict. Hitler had brought about the implementation of that which had been foreseen by Emperor Wilhelm I: “in future, too, the Prussian army shall be the Prussian nation in arms” (p. 76).

As regards the future war, which was to be fought on an immense scale, Sikorski had no doubt that it could be triggered off by one state only. Not by Japan, and not by Italy – only by Hitler’s Germany. The dreams and plans of the governments in Rome and Tokyo were on the whole local, and certainly far removed from any ambitions to dictate their respective wills to the world. Soviet Russia – hitherto imperialist and revisionist – was on the path to coming to terms with the territorial arrangement of Europe. In truth, this was an immense illusion – but quite a few fell under its spell.

The future war – Sikorski predicted – would differ from those fought to date, and also from that which during the period of Versailles-inspired peace was known as the “Great War”. It would be based on the doctrine of total conflict, bringing about brutality and far-reaching physical destruction; furthermore, it would be planned to be “immediately decisive”, so as to facilitate rapid conquest and long-term occupation.

One must admit that Sikorski’s conclusions sound very realistic. Particularly when viewed from the perspective of the time that has passed since the 1930s, it gains a particular meaning (with the exception of what he wrote about the Soviet Union).

Polish political journalism devoted a great deal of attention to Hitlerism. We shall not, however, attempt a summary of its most salient trends, for a separate work has already been written on the topic (cf. Musielak, 1997).

Following Piłsudski's death, Polish foreign policy was conducted by Minister Beck. His first appearance after the Marshal's demise, not public but nevertheless official, was at a conference concerning national minorities, held at the Ministry of Internal Affairs on 5 June 1935, and led to an optimistic assessment of Hitler's Germany and the country's policy with respect to Poland. The Minister observed that the "Hitlerites considered themselves revolutionaries and strove to create a new German world view". He further accepted that it was necessary to accommodate the fact "that a far-reaching change of personnel has taken place in the ruling class, and this is one of the fundamental features of a true revolution". According to Beck, "these very changes have made it possible to work out a Polish-German settlement" (Kornat, 2001).

The coup staged by Hitler had "eliminated the hegemony of Prussia in the German Reich" – or so the Polish Minister of Foreign Affairs opined. Thus, the anti-Polish factor that constantly brought about conflict between Warsaw and Berlin had disappeared.

Beck opined that:

the new German world view was based on a new concept – one that was somewhat abstract in nature, namely that of "*Deutschtum*". Whereas the former German state had used the terms "economic needs", "strategic borders", and other elements connected with the "physiology of the state", the new Germany based itself on national and racial principles. Thus, the program immediately discarded any idea of assimilating people of foreign races, while on the other it showed great interest in centers of German settlement scattered around Europe, irrespective of state borders. This led German policy to direct itself towards Austria, the Saar, Memel, and the German minority in Czechoslovakia (as cited in Kornat, 2001, p. 122).

As we can see, the Polish Minister of Foreign Affairs allowed himself to be convinced by Hitler's declarations that his sole intention was not to engage in territorial expansion, but to bring all Germans together in a single state, under the rule of one leader.

Beck attached paramount importance to the Polish-German Agreement. When speaking a year and a half after its conclusion, he declared that "on the part of the Germans it is being performed with great energy, worthy of recognition". What is more, the Polish Minister of Foreign Affairs stated, "the leadership of the Hitlerite party has additionally encumbered itself with overcoming the anti-Polish mindset of the Germans. The Germans are working on the problem with intensity, and the excesses that occur from time to time are actively stopped by Berlin" (as cited in Kornat, 2001, p. 123).

The rapprochement with Germany, which for Marshal Piłsudski had been no more than a temporary measure, was interpreted by Beck as a settlement with the attributes of permanence.

### The Polish Debate on Totalitarianism and Questions as to the Essence of National Socialism

The offensive of the totalitarian regimes (including the establishment of the III Reich) placed them in the center of attention of Polish social sciences (Kornat, 2004a, pp. 65–176; 2006). This was in no way surprising, for a similar interest was also shown in other countries. The only peculiarity of the Polish debate on totalitarianism (or “totalizm”, a synonymic term derived from the German “Totalismus”; translator’s note) was that many of its participants were aware that in the forthcoming war the Polish state, due to its geographical location, would become one of the battlefields, and indeed could fall victim to one of the totalitarian powers.

In order to better understand the phenomenon of the totalitarian state, use was made of various interpretations. Sometimes, the discussion would center on the cyclical course of history. Next to be analyzed were the “high tides” and “ebb tides” of freedom in the lives of human societies. Others still identified totalitarianism with absolutism (e.g. Szawleski, 1938, p. 292 and subsequent).

But simply increasing the number of historical analogies did not always make it possible to capture the specificity of the phenomenon. The conviction as to its novelty, that it was unprecedented in history, was shared by the majority of those who took part in the Polish debate on regimes of this type.

The new dictatorships, and there were many such states in the interwar world, were either totalitarian or authoritarian. At the time, however, this division was not always observed (e.g. Donnedieu des Vabres, 1937). Very often scholars would discuss new forms of power exercised by individuals or a leadership group without making any effort to demonstrate what distinguished the dictatorships of the new type from the traditional, for example the military juntas that had been frequent in the 19th century.

Furthermore, the concept of “totalitarianism” differs from that of “totalizm” (translator’s note: the latter word originates from the German “Totalismus” and – although completely unknown in the English-speaking world – is normally used in Polish as a synonym for totalitarianism). To be exact, the former term is of Italian origin and owes its popularity to the fact that it was broadly adopted by American authors from 1938 on, thus becoming one of the classical designations in the field of social sciences. In Poland, however, due to the strong influence of German social sciences, “Totalismus” (“totalizm”) gained greater acceptance. Whereas the concept of “totalizm” assumes the political domination of the state over society,

totalitarianism has at its root the proposition that such a system not only entails the use of violence and the elimination of political pluralism, or indeed all guarantees of individual freedom, but also complete spiritual enslavement to the “new religion” that it offers.

The first to appear on the scene of history was the Soviet “totalizm”, created by Lenin following the successful coup in Petrograd in 1917. Following the Fascists’ victorious emergence from the power-struggle in Italy (1922), Bolshevism lost its specific uniqueness, although it continued to be viewed as the “prototypical” incarnation of totalitarianism, understood as the *sui generis* “ideal type”. Finally, the take-over of government in Germany by the National Socialists (1933) brought into existence the third type of totalitarian state. The different totalitarianisms were avidly analyzed and compared, among others by Polish researchers, during the final six years (1933–1939) that preceded the catastrophe of the Second World War.

Let us now take a closer look at how Polish legal practitioners defined the concept of “totalizm” and the “total state”. What for them was the essence of these phenomena?

The lawyer Konstanty Grzybowski (2005), a precursor of the political sciences in Poland maintained that “totalizm” means the “abolishment of the fundamental opposition of state and society” (p. 68). “The total state is one that extends its competences to the entirety of human relations. Its significant feature is that it has no division into the private sphere (in which the initiative and will of the individual are decisive) and the public (where the activities of individuals are controlled under pain of coercion). In the total state everything is public. Apart from this, the state does not exist, for it has no public institutions in addition to itself”, wrote Grzybowski (p. 80). In his opinion, totalitarianisms are distinguished by the fact that the entirety of state authority is focused in the hands of a dictator. According to Edward Dubanowicz (1936), a professor from Lwów and one of the authors of the democratic Polish Constitution of 17 March 1921, “totalizm” as a model of government presumed the necessity of power being exercised by a supreme leader, thereby bringing about the “centralization of authority in the hands of the dictator and the organic integration of his tool, [that is] the monopoly, with the state”, which finally results in the “ruling element being identified with the state and the state with the nation” (Grzybowski, 2005, p. 33).

Szymon Rundstein (1935), in turn, used the Polish equivalent of the German term *der totale Staat* – the total state. In his interpretation, this was all-encompassing, so that there existed no aspect of human life “that was not political” (p. 703; see Górnicki, 2011; Marszał, 2012).

Numerous terminological proposals were coined in Poland to describe the dictatorships of the new type. In his book entitled *Siła i prawo*, the economist Roman Rybarski (1936) referred to the “monopolistic state”. The historian Kazimierz Zakrzewski propounded the theory of the “total state”, or of the “omnipotent state” (cf. Kornat, 2016). The lawyer Antoni

Peretiatkowicz (1929, 1938) wrote about “democratic caesarism”, striving to demonstrate that the charismatic leadership of the dictator constitutes the essence of total power, however he illustrated this model of government using four examples: Mussolini, Hitler, Kemal in Turkey and Salazar in Portugal (this being the most controversial) (1938, p. 25).

The lawyer and economist Leopold Caro (1929) stated that the ambitions of the creators of total states are much broader than just to wield unlimited power. In his opinion, the “goal of the new rulers is to completely exclude individuality [...] and transform all members of society into obedient members of an organization, limited to performing the lowest functions and leaving all intellectual activity to the imperious minority” (pp. 346–347).

All in all, the German National Socialist regime was not considered as a more advanced version of “totalizm”. Peretiatkowicz (1938) – for example – declared that the Soviet system had created conditions for the greatest enslavement of the individual. “Communism is the most extreme type of dictatorship, for it brings about the greatest control over man” (p. 22). Edward Dubanowicz (1936), who viewed the Soviet “totalizm” as the furthest-reaching embodiment of this form of government, approached the issue similarly; in his opinion, comprehensive expropriation leads to the “leveling of society”, and thus Sovietism has exceeded Hitlerism in its efforts to bring about the bondage of man (the individual) (as cited in Maciejewski & Marszał, 2005, p. 35). Communism in the Soviet version brings with it not only spiritual, but also material enslavement. It uses ideological pressure to enforce all-embracing expropriation.

According to Zygmunt Mysłakowski (1938), in the 1930s Europe witnessed the emergence of three fundamental types of “totalizm”: “state «totalizm»” (that is authoritarianism), “social «totalizm»” (that is Soviet Communism), and “national «totalizm»” (nationalism), as well as “various intermediate or mixed forms”. Mysłakowski also noticed the older forms of “totalizm”, including among them – for example – theocracy, which was well known in the history of mankind (p. 53).

Is totalitarianism only a vision, or can it indeed be implemented? – the replies given to this question were cautious.

“Totalizm”, as Konstanty Grzybowski opined, was based on the “claim to totality” (*Totalitätsanspruch der Partei*) (Maciejewski & Marszał, 2005, p. 80). Thus, we are not dealing with the establishment of a state that may be considered as the embodiment of “totalizm”, but rather with a process of “totalization” that has its own specific dynamics.

The viewpoint of Zygmunt Cybichowski (1939), a Professor at the University of Warsaw, was altogether different. He maintained that “No total state had ever existed and none ever will, for this would be impossible”. Such a utopia could not be fulfilled, for “no state has any interest in extending its competences over all aspects of national and societal life”. To the contrary, we could observe that states were striving to exhaust certain of their competences (p. 318).



Two concepts of “totalizm” emerge from these deliberations. One approached this form of government as an ideal type, which could never be attained in full, only neared. The second placed emphasis on the factor of the unlimited domination of the state over the individual and society in the name of an ideological project, terming this system “totalizm”.

