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Legal Status of Private Schools, Associations and Other Lithuanian Organizations in the Republic of Poland in 1930s: Outline of Issues*

Abstract

Lithuanian cultural-educational institutions were the target of severe actions taken by Polish authorities whose aim was to shut Lithuanian institutions. Existing laws were interpreted in an broad way, which was not always lawful. The crisis in mutual relations resulted from the events of 1922, when the Vilnius Lndas, pursuant to a resolution of the Legislative Sejm, was part of the Polish state. This has contributed to tighten, so the part of the Polish and Lithuanian policy towards the minority and the development of education and culture.

Keywords

education Lithuanian, Polish-Lithuanian relations, interwar period, Lithuanians in Poland

Sytuacja prawna szkół prywatnych, stowarzyszeń i innych organizacji litewskich w Rzeczypospolitej Polskiej w latach trzydziestych XX wieku — zarys problematyki

Streszczenie

Działania władz polskich wobec litewskich instytucji kulturalno-oświatowych działających w Polsce były bardzo restrykcyjne, co przyczyniało się do ich zamykania. Istniejące przepisy starano się interpretować rozszerzająco, co nie zawsze było zgodne z prawem. Kryzys we wzajemnych relacjach wynikał z wydarzeń 1922 roku, kiedy to Ziemia Wileńska, na mocy uchwały Sejmu Ustawodawczego, znalazła się w granicach państwa polskiego. To przyczyniło się do zaostrzenia, tak ze strony polskiej, jak i litewskiej, polityki względem danej mniejszości narodowej oraz rozwoju jej oświaty i kultury.

Słowa kluczowe

szkolnictwo litewskie, relacje polsko-litewskie, dwudziestolecie międzywojenne, Litwini w Polsce

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Polish-Lithuanian relations in the Interwar Period could not be defined as harmonious. The Republic of Poland and the Republic of Lithuania did not sustain any diplomatic relations until 1938. When in 1922 Vilnius Lands were incorporated into the borders of Poland by the resolution of Legislative Sejm, the relations deteriorated. The outcome was tightening mutual minority policy restricting education and culture development, both by the Poles and Lithuanians¹.

On 22nd April 1919, when the Polish military seized Vilnius, Marshall Józef Piłsudski expressed his view on ethnic issues in the north-east Poland. For that occasion he made a famous address *To the inhabitants of the former Grand Duchy of Lithuania* which he began by saying that: “For more than one hundred years, your country has not known what freedom is. It has been oppressed by hostile aggressors: Russian, German, Bolshevik, who without asking anybody imposed their foreign patterns of behavior restricting will, often breaking lives”. In further parts of the address introducing freedom of speech was postulated as well as enabling independent settlement of internal