Polish social scientists were preoccupied primarily with the question of the origins of “totalizm”, however they did not always present an analytical clarification of their findings.

One of the most interesting ideas consisted in interpreting “totalizm” as an expression of the anti-liberal revolution that ended the progress of liberalism which had become noticeable in the second half of the 19th century, leading in no small measure to the victory of the Entente over Germany in the First World War.

According to Kazimierz Zakrzewski (1933, p. 7), a researcher of antiquity and a Professor at the University of Warsaw, the essence of the anti-liberal revolution was the “idea of the rapid transformation of society by means of the state apparatus”. First and foremost, this theory assumed that the liberal-democratic order was undergoing an innate and inescapable process of destruction, which was a phase of the cycle of spiritual and social transformation in Europe.

As we know, already in the 1930s there appeared interpretations that viewed Bolshevism and National Socialism as “new religions”. The term *religions seculieures* made a veritable career in the French language.

The concept of the “new religion” also had its supporters amongst Polish analysts and commentators of Hitler’s regime.

In his work entitled *Narodowo-socjalistyczna doktryna prawa narodów*, Szymon Rundstein came to the conclusion that the National-Socialist state and legal system are based on a “teleologism tinged with mysticism” (Maciejewski & Marszał, 2005, p. 385). The state busied itself pursuing an ideologically programmed objective – one set *a priori*.

Kazimierz Zakrzewski (1934, p. 1) noted that Hitler’s monoparty more closely resembled a religious movement than a social-political one. The victorious revolutionary camp, organized in a party of “the new type”, constituted a *sui generis* “monastic order, more or less closed, which built and at the same time cemented the revolutionary state. This order is based on specific principles of internal hierarchy, which protect the integrity of the revolutionary idea and paralyze the potential impact of the masses of opportunists who flock to the ruling camp” (Zakrzewski, 1931, p. 42). In this way “the party-cum-order rids itself of the attributes of a political party, understood as a function of liberal democracy, and in terms of organization becomes more similar to a militant church” (pp. 42–43). As examples, Zakrzewski gave the Bolsheviks and the Italian Fascist party.

The authors of the first comparative analyses of the three totalitarianisms attempted to determine whether Bolshevism could be viewed as the source of National Socialism and Fascism.

Kazimierz Zakrzewski (1931) considered that Fascism was a “reflection of Leninism at the service of the bourgeoisie” (p. 44). Fascism was given a broader interpretation – as a mix of Italian “Mussolinism” and German National Socialism. The thesis that Fascism was dependent on Bolshevism found clear reflection in the title of a set of articles which he published in the journal “Przełom”: *Od Lenina do Hitlera*, cited above. Another well-known historian, Franciszek Bujak (1939), opined that Fascism originated “from a clear sense of the threat posed by Communism to the existing social system and further development of the Italian state and nation” (p. 89). These are but two examples of interpretations pointing to the dependence of Fascism on Bolshevism. In all probability – although this cannot be unequivocally proved – the two historians used the term “Fascism” to refer to both Mussolini’s and Hitler’s regimes.

We should stress at this point that the debate on “totalizm” carried on by Polish legal practitioners in the 1930s had a specific political context, which could be summed up in the form of a question: What is to become of Poland? An analysis of “totalizm” brought with it the warning that it was a road to nowhere. Peretiatkowicz’s statement (1938) that “«totalizm» does not solve any of the issues concerning the state” (p. 23) must be read as a political – and not purely academic – observation.

### On the Political and Legal System of the III Reich

The National Socialist state was based on violence, referring to mystical Germanic concepts and using “decisionism” (a term coined by Carl Schmitt), inseparably connected with the notion of “command”. These theses summarized the understanding of the III Reich’s polity shared by Polish legal practitioners (cf. Kanarek-Równicka, 2017; Maciejewski & Marszał, 2005). It was unable to create permanent mechanisms of law upon which any stable system must be based. In the short term, such a system made possible the immense mobilization of the nation, however the future remained a great unknown.

In his book *Państwa totalne. Blaski i cienie*, Stanisław Kutrzeba (1937) maintained that “totalizm” as a system may give impressive results, however these are invariably short-term. It cannot constitute a permanent solution to the problem of authority and the individual, and it does not introduce mechanisms for the handover of power. Everything is based on the qualities of the leader who exercises authority.

Marian Zygmunt Jedlicki (1939) made an attempt at summarizing the postulates of the National Socialists concerning the legal system. To begin with, he turned attention to the motive of racial purity and its protection as being of key importance for the state and jurisprudence of the III Reich. First, the state was to “awaken and develop the instinct of race in the nation”. Second, it should “close avenues enabling the inflow of the Semitic race to

the Aryan race in Germany”. Third, its role was to implement the elimination of Jews from the political and economic life of the nation. Fourth and last, it was to bring about the “purification of culture from foreign influences” (Maciejewski & Marszał, 2005, p. 276).

The criminal law of National Socialist Germany was touched upon by Władysław Wolter (1934), one of the leading Polish specialists in penal law of the 20th century. In his intriguing essay entitled *Prawo karne pod znakiem swastyki* he discussed the memorandum of the Prussian Minister of Internal Affairs entitled *Narodowosocjalistyczne prawo karne*, which had been published in 1934. Wolter turned attention to the fundamental features of the criminal jurisprudence of the III Reich. He reminded his readers that the leitmotif of this legislation was the assumption that “the protection of the interests of the population comes well before the protection of the interests of the individual” (p. 244). He also noted the repressive nature of the state’s penal policy. Neither did Wolter omit Hitlerite racism, which found reflection in the crime of “treason of the race”.

In a very interesting study entitled *Przyszły kodeks karny Trzeciej Rzeszy*, Emil Stanisław Rappaport (1934), a Professor at the Jan Kazimierz University in Lwów, a judge of the Supreme Court, and the President of the International Commission for Legal Cooperation at the League of Nations, distinguished four principles of Hitlerite law. The first concerned the “nationalist premise” adopted by legislators of the III Reich. In other words, the Hitlerite legal system was based on the concept of the historical mission of Germany – “an enthusiastic nationalism enveloped in the fog of primeval mystic heroism” (p. 14). Secondly, Rappaport pointed to the “differentiating and eliminatory racism”. Thirdly, he noted the abandonment of the principles of human and civic rights, stating that this was accompanied by “only indirect protection of the right to ownership of property”. Fourthly, Rappaport considered as characteristically Hitlerite the “equation of enactments with a sense of law” (popular, Germanic). This state of affairs was in many ways similar to the concept of the “revolutionary conscience”, which played the leading role in the legal system of the USSR (p. 14).

In 1934, one Rafał Lemkin came forward with his reflections on the political and legal system of Hitler’s Germany (cf. Kornat, 2004b; Bieńczyk-Missala & Dębski, 2010). Similarly to the American journalist Henry Renfro Knickerbocker, he had the impression that by adopting National Socialism Germany was setting the hands of the “clock of history” back by a few hundred years. Whereas the modern age had generated the conviction that a penalty was not only retribution against a criminal, but also served a corrective purpose, National Socialism interpreted criminal law as no more than a tool of retaliation for the committal of a prohibited act. In this way it was “eliminating the entirety of scientific achievements made in recent decades in the field of penitentiary science”. German law introduced a norm whereby persons considered as dangerous to the state could be deprived of citizenship, with the extraordinary sanction of expulsion from the country. Thus, it resurrected the

Medieval institution of banishment. Further, it introduced the confiscation of the entire assets of a perpetrator, thereby directly affecting his family. The enforcement of penalties was once again based on practices such as “fasting”, seclusion in “dark cells”, and “whippings”. For Lemkin (1934), the foundations of the penal policy of the III Reich were based on “extreme nationalism”. Foreigners and those belonging to different races – as well as persons sentenced to a term of imprisonment of at least three months – could be removed from the territory of the country. “In this great center of European legal thought there has appeared a chasm, upon which scientists of other countries look with amazement and trepidation”, wrote the future creator of the concept of *genocide*, thus bringing to a close his accurate albeit concise reflections.

Among the numerous references to National Socialism contained in Antoni Wereszczyński’s book (1934) *Państwo antyczne i jego renesansy*, particularly noteworthy is his statement to the effect that this system “rejects Roman law” and in practice “strives to eliminate law in its entirety” (p. 202).

One of the most important analyses of the political system of Hitlerite Germany to be put forward in Polish legal science before the Second World War was authored by Konstanty Grzybowski (1939b) in 1939 in the *Encyklopedia Nauk Politycznych*. This Kraków-based legal practitioner strongly accented the irrational nature of racism. He also attached considerable emphasis to the fundamental role of the “anti-liberal mentality” in shaping the climate that made possible Hitlerism’s victory (Grzybowski, 1939a, pp. 45–46). Similarly to Emil Rappaport, Grzybowski turned attention to the racist nationalism – the antithesis of “egalitarian democratism” – that lay at the heart of the system. Hitlerism established the concept of leadership in place of the principle of the division of powers. The Führer’s will functioned as a concept of law and replaced the principles of legalism. Grzybowski further accented the introduction of the monopoly of one governing party (the NSDAP) and the elimination of the federative nature of the Reich (and other forms of self-government) in favor of a uniform and centralized system of government (Grzybowski, 1939b, p. 64). Finally, he made note – with great accuracy – that the system of the III Reich had secured its own survival more through practice than written law.

Grzybowski (1939b) came to the conclusion that the political system of the III Reich was based first and foremost on the practice of government, and not on written law (i.e. formally enacted). Hitlerism in its doctrine did not perceive the nation as the sum of equal individuals endowed with identical rights and status, for the members of the National Socialist party themselves constituted a distinct elite. Totalitarian governments invariably referred to the will of the nation. And the nation approved the initiatives of the authorities “through acclamation”, without exercising any control over them and without participating in the exercise of power (p. 70).

Some interesting comments about the Hitlerite system of penal law were authored by Stanisław Stomma (1938), at the time a young lawyer associated with the Stefan Batory University. In his doctoral thesis

entitled *Wina i związek przyczynowy w rozwoju prawa karnego* he analyzed the argumentation presented by Hitlerite legal practitioners. The fundamental nature of the legal system of the III Reich was expressed by the replacement of individual rights with the rights of the collectivity, with the superior systemic norm being the maintenance of social order (pp. 20–21).

As Szymon Rundstein stressed, the essence of National Socialism lay in “concrete thinking”. Instead of abstract normativism, which is detached from life, “one should refer directly to a concrete life relationship (*konkrete Wirklichkeit eines Lebensverhältnisses*)”, Carl Schmitt explained (as cited in Frydman, 1936, p. 121). The law was to be freed from formalistic and normative bonds. It was to be based on “concrete thinking”, that is “German thinking” (Rundstein, 1935, p. 7). As we know, Schmitt was not an ideologue of Hitlerism – first and foremost, he was a revolutionary conservative. On this issue, however, his views were representative of the Hitlerite theory of state and law.

In the Hitlerite theory of state and law, legal enactments such as acts were viewed completely differently than they had been hitherto. As Antoni Deryng (1936) observed – citing Schmitt’s disquisitions – “the act is a *sui generis* order given by the leader, and at the same time one of the most important tools for leading” the nation (p. 13).

The similarities between Bolshevism and German National Socialism occupied the attention of many Polish legal practitioners.

Perhaps at this point it is worth referring to the reflections of Sawa Frydman, a lawyer from Wilno who in 1936 published a very interesting study entitled *Dogmatyka prawa w świetle socjologii*. In totalitarian dictatorships the interpretation of law was “teleological” in nature, being closely connected with the “social ideal” forming the basis of the adopted systemic solutions.<sup>2</sup> “Soviet theoreticians – Frydman wrote (1936) – propagate assessments of justness based on objectives dictated by the Leaders. The Germans, in turn, prefer their assessments to be founded not on objectives, but on direct values, which are felt intuitively or dictated by the Leader” (p. 121). In the democratic-liberal system, those in government “do not elaborate plans encompassing the entirety of citizens’ behavior, but rather a general framework that facilitates the attainment of individual goals by citizens”. According to Frydman, there were significant similarities between how the law was perceived in the III Reich and the USSR. First and foremost, he opined, the Hitlerite and Soviet philosophy of law was conjoined by a legal “antipositivism”. In the German system he observed the hypertrophy of general clauses, which “subvert all positivist certainty”. The totalitarian legal system – both the Hitlerite and the Soviet – was characterized by oppugning the individualistic perception of society. For this very reason the Hitlerite legal order was based on the concept

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2 The theory of the “social ideal” was created by Leon Petrażycki (1925).

of “the interests of the entire nation”, and not on the ideal of the good of the individual (p. 121). Finally, in the Hitlerite concept of civil law it was not the person who was fundamental, but the *Rechtsgenosse*, not the citizen, abstractly equal in the eyes of the law, but the member of a national collectivity, whose legal status was determined by his specific position in society. For Hitlerite legal practitioners, the cornerstone of the whole order was the “German national community”.

As regards the deliberations of Polish legal practitioners concerning Nazi concepts of international law, only one article is actually worthy of mention. Its author, Rundstein (1935), observed that in Hitler’s Germany “an attempt is being made to create a doctrine in which the dynamics of the race and its advantage – in the name of purported biological superiority – are to be reconciled with the concept of justice in international coexistence” (p. 714). This, however, was not possible.

The central subject of the totalitarian state, that is the leader, is neither an administrator nor a politician-cum-opportunist, but the executor of a mission. “The leader’s mission becomes the supreme norm, one of a new and revolutionary genesis, which undergoes constant development and revision” (Maciejewski & Marszał, 2005, p. 70). This was the fundamental *novum* of “totalizm”, which Konstanty Grzybowski noted in his reflections presented in *Niemcy hitlerowskie*.

Sawa Frydman (1936) stressed that in the National Socialist system, law constitutes no more than a “tool” of the dictatorship. It is a tool “of policy, itself directed by the Leader”. The state utilized enactments “only in situations that are considered normal”, but took no heed of such bonds “in other circumstances”. Whether or not an act would actually be applied was to be decided “by extrastatutory factors, which are connected with the act solely by the person of the Führer, who represents the unity of the nation, its ambitions and goals” (p. 121 and subsequent). In Frydman’s interpretation, this practice brought the German legal system closer to the Soviet, with the obvious difference being that the latter was built upon a different ideological foundation.

The lawyer Adam Chmurski (1935) had doubts as to whether “the German form of life had now been determined for the next one thousand years”, as Hitler declared. He pondered “whether the structure that had been hastily erected over the course of no more than 18 months may be considered as permanent? Whether the totality of power acquired by the Leader of the Reich, which due to the lack of any restraints or elements of control does not in any way differ from that once exercised by oriental despots, may in light of the present highly developed state of culture and its permeation among the broad masses ensure the system’s permanence?”. He harbored considerable reservations about the system’s centralism, “which consists in the furthest reaching simplification, uniformization and unification of the state organization, and indeed of the entirety of public life”. This centralism took absolutely no account “of the diversity of needs of life

and relations. It consisted in the relentless elimination of all differences, in extreme uniformization, and in the reduction of all aspects of life to the lowest common denominator". In essence, the totalitarian system led to a drastic homogenization of the spiritual life of the nation. "Such a system is mechanical in nature" (p. 241).

"Totalizm", as Adam Chmurski wrote (1935), "makes it easier to govern in a state, but" – as he stressed in the conclusions to his reflections – "it is an act of violence committed against life". "Hitler's state is one gigantic war camp" (p. 241). For "the elimination not only of political rights, but also of human rights brings with it the threat of future torpor, or at least that of limiting state life to bureaucratic templates and the complete killing off of creativity and initiative in each and every field", wrote the lawyer Teodor Seidler (1929); he was not alone in his assessment.

The sociologist Aleksander Hertz (1936) made a considerable contribution to our understanding of the mechanics of totalitarian government. He analyzed the phenomenon of militarized leadership in such polities, which is exercised by the "militarized monoparty". When considering the issue of the "militarization of a political party", he presented numerous sociological observations which continue to be current today. Hertz created the concept of the "mass world view group" and the "ideological monoparty" (pp. 60–63). The "mass world view group" was a party that had its own compact ideology and clearly "Universalist ambitions" – a program of ideological mission. Such a group would undergo transformation into the "ideological monoparty", which based itself on the assumption that other, competitive political groupings must be refused the right to exist. The Bolshevik party in Russia, the Fascists in Italy, and the National Socialists in Germany were – according to Hertz – "closed elites" long before taking over power. It is worth stressing that he observed similar tendencies in all three totalitarian movements (p. 63). And it is this position – ideologically motivated – that clearly distinguished the monoparty from the classical parliamentary grouping. In Hertz's interpretation, the "ideological monoparty" constituted a "separate type of political party". He considered the term "monoparty" as not sufficiently precise, preferring to use it as a working name. Further, in his opinion "monoparty" features could also become apparent in "non-monoparty" groupings, i.e. in states that were not based on the doctrine of totalitarianism. The Polish sociologist considered the process of militarization of the monoparty as having particular significance, for it led to the creation of the "leader's team". Its organizational structure was military in nature. According to him, this was true of both the Fascist party and the National Socialists, and he added that "Military qualities are also typical of the Communists, however their form and nature differ". He viewed this as "a militarism of a somewhat different type". Militarized mass groupings were characterized by "combativeness", interpreted by Hertz as the "moral condition of their members, their mental stance, which determines whether they act aggressively or defensively" (pp. 65–66).

The “ideological monopoly” must of necessity have an individual leadership that is freed from all control and exercised exclusively by the leader, who possesses “complete peremptory powers”. He enjoys dictatorial powers which he exercises “due to the fact of their possession, sanctioned by the presently valid statutes. The leader determines the objectives of the campaign, makes all nominations, appoints his staff, designates lower-ranking commanders and directly conducts activities. He is responsible to no-one, whereas all subordinate organs are responsible directly to him. It is he who takes final decisions. The supreme collective bodies of the party are organized as staffs, i.e. they are advisory and do not control the leader’s actions” (Hertz, 1936, pp. 66–67). The administrative staff of the “ideological monopoly” functions as the leader’s executive, while statutory positions are usually filled through nominations, not on the basis of elections.

The evolution of the “ideological monopoly” leads to the emergence of a militarized structure that is subordinate to the leader and acts in line with his orders. Hertz further noted that the “ideological monopoly” had a hierarchical, disciplined structure. Obedience at all costs was the norm of behavior. The genesis of the “ideological monopoly” and the reasons for the process of “militarization of the political party” were also the subject of interest of legal practitioners, amongst whom we should mention Antoni Wereszczyński (1934), who wrote thus: “the fact that a coup was staged by persons who until a while ago had been in the armed forces or – more generally speaking – had a military background gives the new state system an indelible mark” (p. 177). “These people are accustomed to orders, which have to be carried out (at least formally), to being obedient to a hierarchy of superiors – but first and foremost to a leader of some sort, and to the omnipotence of the army with respect to civilians; thus, they bring all these elements into the new form of state life” (p. 177). An important feature of the totalitarian mentality was “the belief in the absolute supremacy of the order”. Moreover, in the totalitarian state, the leader had at his disposal “an elite body-guard” (p. 196).

The dictatorship of the monopoly was also discussed by Waław Komarnicki (1938), who stressed that both Fascism and Hitlerism “are based, in the same way as Communism, on the monopoly system”, maintaining that all three polities were examples of “the contemporary phenomenon of party dictatorship” (p. 186). This fact fundamentally conjoined them and made possible comparative studies.

One of the most insightful analyses of Fascism and Nazism was provided by two sociologists.

In his *Totalizm i kultura* (published in 1938), Zygmunt Mysłakowski created a vision of an “escape from freedom” that was later presented by Erich Fromm – who knew nothing of Mysłakowski’s findings – in *Escape from Freedom* (cf. Kornat, 2009). Mysłakowski (1938) also made some interesting observations about the psychological need for a “leader”. He turned attention to the fact that “the yearning for a «leader», so typical of our times, is the psychological revolt of suppressed and at the same time incompletely over-



come subconscious complexes” (p. 71). A person who is internally enslaved and “insufficiently mature” to accept freedom values the “herd”, and does not look for the “company of free and equal men”. He prefers to relinquish freedom and “self-determination, of which he is afraid” in return for the feeling of strength gained from “melting” into the nameless mass guided by the “leader”. In times of crisis, man looks for that which is irrational, in order to “merge with the collectivity in its shared perceptions and emotions”. All this constitutes “an escape from personal risk, from one’s own self” (pp. 74–75). Mysłakowski’s analysis of the genesis of Fascism and National Socialism was singularly important. Erich Fromm’s subsequent deliberations in *Escape from Freedom* became the most important achievement in this field.

Mysłakowski was a lay thinker, and he strove to present the phenomenon of the “crisis of freedom” as the source of Fascism and Nazism. However this excellent term was not coined by him, but by Father Jan Stepa, a philosopher and Professor at the University of Lwów. His book entitled *Kościół a współczesny kryzys wolności*, which was published in Lwów in 1939 (just before the outbreak of the Second World War), made it popular amongst Polish intellectuals participating in the debate on contemporary autocratic regimes.

In 1936 Stefan Czarnowski (1956), a Professor at the University of Warsaw, published an essay entitled *Ludzie zbędni w służbie przemocy*. In it, he presented the phenomenon of the mass of the unemployed as a force that was being utilized by the totalitarian movement in Germany. Czarnowski noted this social base of Fascist movements. His short essay was an important contribution to the studies into Fascism conducted in prewar Poland. After the War, Hannah Arendt wrote about this mechanism in her *The Origins of Totalitarianism*.

But one of the most insightful observations concerning Germany in 1933 was penned by the Polish writer Zygmunt Nowakowski (2014). His reportages from Germany were published in Warsaw in the same year under the euphemistic title *Germany à la minute*. Nowakowski’s texts continue to be a very interesting presentation of the National Socialist regime *in statu nascendi*. *Clap your hands, citizens!* – this is one of the more revealing sights witnessed by the Polish journalist. He also captured first-hand the practical aspects of crowd control using demagogy and emotional manipulation techniques. Without these skills, the National Socialists would have doubtless lost the fight for power in Germany.

### Faced with the Threat, and Then the Reality of War

Within a period of five years – from January 1934 to March 1939 – Poland enjoyed relative political stabilization on the international arena, and appeared to be reaping the fruits of its policy of maintaining equilibrium between Germany and the Soviet Union. In the spring of 1939, however, Polish-German relations experienced an irreversible collapse. In the second half of

March the Polish government definitively rejected the Nazis' territorial claims, which concerned the incorporation of the Free City of Danzig into the Reich and the construction of an extraterritorial motorway and railway line through Gdańsk Pomerania. In September 1939 (while interned in Romania), Minister Beck purportedly declared that by accepting the German proposals "we would have defeated Russia [...], but ended up pasturing cows for Hitler beyond the Urals" (Bociański, n.d., p. 57).

Diplomatic sources from the end of 1938 and beginning of 1939 contain a wealth of information indicating that Hitler was unable to decide on a specific course of action – whether to attack the Western Powers first, or whether to launch an assault against Poland. Following political consultations in London with representatives of the Polish government, on 30 March 1939 it was decided to guarantee the independence of Poland. These developments are well-known, for they have been interpreted and reinterpreted by historians many times over (cf. Kornat, 2012a, 2012b).

By the beginning of 1939 it finally became evident to Józef Beck – who clearly had considered the Polish-German Agreement of 1934 as the most important achievement of Polish diplomacy since the signature of the Versailles Treaty – that Hitler was looking for easy territorial conquests and could be stopped only by force. In fact, Beck was the first politician in Europe to comprehend the full extent of his plans. In a letter to Wieniawa-Długoszowski dated 10 May 1939 he wrote that while visiting Hitler at Berchtesgaden in January of that year, he had observed "a dangerous change in the man whom on the basis of evidence – specific and concrete – I had in 1934 viewed as an example of reason in foreign policy, so uncommon in Germany. Too many easy victories – Beck explained – resulting from the incompetence and dithering of his opponents, both great and small, have led this man, with whom only a year ago one could reasonably discuss European politics, to a position in which he constitutes a direct threat to our interests". Beck opined that "this man has lost all measure" (Żerko, 2005, p. 454).

The Polish assessment of the policy of rapprochement with Hitler's Germany varied. In the eyes of its authors, it had no reasonable alternative. The Deputy Foreign Minister, Jan Szembek (1939), wrote thus to the ambassador in Tokyo, Tadeusz Romer:

The Agreement with Germany of 1934 is now a thing of the past. During the five years of its existence, the policy which it had introduced and supported was the object of criticism on more than one occasion. Today, however, I think that these critiques were devoid of any basis and that the policy of good-neighborly relations with Germany was and fundamentally continues to be – obviously, circumstances permitting – the most appropriate route for Polish foreign politics. It adequately prevented the moral disarmament of our society – of which fact we presently have sufficient proof – and allowed Poland to develop and strengthen

its position under conditions of peace, and also withdrew our country from the front line of German attack, giving us enough time for the West to see that concessions lead to nothing and that force must be met with force” (reel 1).

There is no doubt, however, that critics of Beck’s diplomacy felt that their prophecies had come true. We should remind ourselves at this point that already in the years 1934–1935 commentators on international politics such as Professor Stanisław Stroński (1935) and General Władysław Sikorski had put forward the thesis that the rapprochement with Poland was a clever move on Hitler’s part, modeled on Prussia’s alliance with Poland of March 1790. As we know, this pact was annulled by the Prussian government when Russia, attempting to prevent the adoption of the Constitution of 3 May, invaded the Polish Republic on the basis of the Targowica Confederation.

The Ribbentrop–Molotov Pact came as an enormous surprise for both Polish diplomacy and public opinion. No-one could imagine the two opposing totalitarian powers entering into an alliance – even if it was tactical in nature (cf. Kornat, 2002). Various attempts were made to rationalize the events taking place in international politics. One of these was based on the assumption that having received the British guarantees, Poland would enter the war not isolated, but in a coalition, and that this would ensure that the Soviet Union would not challenge such a block. The Ministry of Foreign Affairs headed by Beck was not aware of the secret protocol of 23 August 1939. The governments of France and the United States learned of this document, however neither notified the Polish side, even though Paris and Warsaw were connected by a renewed alliance against Germany.

There were, of course, exceptions among Poles. In 1939 Roman Knoll, a diplomat who had left the foreign service at the beginning of the 1930s, published a brochure entitled *Uwagi o polityce polskiej* in which he speculated about a “reversal of alliances” in Europe.

Is the offensive of “totalizm” inevitable? What is the future of Europe? Does the free world stand a chance of survival? These were the questions which Polish critics of totalitarianism posed themselves when Hitler unleashed the Second World War, marking a dramatic change in world history. We shall cite only some of their analyses.

Immediately before the Second World War broke out, the lawyer and historian Stanisław Estreicher, a Professor at the Jagiellonian University, wrote a foreboding poem for his grandson (later a professor himself), Stanisław Grzybowski:

*A war is approaching “for the sanctity of souls” and the “God-given right to live”.*

*“Can we turn the stream around, and change it into a dead sea?  
And reject the entire past? – And violate freedom in its entirety?”*

(as cited in Kozarynowa, 1965)

Leon Halban, a Professor at the Catholic University of Lublin, stated at the beginning of 1939 that “it is an irrefutable law of sociology that any devaluation of human life [...] results in catastrophe” (Halban, 1939).

“Is there really no other road than through totalitarian enslavement? *Contra spem sperabimus*” – wrote the Sovietologist (and Professor at the University of Wilno) Wiktor Sukiennicki as a dedication on the title page of his book *Ewolucja ustroju Związku Socjalistycznych Republik Radzieckich w świetle oficjalnych publikacji władzy radzieckiej*, which was published in 1938 (Sukiennicki, 1938). He penned these anxious words on 7 December 1938.

In the spring of 1939 Józef Winiewicz – a journalist writing for the Catholic “Dziennik Poznański” journal and a collaborator of the “Polityka” weekly printed by Jerzy Giedroyc – published a book warning against the German threat. His volume, which touched upon the issue of the mobilization of German fifth columnists in Poland, was not aimed against the German minority as an ethnic group, but rather constituted an in-depth analysis of the activities of German irredentism in Poland conducted through the Young German Party (*Jungdeutsche Partei*), which had been established in 1931 and was controlled from Berlin (Winiewicz, 1939).

Without a doubt, all these reflections anticipated the criminal conquests and equally criminal rule of the III Reich in Europe.

Those, however, who think that the Polish authors of deliberations on the topic of National Socialism foresaw the scale of the atrocities that were to be committed in the approaching conflict are mistaken. For what the Germans actually did far exceeded even the darkest expectations.

We do not have sufficient space for a broader presentation of how Hitler was viewed by the Polish political milieu. This would require a lengthy lecture, and above all an analysis of the viewpoints of émigré circles and the Underground State in Poland, which had a press representing many different political trends.<sup>3</sup>

Let us just take note of the fact that during a conversation with the American Deputy Secretary of State Sumner Wells, General Sikorski expressed the opinion that “war was inevitable”, for it had been prepared by Germany („Protokoły”, 1994, pp. 237–238). In the eyes of the Polish leader, Frederick II and Bismarck were “the creators of the policy of lawlessness and violence”. The War – as the General explained – “is being fought in defense of civilization”. The alternative would be “capitulation to barbarity”. The world was faced “with a Bolshevik-Hitlerite conspiracy aimed against humanity” (p. 239).

Sikorski considered Hitler “the crowning embodiment of German imperialism”. Following the defeat of France in the summer of 1940, the Polish statesman wrote *pro memoria* in his *Notatnik*: “Hitler, who hopes to

3 Unfortunately, such a study has not yet been authored in Polish historiography. Research into the Communist movement in Poland has been ably commenced by Karol Sacewicz (2005, 2009).

imitate Napoleon's achievements in the political field, will never succeed in uniting continental Europe against Great Britain – that is in uniting it in his way, i.e. in the Germanic way" (Sikorski, 1940). In his opinion, the "madman from Berchtesgaden" "was not a patch" on Napoleon I.<sup>4</sup> Sikorski opposed comparisons between Hitler and Mussolini (*Protokoły*, 1994, p. 243). In his eyes, the Fascist leader was a statesman of considerable stature. It may be that following Mussolini's appearance on 10 June 1940, when he declared that Poland had ceased to exist, the General reviewed his assessment, however we lack supporting evidence.

Hitler did not bring with him any civilizational values – only the violence required to establish global German hegemony. He was the crowning embodiment of German imperialism, which had developed steadfastly through the ages. The German leader "represents the most extreme and at the same time complete elements of German imperialism ...". But "he shall bring the German nation to an equally unparalleled downfall [...]. And we shall yet praise his name as the one who brought about this collapse" (*Protokoły*, 1994, p. 297). Whatever we may think of the accuracy of the political calculations of the Polish Prime Minister and Supreme Commander of the Army in Exile, we must admit that he did not believe that Germany would conquer the Soviet Union from the very beginning, and shaped his policies accordingly.

*German law and German lawlessness* is the title of a lecture given by Sikorski at the University of St. Andrews in the spring of 1941 on the occasion of being awarded a doctorate *honoris causa*. In it, he strongly condemned the criminal policies of Hitler's Germany. Of considerable interest is the fact that he contextualized his leadership in German history, attempting to demonstrate that his policies were not novel, but rather constituted the crowning achievement of German history. For the Germans, law is force – the General declared. In the eyes of Hitler's Germany, other states are no more than *Lebensraum*. Foreign nations have no "moral sovereignty". The National Socialist state is a veritable leviathan that absorbs everything and everyone (Sikorski, 1941, pp. 10–12).

His speeches given in the United States towards the end of 1942, during his last visit to the country as Polish Prime Minister and Supreme Commander, were coincident with this message. When on 8 December of that year he received a doctorate *honoris causa* from Georgetown Catholic University, Sikorski declared that German totalitarianism was inspired by the texts of past German philosophers (Sikorski, 1942, pp. 8–9). Eight days later, while speaking at the Overseas Press Club, he stood up for the murdered Jews, stating:

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4 These valuable notes were taken by the Polish ambassador in Ankara, Michał Sokolnicki, during discussions held with Sikorski in the Middle East in December 1941 (Sokolnicki, 1965, p. 288).

The total number of Jews killed has reached one million and this number is increasing daily. All perish: the rich and the poor, the infirm and old, the women, the men, the youths and little children. Their only crime is that they were born into the Jewish people, and are condemned to extermination by Hitler. Therefore we, Catholics and Poles, desire to speak. We do not want to be Pontius Pilates. We cannot actively counteract the German crimes, we cannot help anything, we cannot save anybody, but we protest from the bottom of our hearts, filled with compassion, indignation and honor.

These were not his own words, for he was citing a pamphlet – published in Poland – that had been given to him in London. “Once we have gained victory, the walls of the ghettos shall fall” – the General said. “Now, however, means must be found to save the Polish Jews, victims of this bestial barbarism”, he concluded (Sikorski, 1942, p. 19).

Although Raymond Aron was of the opinion that times of turmoil serve to invigorate intellectual life, during the Second World War Polish political analysts did not author any significant writings concerning the phenomenon of totalitarianism in general, and the III Reich in particular.

In his book *Freedom and Civilization*, published in 1942, the anthropologist Bronisław Malinowski argued that the main determinants of Western civilization, of decisive importance for its identity, are the freedom and rights of the individual. “Totalitarianism – he emphasized – rejects freedom and establishes violence as the sole inspiration of human fate” (Malinowski, 1947, p. 317).<sup>5</sup> Totalitarianism leads to the complete and utter destruction of Western civilization. It brings a return to the state of barbarity. It is a blow to civilization. Sikorski thus voiced the opinions of practically all contemporary critics of totalitarian systems. Let us add, however, that recently a competing interpretation of totalitarianisms has emerged, according to which these systems were born of the desire to create a new order. And so the Holocaust was the terrifying fruit of rationality, a product of the industrial civilization (Bauman, 2012). The correctness of this thesis is still being disputed, and we will not attempt to resolve the issue here.

Understandably, the attention of Polish experts on Hitler’s Germany was drawn to a considerable extent to the latter’s criminal policy in Poland.

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5 The Polish anthropologist wrote thus: “The fundamental difference between democracy and totalitarianism is that democracy supplies us with all the means to deal with any serious threat to freedom. Totalitarianism denies freedom and substitutes force as the only effective inspiration in human conduct. If totalitarianism in its twofold dimension of military force and the doctrine of brutality is allowed to continue, the end of civilization is inevitable”.

In 1943 in Chicago the journalist Józef Winiewicz (cited above), subsequently the ambassador of the Communist Polish government in Washington, who during the Second World War served at the London-based Ministry of Congressional Works, published a book entitled *Aims and Failures of the German New Order*. In it, he gave an overview of the criminal occupation policy implemented by the III Reich in Poland. His volume was published a year before Rafał Lemkin's *Axis Rule in Occupied Europe* (1944).

Winiewicz (1943) turned attention to the "biological issue", that is to the Germans' use of biological measures as an instrument of occupation policy. He analyzed the means of extermination, emphasizing the significance of "denationalization" in this policy, which he understood to mean the destruction of the conquered nation state, and thereafter of the "structures of the nation". Winiewicz noted the involvement of science in the extermination campaign. He stressed the "theoretical substantiation" of Germany's struggle for supremacy over the conquered nations, which was based first and foremost on racism and "biologism", understood as a concerted effort at achieving complete destruction (pp. 20, 113).

Rafał Lemkin made greatest use of the fruits of study into the National Socialist policy of extermination. Intellectually, he was a representative of the Polish school of criminal law. In the years before the War broke out, he had made a name for himself as a supporter of the international criminal law movement. Already in his Madrid Paper of October 1933 he had proposed far-reaching reform of criminal law, putting forward his concepts of new ideas and novel definitions of crimes against humanity, including those of "barbarity" and "vandalism". During the Second World War, when fate cast him to the United States, he commenced studies into the criminal occupation policies employed by the III Reich. It should be stressed at this point that he made full use of materials published by the Polish Government-in-Exile – a fact sometimes overlooked by analysts of his thought (Kornat, 2004b, p. 137).

We shall not engage in abbreviating *Axis Rule in Occupied Europe* in the present paper, for this book is a classic and is very well known. Let us just keep in mind that it contains a broad outline of the policy of extermination applied by the III Reich. And it introduced a new concept – that of *genocide*. In short order, it became a staple of global legal science and studies in international relations. New crimes required new concepts of criminal law – such was Lemkin's fundamental thought. The full elaboration of his theory, presented in its final form in 1944, was preceded by a lengthy process of reflection and analysis. The concept of genocide defined the phenomenon of criminal negation of the doctrine of Rousseau-Portalis that had led to the Hague Conventions of 1907. By the 1940s, however, this doctrine had become insufficient, for it only served to "improve the fate of wounded and sick soldiers by the conclusion of international agreements".<sup>6</sup>

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6 Jean-Etienne Portalis was a student of Jean-Jacques Rousseau.

According to Lemkin, genocide was a process that comprised two stages: (1) “the destruction of the national patterns of existence of the group subjected to repression” – by the removal of its elites (the intelligentsia) (Lemkin, 2013, p. 110). (2) next came the removal of the population of the occupied territory, in order for it to be colonized with “individuals belonging to the nation of the oppressor”.

Thus the essence of genocide lies not in the deprivation of national identity, but in “the destruction of the biological structure of a group”. Lemkin distinguished various “techniques of genocide”: political, social, cultural, economic, physical, religious and moral.

And he deplored the passivity of the international community in the face of the offensive launched by the totalitarian powers. “If this principle of universal repression against practices of genocide”, expounded in Madrid – wrote Lemkin (2013), referring to this pioneering paper from 1933 – “had been accepted by the conference and adopted in the form of an international agreement, signed and ratified by the states represented in 1933, already then it would have been possible to charge those who had been recognized as guilty of committing such crimes whenever they had set foot on the territory of one of the signatory states” (p. 122).

The constitutions and criminal codes of individual states are insufficient to inflict punishment on the perpetrators of crimes of the new type – declared the author of *Axis Rule in Occupied Europe*. It was necessary to have an act of international law. For only such an instrument would have the universal foundation necessary to bring criminals to account.

### Where is the German Confitoor?

The present article simply cannot omit an important debate that took place in Poland on the topic of the III Reich, its place in the history of mankind, German crimes and the guilt of the German nation.<sup>7</sup>

The debate conducted by Polish intellectuals contrasts strongly with statements made by members of the Communist Establishment, key among them Bolesław Bierut, Edward Osóbka-Morawski and Józef Cyrankiewicz. The political declarations of the new rulers of Poland reiterated the Soviet thesis that Fascism and Nazism were a creation of capitalism.

Such theories, however, were excellently countered by the famous statement with which Zofia Nałkowska concluded her short story *Medaliony*: “Man for fellow man concocted this fate!”. Professor Stanisław Pigoń had

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<sup>7</sup> Edmund Dmitrów’s book (1987) is most valuable, but unfortunately it does not include the voices of the Polish émigré community, where Poles enjoyed full freedom of speech.



this to say about Nałkowska's crushing summary (1968): "It would be difficult to more accurately express the terrible horror of dehumanization, attested to by the cruelties of the total war" (p. 231). When therefore we return to the deliberations of the Polish intellectual elite on the gruesome heritage of National Socialism, it is difficult not to mention Nałkowska's reportage. Her final statement remains highly significant due its brevity and defiance of the Communist supposition that the causal factor of these unprecedented crimes had been the escalation of imperialism, with the latter being a product of capitalism.

Understandably, a great many writers had their say on the issue of German crimes. We simply must mention those whom the recently deceased historian Jerzy Jedlicki (1993) considered as most important: Seweryna Szmaglewska (*Dymy nad Birkenau*), Tadeusz Borowski (*Proszę państwa do gazu*), and – obviously – Nałkowska (*Medaliony*) (p. 11). First and foremost, they contain a vivid and evocative presentation of the unimaginable regress of humanity brought about by the criminal reign of the III Reich and its policy of extermination.

When remembering the *Sonderaktion Krakau*, Professor Pigoń (1968) – previously cited – modified Nałkowska's famous sentence to "Scientists for fellow scientists concocted this monstrosity of extermination. We were arrested by *doctor iuris*, ostensibly a servant of law and justice. [...] Researchers and inventors, servants of science, allowed themselves to be harnessed to the task of exterminating human beings. [...] Our museums and scientific institutes were plundered, and our archives and libraries turned into ashes by scientists as well – historians of art, archivists, librarians and bibliophiles" (232).

The debate on National Socialism and the III Reich that took place in Poland in the years 1945–1948 witnessed a return to the concept of the age-old Polish-German antagonism. Basically, Hitler's state was considered as Germany's highest point of development. Such reflections were presented among others by the historians Józef Feldman and Władysław Konopczyński (the *Doktorvater* of the former).

The heritage of Prussia as Poland's aggressive neighbor was pushed to the forefront as new attempts were made to clarify this historical confrontation and its climax – the war unleashed by Hitler. In 1947, Konopczyński published a study entitled *Fryderyk II a Polska*. As Emanuel Rostworowski said years later, the Polish professor wrote it with Hitler firmly before his eyes. After all, it was penned "in the capital of Frank's *Generalgouvernement*" (Rostworowski, 2010, p. 235). Let us just remind ourselves that Feldman had written about the historical Polish-German antagonism already in 1934, using the phrase "the thousand-year struggle of these two races" (Feldman, 1934, p. 5). But the concept acquired a new strength of expression only when Poland's occupation by the III Reich finally ceased.

And we must not forget about the theory of the "nation-criminal" that was propounded in Poland after 1945. Its author was Emil Stanisław Rappaport – a lawyer who before the War had been actively involved in

efforts aimed at bringing about a codification of international criminal law. Having undertaken the issue of the responsibility of the German nation for crimes that were without historical parallel, Rappaport proceeded to write the brochure *Niemcy. Naród-zbrodniarz*. The motto for his reflections were the words of Cato: *Ceterum censeo Carthaginem delendam esse*. Rappaport's booklet (brochure), published in November 1945, contained his fundamental assessment: "Poland, the first victim of the Second World War and the country most severely tried by Hitlerite criminality, should always remember the simply incalculable effects of any leniency in this respect, and further remind the United Nations at each occasion that the modern Carthage of Hitlerite imperialism should be utterly destroyed" (Rappaport, 1945, p. 4).

Referencing Cesare Lombroso, Rappaport started off from the concept of the "man-criminal" and later came to the conviction that conceptual analogy with the "nation-criminal" is fully justified. It is necessary to "render the nation-criminal harmless" for good, declared the Polish lawyer. Obviously, he was not demanding the physical extermination or annihilation of the German nation, but rather calling for Germany to be subjected to international "quarantine", which would be administered by the international community. Rappaport, however, demanded absolute denazification and that Germany be returned to the condition of an agrarian country, which, as we should add, was similar to numerous ideas popular amongst his contemporaries, the Morgenthau Plan being but one example.

It was Rappaport's (1945) intention to introduce mass-scale forced labor in the defeated and occupied country with the objective of repairing and – to some extent at least – compensating for the destruction and evil wrought on other nations. Only in future "would there come a time for Germany's national and international rehabilitation, and only then would the Nation-Criminal of today cease to be a criminal" (p. 54). Such was one of the fundamental conclusions put forward in his book.

The trial of the main war criminals before the International Military Tribunal in Nuremberg galvanized Polish public opinion, both in the Communist-dominated country and across the free world. The body of literature that has been authored on the topic of the Nuremberg Judgments is so vast that even the briefest summary would require a separate article.

These legal proceedings gave Poles considerable cause for satisfaction, for it had been their Government-in-Exile that had played a key role in informing the free world of the crimes committed by the Nazi regime. The Nuremberg Trial – as Primate Hlond (1995) observed – "documents for history the veracity of the reports that already six years ago had been sent by Poland to an incredulous world as proof of the enormous monstrosity of Hitlerite war" (p. 359). Let us add that, as files of the Polish Embassy at the Vatican clearly show, the Cardinal himself had prepared memoranda for the Holy See concerning the situation of the Church in the occupied country.

Some of the Poles living in the free world voiced critical opinions of Nuremberg, however they were few and their objections were connected

with the Soviet issue. In his brochure entitled *Nuremberg and After* (written in English), the well-known émigré political journalist Stanisław Mackiewicz (1946) opposed the commonly held view (shared by many Poles) that the Nuremberg Trials had breathed an air of morality into international relations. He argued that without the authorities of the USSR in the dock – and with the state’s representatives among the judges and prosecutors – the whole affair and its official “procedures” was nothing more than a parody. Both totalitarian superpowers had committed similar crimes, using similar methods. And Hitler had been able to unleash the Second World War only because of his tactical alliance with Stalin.

While keeping in mind the works of Winiewicz and Lemkin, published in exile, we should stress that the first attempt at an analysis of German occupation law to be written in Communist Poland was Karol Pospieszalski’s (1946) study entitled *Polska pod niemieckim prawem*. This was a review of Nazi legislation enforced in those areas of occupied Poland that had been incorporated into the III Reich. Pospieszalski’s analysis is noteworthy mainly because of the introduction of the concept of “emergency laws for Poles” (p. 254). The author thereby anticipated Franciszek Ryszka’s (1964) subsequent theory that Hitler’s Germany was a “state in a state of permanent emergency”.

The anti-Christian face of National Socialism – either not noticed or tendentiously hidden by many modern researchers – was an important inspiration for Polish deliberations on the III Reich and its criminal heritage. This aspect found expression in the personal notes (not intended for publication) of the Primate of Poland, Cardinal August Hlond (1995). “The Nazi madness plunged the world into a sea of blood, and among its intended victims was Christianity”, we read in his *Notatnik* from 1946. This was a veritable “deluge of barbarity”. The Nazis were led into battle by the “myth of the 20th century”, that is the neo-pagan manifest of racism, in order to conquer “living space” (pp. 353, 359).

In Poland, the Catholic thesis that Christianity had collapsed and thereby allowed the inconceivable regression of humanity epitomized by Hitler’s Germany gained wide acceptance.

The most significant – or so it would appear from the perspective of time – are the reflections of the theologian Father Jan Piwowarczyk, the editor of the Catholic “Tygodnik Powszechny” journal and a close collaborator of Cardinal Adam Sapieha in Kraków, which were written under the impression of the Nuremberg Trials as a cycle of articles under the title *Niemieckie Confiteor* (Piwowarczyk, 1985).

Father Piwowarczyk (1985) opposed the theory that only individuals, the perpetrators of crimes, were responsible, and considered it necessary for the entire German nation to be brought to a reckoning (pp. 75–83). He drew the following distinction: cooperation with crime and indirect cooperation.

Father Piwowarczyk’s polemic with Karl Jaspers (1946) and the theses which he propounded in *Die Schuldfrage* remains relatively unknown, and may well be worth mentioning. “The nation cannot become an individual

(a substantial entity). The nation... cannot be a criminal, cannot act either morally or immorally; only the individuals which comprise it can act thus. The nation as a whole cannot be guilty and, equally, cannot be guiltless, both in matters of a criminal and political nature, ... nor as regards morality” – wrote the German philosopher. In response to his words, Father Piwowarczyk (1985) wrote the article *Zbiorowa odpowiedzialność narodu niemieckiego*, in which he commented the thesis thus:

The Germans have adopted Jaspers’ individualistic theory with eagerness, even though just a short while back – during Hitler’s reign – such a thesis would have been forbidden, as at the time they were being instilled with the totalitarian concept of the nation – that of a uniform, intrinsic and substantial entity; in other words, a physical “entity” (*Ein Volk, ein Reich, ein Führer*). For it was in the German’s interest to ensure that this individualistic theory gained recognition around the world. Under it, responsibility for the mass crimes committed during the War rested with a few thousand people (the ss, Gestapo, SA, the government, the police force, etc.), or perhaps with only a few hundred, while the broad masses of the German nation are free of any responsibility and guilt, and therefore not liable for punishment. He however who is directed not by interests, be they individual or group, but by reason and a sense of justice, shall reject Jaspers’ (individualistic) theory, and also Hitler’s (totalitarian) theory. The nation is not an agglomerate of individuals who can be conjoined only by their will. Nor is it a physical “entity” devoid of independent elements. The nation is a moral unity, a solidaristic group. And the nature of this unity is such that, among others, the individual bears responsibility for the whole to the extent to which he solidarizes with the whole – thus, the individual is responsible not only for what he himself has done, but also for that which the whole has committed on his behalf and with his knowledge. This standpoint is both anti-individualistic and anti-totalitarian. It is solidaristic. And it resolves the issue of collective responsibility (pp. 78–79).

In his polemics, Father Piwowarczyk (1985) referenced Werner Sombart and his theory of the “state-nation”, which “uses the state just as man uses his limbs”. Such a nation “acts as one, and all of its actions are attributable to all of its individuals, however provided that they do not refuse their consent thereto through any means available to them. The guilt of governments is their guilt. And punishment for the crimes of their government falls on them too, justly so, however – and obviously – to the degree to which they have contributed to their committal; some more, and some less”, argued Father Piwowarczyk (p. 79).

Father Piwowarczyk did not involve himself in an analysis of the four types of guilt distinguished by Jaspers: (1) “criminal guilt” (*kriminelle Schuld*), which consists in an individual infringing the criminal provisions in force at a given time; (2) “political guilt”, which may be attributed to statesmen; (3) “moral guilt”, which in and of itself does not consist in “criminal action”, and (4) “metaphysical guilt” (*metaphysische Schuld*), which consists in complicity in the lawlessness and injustice taking place globally, in accordance with the assumption that *wenn ich nicht tue, was ich kann, um es zu verhindern, so bin ich mitschuldig*.

Father Piwowarczyk (1985) was concerned first and foremost with the collapse of German Christianity as expressed through the victory and rule of National Socialism, which enjoyed real support among the majority of society. He concluded his reflections with a bitter statement: “we did not hear the collective *Confiteor* of the German Christians [...]. Truly, we are all the more saddened as we remain convinced that if Christianity shall be unable to raise and educate a «new Germany», then nothing else will” (pp. 74-75).

Generally speaking, the reaction of Polish Catholics to Nazi crimes was concordant in terms of argumentation, i.e. the commonly held viewpoint was that they had been brought about by a negation of the Christian heritage of Europe and Christian ethics. In this context we should emphasize the reflections of Leon Halban (1936, 1939) on the criminal nature of National Socialism, which utilized its mystic nature to portray itself as a new religion – anti-Christian both in theory and in essence.

Another eminent representative of Polish Catholic thought who touched upon the phenomenon of the III Reich was Leon Halban, a Professor at the Catholic University of Lublin. In his opinion, Hitlerism could not be conceived as a political regime, but rather as a “new religion” which aspired to replace Christianity as a world view. In his brochure entitled *Mistyczne podstawy narodowego socjalizmu*, Halban (1946) stated that “nearly all the leaders and administrators of National Socialism have come from mystic Germanic groupings”. And when they assumed power in Germany, they had “retained the irrationalism and fanaticism” of this faith. According to Halban, only Goebbels and Göring had not been “Germanic mystics” (p. 39). The new “Germanic faith”, the Polish scholar explained, originated from the “mysticism of barbarism and cruelty” (p. 40).

“When during the Second World War centuries of culture collapsed around him, man turned once again to Christianity and its right of love, asking question after question. For the darker the world becomes, the more often we hear voices inquiring [...] as to the spirit upon which the future shall be built”, wrote the philosopher and thinker Father Konstanty Michalski in his book *Między heroizmem a bestialstwem* (Michalski, 1984, p. 228).

The anti-Christian nature of Hitlerism was stressed by the then Bishop Ordinary of Lublin (later the Primate of Poland), Stefan Wyszyński, in his evocative pastoral letter written in the autumn of 1946. “Modern man” – he declared – raised Godless into a “materialist heathen”, has be-

come capable of the most horrific crimes and brought about the greatest humiliation of humanity in history. "Such were the people who organized the prisons in the Reich, using blasphemy to torment those at Pawiak, Montelupich, in Oświęcim, Dachau and Majdanek" (Wyszyński, 1981, pp. 386–387). Crimes against humanity were committed amongst others by people who, although baptized, had severed their ties with the Catholic Church. It is worth emphasizing these words, for today there is no lack of accusatory publications which maintain, with no sense of shame or embarrassment whatsoever, that Hitlerism was the creation of active Catholics (see Goldhagen, 2005).

Among the most significant concepts elaborated by Polish intellectuals is the thesis as to the dependence of Hitlerism on German culture and philosophy. The latter in particular helped foster the unbridled German idealism and theory of the nation as the absolute. This interpretation has received support from the most eminent Polish classical scholars (see Dmitrów, pp. 35–39).

While attempting to discover the sources of National Socialist ideology and policy in German culture, the anthropologist Jan Czekanowski (1946) lent his support to the theory that it was the "new German religion" which was fundamentally to blame for the crimes. The sociologist Jan Szczepański (1946) declared that German mysticism had become the tool of the National Socialist party, an instrument for the exercise of authority. This concept of the genesis of National Socialism was most fully developed by the historian of culture Bogdan Suchodolski, according to whom the movement originated from German idealism, a "dislike of rationalism" and an excessive cult of activism. National Socialism grew out of the spiritual heritage of Germany, out of the country's culture, spirituality and philosophical thought, declared Suchodolski (1947) in his booklet *Dusza niemiecka w świetle filozofii*. Another advocate of this interpretation, which shifted the blame for Nazism squarely onto German culture and philosophy, was Konstanty Grzybowski (previously cited); he expressed his support in an article entitled *W klimacie hitleryzmu* (1946). National Socialism "was not born in the heads of a few maniacs", for its origins were deeply embedded in German history and science (p. 83).

Although we shall draw our deliberations to a close with the year 1948, without proceeding to a discussion of the works of Polish historians, we must still mention the fact that Polish legal science made an immense contribution to the development of the doctrine preventing the application of statutes of limitations to Nazi crimes. In a way, this remains as the product of the Polish reckoning with the horrifying legacy of the III Reich. The original concept was brought back to light and described some years ago by Karol Jonca (1991), a Professor at the University of Wrocław in his very important article entitled *Polska doktryna nieprzedawnienia zbrodni hitlerowskich 1939–1984* (pp. 40–44).

Let us keep in mind that in accordance with the German penal code of 1871, on 5 May 1960 the government of the Federal Republic of Germany declared that Hitlerite crimes, including crimes against humanity, had

become statute-barred, while on 13 April 1965 the Bundestag passed an act regulating the issue. Already on 22 April 1964 the Parliament of the People's Republic of Poland adopted an act preventing the application of statutes of limitations to crimes against humanity.<sup>8</sup> This doctrine was propagated by Polish legal science primarily nationally, but also in émigré circles. One of the advocates of the convention on the non-application of statutes of limitations to crimes against humanity was Professor Stefan Glaser, who after the Second World War lectured at the universities of Liège, Leuven and Ghent.

The Polish initiative (i.e. of the government of the People's Republic of Poland) of 1965 on the non-application of statutes of limitation to Nazi crimes led to a special convention of the General Assembly of the United Nations Organization, which was held on 26 November 1968. By 1989, the act had been ratified by 24 states, however on 8 May 1969 the Federal Republic of Germany refused to do so, even though in 1979 the Bundestag had amended German penal law by the introduction of a provision preventing the application of statutes of limitation to crimes against humanity.

The convention of November 1968 remains in force to the present day. The substantiation of the Polish standpoint on the matter of the non-application of statutes of limitation to crimes committed by National Socialist Germany was based on the thesis that these atrocities "were in direct opposition to elementary principles of humanity", and thus could not be expunged from memory. Those guilty of their committal "deserve to be hounded until their dying day". The concept of the "conscience of nations", understood as a supreme instance that is superior to the will of individual nations and internal state legislations, is of the utmost importance in this regard.

Looked at from the Polish perspective, the application of criminal sanctions against German Nazi war criminals in the postwar Federal Republic of Germany was clearly insufficient. Neither Reinefarth nor von dem Bach – guilty of the criminal destruction of Warsaw and the mass murder of the city's population – received any punishment. Justice was served only to the Governor General of the occupied Polish lands, Hans Frank, and the head of the ruling body of the General Government, Josef Bühler. The Polish prosecutor Doctor Jerzy Sawicki (1958) was only able to interview generals von dem Bach, Guderian and von Brauchitsch (pp. 15–69).

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1) The reflections of Polish political thinkers and analysts on the III Reich were more or less in agreement in that they considered totalitarianism as a completely new form of dictatorship without any historical parallel.

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<sup>8</sup> The penal code of the People's Republic of Poland, introduced on 19 April 1969, referred to the matter in its article 109.

Many of these deliberations anticipated the eruption of evil that was to occur during the Second World War, however no-one foresaw the scale of criminality of Hitler's state.

2) The perception of Nazism differed significantly from that of Fascism. In Poland, the Italian Fascist experiment was commented on the whole favorably. Mussolini – it was repeated – returned to his country the stability that it had lost in direct consequence of the First World War. He pursued a cautious foreign policy (at least until 1935). Further, he achieved a *Conciliazione* with the Holy See and signed a concordat which gave the Church guarantees of independence from the state. Italian corporatism was seen as a bold project that aimed to reconcile the world of capital with the world of labor. But whereas Italian Fascism frequently met with appreciation in interwar Poland, National Socialism as a political movement did not win over any advocates in the country in the years 1933–1939; at best, some spoke with admiration of the *economic achievements* of the III Reich.

3) Right until 1939, Hitlerism was considered as a mix of romanticism, nationalism and imperialism, and use was made of historical parallels to compare it with, for example, absolutism. Questions as to the roots of Nazism were answered by theories that it had grown from the German past, while some argued that it constituted a manifestation of “totalizm” – a more global phenomenon.

4) The wartime and postwar reflections of Polish intellectuals on National Socialism centered primarily on the question as to what were the underlying causes of the regression of humanity that this political movement brought about. Such was the context in which the Polish debate on National Socialism and the III Reich took place in the immediate postwar period.

5) We may point to seven fundamental interpretations of National Socialism and the III Reich: a) National Socialism was a phenomenon born of the romanticism of the “German soul”. It was characterized by idealism, activism and mysticism. The German nationalism to which these three components gave birth was revolutionary in nature, and its objective was to create a “new man”; b) Hitlerism was seen as the crowning achievement of the historical development of German imperialism. In this way Hitler gathered the fruits of German militarism. Prussia was not a state that had an army, rather an army that had a state; c) Nazism was viewed as a manifestation of totalitarianism, being as it was one of the most extreme anti-freedom systems in global history, although not the most extreme – this distinction was reserved for Sovietism. It was widely recognized, however, that Hitlerism had come into being as an element of the global anti-liberal revolution; d) Hitlerism was interpreted as an inexplicable symptom of the regression of civilization – an example of a nation's slide into barbarity. The Germans “set back the clock of history” to the Middle Ages. The achievements of the European Enlightenment were wiped out; e) National Socialism was viewed by Catholic intellectuals as a movement born of the collapse of Christianity. In its place, the German nation received a new, pagan religion; f) The theory



of the “nation-criminal” gained prominence in Poland; it was based on the conviction that the German nation must be held jointly accountable for the unprecedented crimes committed during the Second World War; g) For Polish intellectuals, Hitlerism was a phenomenon without historical parallel, which brought about the total collapse of humanity – exceptionally severe, spectacular, and heartrendingly moving. No other experience of history has stimulated man’s imagination in such a way or to such an extent.

## Reference List

- Bauman, Z. (2012). *Nowoczesność i Zagłada*. Kraków: Wydawnictwo Literackie.
- Bieńczyk-Missala, A. & Dębski, S. (Eds.). (2010). *Rafał Lemkin: A Hero of Humankind*. Warszawa: Polski Instytut Spraw Międzynarodowych.
- Bociański, J. (n.d.). *Wspomnienia*. Instytut Józefa Piłsudskiego (Londyn). Kolekcja 50.
- Borejsza, J. W. (2006). „Śmieszne sto milionów Słowian...”: wokół światopoglądu Adolfa Hitlera. Warszawa: Wydawnictwo Neriton, Instytut Historii PAN.
- Bujak, F. (1939). Wieś a totalizm. *Wieś i Państwo*, 2(1), 88–96.
- Caro, L. (1929). Od Wiery Sassulicz do Lenina. *Kwartalnik Historyczny*, 3, 325–348.
- Chmurski, A. (1935). *Nowa konstytucja (z dn. 23 kwietnia 1935 r.)*. Warszawa: skł. gł. w Księgarni Gebethnera i Wolffa.
- Cybichowski, Z. (1939). *Na szlakach nacjonalizmu. Rozważania prawno-polityczne*. Warszawa: Gebethner i Wolff.
- Czarnowski, S. (1956). Ludzie zbędni w służbie przemocy (1935). In S. Czarnowski, *Dzieła* (Vol. 2, *Studia z historii myśli i ruchów społecznych*, pp. 186–193). Warszawa: PWN.
- Czekanowski, J. (1946). Czy katastrofa Europy. *Tygodnik Powszechny*, 11, 17 March.
- Deryng, A. (1936). *Zagadnienie podziału funkcji władzy państwowej*. Warszawa: Stała Delegacja Zrzeszeń i Instytucyj Prawniczych R. P.
- Dmitrów, E. (1987). *Niemcy i okupacja hitlerowska w oczach Polaków: poglądy i opinie z lat 1945–1948*. Warszawa: Czytelnik.
- Dmowski, R. (2006). *Przewrót*. Warszawa: Wydawnictwo Nortom.
- Donnedieu des Vabres, H. (1937). *La Crise moderne du droit penal. La politique criminelle des États autoritaires*. Paris: Recueil Sirey.
- Dubanowicz, E. (1936). *Ku stałemu ustrojowi państwa polskiego*. Warszawa: Towarzystwo Wydawnicze Młodych Prawników i Ekonomistów.
- Feldman, J. (1934). *Antagonizm polsko-niemiecki w dziejach*. Toruń: nakł. Instytutu Bałtyckiego.
- Frydman, S. (1936). Dogmatyka prawa w świetle socjologii. Studium o wykładni ustaw. In B. Wróblewski (Ed.), *Ogólna nauka o prawie* (Vol. 1). Wilno: nakł. Koła Filozoficznego Studentów Uniwersytetu Stefana Batorego.
- Goldhagen, D. (2005). *Niedokończony rozrachunek: rola Kościoła katolickiego w Holocaustcie i niedopełniony obowiązek zadośćuczynienia*. (H. Jankowska, Trans.). Warszawa: Sic!
- Górnicki, L. (1993). *Prawo Trzeciej Rzeszy w nauce i publicystyce prawniczej Polski międzywojennej*. Bielsko-Biała: Wydawnictwo AS.
- Górnicki, L. (2011). Narodowosocjalistyczne prawo w poglądach Szymona Rundsteina. *Studia nad Faszyzmem i Zbrodniami Hitlerowskimi w Polsce*, 33, 47–77.
- Grzybowski, K. (1939a). *Geopolityka* (Vol. 2). Kraków: Sekcja Wydawnicza Koła Uczniów i Absolwentów Szkoły Nauk Politycznych.
- Grzybowski, K. (1939b). Niemcy. Ustrój polityczny Trzeciej Rzeszy. In *Encyklopedia nauk politycznych* (Vol. 4, no. 1, pp. 62–71). Warszawa: Instytut Wydawniczy „Biblioteka Polska”.
- Grzybowski, K. (1946). W klimacie hitleryzmu. *Twórczość*, 1.
- Grzybowski, K. (2005). Niemcy hitlerowskie, Kraków 1934. In M. Maciejewski & M. Marszał (Eds.), *Pod znakiem swastyki. Polscy prawnicy wobec Trzeciej Rzeszy 1933–1939. Wybór pism* (pp. 17–27, 28–33, 50–60). Kraków: Ośrodek Myśli Politycznej.
- Halban, L. (1936). *Religia w Trzeciej Rzeszy*. Lwów: Towarzystwo Naukowe, skł. gł. Gubrynowicz i Syn.

- Halban, L. (1939). Istota duchowa Trzeciej Rzeszy. *Neofilolog*, 10(1), 14–31.
- Halban, L. (1946). *Mystyczne podstawy narodowego socjalizmu*. Lublin: Towarzystwo Naukowe KUL.
- Hertz, A. (1936). Militaryzacja stronnictwa politycznego. *Przegląd Socjologiczny*, 4(1–2), 60–109.
- Hlond, A. (1995). *Z notatnika Kardynała Augusta Hlonda*. W. Necel (Ed.). Poznań: Hlondianum.
- Jaspers, K. (1946). *Die Schuldfrage*. Heidelberg: Lambert Schneider.
- Jedlicki, J. (1993). *Żle urodzeni, czyli o doświadczeniu historycznym: scripta i postscripta*. London: Aneks; Warszawa: Polityka.
- Jedlicki, M. Z. (1939). *Przeobrażenia ustrojowe i polityczne dzisiejszych Niemiec*. Kraków: Koło Uczniów i Absolwentów Szkoły Nauk Politycznych.
- Jędrzejewicz, W. (1966). Sprawa wojny prewencyjnej z Niemcami w 1933 roku. *Zeszyty Historyczne*, 10, 143–174.
- Jonca, K. (1991). *Polska doktryna nieprzedawnienia zbrodni hitlerowskich (1939–1984)*. Warszawa: Instytut Pamięci Narodowej.
- Kanarek-Równicka, A. (2017). *Polskie interpretacje ustroju i prawa Trzeciej Rzeszy (1933–1939)*. Toruń: Wydawnictwo Adam Marszałek.
- Kania, K. (Ed.). (2011). *Polskie Dokumenty Dyplomatyczne 1932*. Warszawa: Polski Instytut Spraw Międzynarodowych.
- Knoll, R. (1939). *Uwagi o polskiej polityce 1939*. Warszawa: Instytut Wydawniczy „Biblioteka Polska”.
- Komarnicki, W. (1938). Nowy ustrój Związku Sowieców. *Rocznik Prawniczy Wileński*, 10, 169–208.
- Kornał, M. (2001). Józef Beck o stosunkach polsko-niemieckich. (Wystąpienie na konferencji u ministra spraw wewnętrznych 5 czerwca 1935 r.). *Zeszyty Historyczne*, 137, 116–126.
- Kornał, M. (2002). *Polska 1939 roku wobec paktu Ribbentrop-Mołotow. Problem zbliżenia niemiecko-sowieckiego w polityce zagranicznej II Rzeczypospolitej*. Warszawa: Polski Instytut Spraw Międzynarodowych.
- Kornał, M. (2004a). *Bolszewizm, totalitaryzm, rewolucja, Rosja. Początki sowietologii i studiów nad systemami totalitarnymi w Polsce (1918–1939)* (Vol. 2). Kraków: Księgarnia Akademicka.
- Kornał, M. (2004b). Rafał Lemkin (1900–1959) – studium biograficzne. *Zeszyty Historyczne*, 147, 107–157.
- Kornał, M. (2006). Polish Interpretations of Bolshevism and Totalitarian Systems (1918–1939). In J. W. Borejsza & K. Ziemer (Eds.), *Totalitarian and Authoritarian Regimes in Europe. Legacies and Lessons from the Twentieth Century* (pp. 80–105). New York–Oxford: Berghahn Books.
- Kornał, M. (2009). Zygmunt Mysłakowski i jego koncepcja „ucieczki od wolności”. In A. Citkowska-Kimla, M. Kiwior-Filo & B. Szlachta (Eds.), *Doktryny, historia, władza. Księga dedykowana Profesorowi Wiesławowi Kozubowi-Ciembroniewiczowi z okazji czterdziestolecia pracy naukowej* (pp. 137–151). Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego.
- Kornał, M. (2012a). *Polen zwischen Hitler und Stalin. Studien zur polnischen Außenpolitik in der Zwischenkriegszeit*. Berlin–Brandenburg: be.bra verlag.
- Kornał, M. (2012b). *Polityka zagraniczna Polski 1938–1939. Cztery decyzje Józefa Becka*. Gdańsk: Wydawnictwo Oskar, Muzeum II Wojny Światowej.
- Kornał, M. (2016). *Kazimierz Zakrzewski wobec reżimów totalnych. Pisma i idee z lat 1929–1935*. In M. Dąbrowska (Ed.), *Kazimierz Zakrzewski. Historia i polityka* (pp. 218–262). Warszawa–Łódź: Instytut Pamięci Narodowej, Uniwersytet Łódzki.
- Kozarynowa, Z. (1965). Sonderaktion Krakau. *Wiadomości*, 3 January.
- Kutrzeba, S. (1937). *Państwa totalne. Światła-cienie-przyszłość*. Kraków: skł. gł. w księgarniach Gebethnera i Wolffa.
- Lemkin, R. (1934). Reforma prawa karnego w Niemczech. *Wiadomości Literackie*, 30.
- Lemkin, R. (1944). *The Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress*. Washington: Carnegie Endowment for International Peace.
- Lemkin, R. (2013). *Rządy państw osi w okupowanej Europie*. (A. Bieńczyk-Missala et al., Trans.). Warszawa: Wydawnictwo Scholar.
- Lukacs, J. (2001). *The Last European War. September 1939 – December 1941*. New Haven–London: Yale University Press.
- Maciejewski, M. & Marszał, M. (Eds.). (2005). *Pod znakiem swastyki. Polscy prawnicy wobec Trzeciej Rzeszy 1933–1939. Wybór pism*. Kraków: Ośrodek Myśli Politycznej.
- Mackiewicz, S. (1946). *Nuremberg and After*. Newton: The Montgomeryshire Print. & Stat.
- Malinowski, B. (1947). *Freedom and Civilization* (2nd ed.). London: George Allen & Unwin.
- Marszał, M. (2012). Kilka uwag na temat prawa w państwach totalnych w poglądach Szymona Rundsteina (1876–1942). *Annales Universitatis Mariae Curie-Skłodowska*, 59(2), Sectio G, 59–65.

- Michalski, K. (1984). *Między heroizmem a bestialstwem*. Częstochowa: Częstochowskie Wydawnictwo Diecezjalne Regina Poloniae.
- Musiela, M. (1997). *Nazizm w interpretacjach polskiej myśli politycznej okresu międzywojennego*. Poznań: Wydawnictwo Poznańskie.
- Mysłakowski, Z. (1938). *Totalizm czy kultura*. Kraków: Czytelnik.
- Nowakowski, Z. (2014). *Za zamkniętymi drzwiami. Reportaże z Niemiec 1933*. (T. Szarota, Ed.). Warszawa: Bellona.
- Peretiatkiewicz, A. (1929). Cezaryzm demokratyczny a konstytucja polska. *Przegląd Współczesny*, 31, 76–85.
- Peretiatkiewicz, A. (1938). Kryzys państwa współczesnego. *Przegląd Współczesny*, 64, 266–273.
- Petrażycki, L. (1925). *O ideale społecznym i odrodzeniu prawa naturalnego*. Warszawa: skł. gł. w Księgarni Leona Idzikowskiego.
- Pigoń, S. (1968). *Z przedziwa pamięci. Urywki wspomnień*. Warszawa: PIW.
- Piwowarczyk, J. (1985). *Wobec nowego czasu: z publicystyki 1945–1950*. Kraków: Znak.
- Pospieszalski, K. (1946). *Polska pod niemieckim prawem (1939–1945)*. *Ziemie Zachodnie*. Poznań: Wydawnictwo Instytutu Zachodniego.
- Protokoły z posiedzeń Rady Ministrów Rzeczypospolitej Polskiej* (Vol. 1, październik 1939 – czerwiec 1940). (1994). (W. Rojek, Ed.). Kraków: Secesja.
- Rappaport, E. S. (1934). *Przyszły kodeks karny Trzeciej Rzeszy Niemieckiej: wskazania podstawowe prawa karnego hitlerowskiego*. Warszawa: (n.p.).
- Rappaport, E. S. (1945). *Naród-Zbrodniarz. Przepęstwa hitleryzmu a naród niemiecki. Szkic analityczny przestępczości i odpowiedzialności osobowo-zespołowej*. Łódź: Spółdzielnia Dziennikarska „Prasa”.
- Rostworowski, E. (2010). *Posłowie*. In W. Konopczyński, *Fryderyk Wielki a Polska*. Kraków: Towarzystwo Autorów i Wydawców Prac Naukowych Universitas.
- Rundstein, S. (1935). Narodowo-socjalistyczna doktryna prawa narodów. *Polityka Narodów*, 5(6), 700–714.
- Rybarski, R. (1936). *Siła i prawo*. Warszawa: Zakł. Druk. F. Wyszyński i S-ka.
- Ryszka, F. (1964). *Państwo stanu wyjątkowego. Rzecz o systemie państwa i prawa w III Rzeszy*. Warszawa: Zakład Narodowy imienia Ossolińskich – Wydawnictwo Polskiej Akademii Nauk.
- Sacewicz, K. (2005). *Polskie Państwo Podziemne wobec komunistów polskich (1939–1945): wypisy z prasy konspiracyjnej*. Olsztyn: Wydawnictwo Uniwersytetu Warmińsko-Mazurskiego.
- Sacewicz, K. (2009). *Centralna prasa Polski Podziemnej wobec komunistów polskich 1939–1945*. Warszawa: Instytut Pamięci Narodowej.
- Sawicki, J. (1958). *Przed polskim prokuratorem. Dokumenty i komentarze*. Warszawa: Wydawnictwo Iskry.
- Seidler, T. (1929). *Rozważania ustrojowe*. Warszawa: nakł. Księgarni F. Hoesicka.
- Serwatka, T. (1997). *Józef Piłsudski a Niemcy*. Wrocław: Towarzystwo Przyjaciół Ossolineum.
- Sikorski, W. (1940). *Notatnik gen. Sikorskiego, wrzesień 1940*. Instytut Polski i Muzeum Sikorskiego (Londyn). Kolekcja 1/2.
- Sikorski, W. (1941). *German Law and German Lawlessness*. St. Andrews: St Andrews University Press.
- Sikorski, W. (1942). *General Sikorski's Speeches during his Visit to the United States in December 1942*. New York: Polish Information Center.
- Sikorski, W. (2010). *Przyszła wojna, jej możliwości i charakter oraz związane z nią zagadnienia obrony kraju*. Kraków: Towarzystwo Autorów i Wydawców Prac Naukowych Universitas.
- Skóra, W. (Ed.). (2015). *Polskie Dokumenty Dyplomatyczne 1933*. Warszawa: Polski Instytut Spraw Międzynarodowych.
- Sokolnicki, M. (1965). *Dziennik ankarski 1939–1943*. Londyn: Gryf Publications.
- Stomma, S. (1938). *Wina i związek przyczynowy w rozwoju prawa karnego*. Wilno: skł. gł. w Księgarni J. Zawadzkiego.
- Stroński, S. (1935). *Polska polityka zagraniczna 1934–1935*. Poznań: (n.p.).
- Suchodolski, B. (1947). *Dusza niemiecka w świetle filozofii*. Poznań: Instytut Zachodni.
- Sukiennicki, W. (1938). *Ewolucja ustroju Związku Socjalistycznych Republik Radzieckich w świetle oficjalnych publikacji władzy radzieckiej* (Vol. 1). Wilno: nakł. Instytutu Naukowo-Badawczego Europy Wschodniej.
- Szawleski, M. (1938). *Polonizm: urząd narodu polskiego*. Warszawa: „Biblioteka Polska”.
- Szczepański, J. (1946). Nie przeceniać mistyki, *Kuźnica*, 13, 8 April.

- Szembek, J. (1939). *List wiceministra Szembeka do ambasadora Romera z 13 lipca 1939 roku*. Instytut Polski i Muzeum Sikorskiego. Kolekcja 5 (mikrofilm).
- Świtalski, K. (1991). *Diariusz 1919–1935*. Warszawa: Czytelnik.
- Weinberg, G. L. (Ed.). (1961). *Hitlers Zweites Buch, Ein Dokument aus dem Jahr 1928*. Stuttgart: Deutsche Verlags-Anstalt.
- Wereszczyński, A. (1934). *Państwo antyczne i jego renesansy* (2nd. ed.). Lwów: Wydawnictwo Zakładu Narodowego im. Ossolińskich.
- Winiewicz, J. (1939). *Mobilizacja sił niemieckich w Polsce*. Warszawa: Polityka.
- Winiewicz, J. (1943). *Aims and Failures of the German New Order*. Chicago: American Polish Council.
- Wolter, W. (1934). Prawo karne pod znakiem swastyki. *Przegląd Współczesny*, 49, 231–246.
- Wyszyński, S. (1981). O chrześcijańskim wyzwoleniu człowieka. List pasterski na nowy rok kościelny, *Znak*, 4–5, 383–402.
- Zakrzewski, K. (1931). *Od Lenina do Hitlera*. Warszawa: „Przełom”.
- Zakrzewski, K. (1933). Nowy klimat polityczny. *Przełom*, 1.
- Zakrzewski, K. (1934). Fermenty niemieckie. *Przełom*, 3–4.
- Zerko, S. (Ed.). (2005). *Polskie Dokumenty Dyplomatyczne 1939: styczeń – sierpień*. Warszawa: Polski Instytut Spraw Międzynarodowych.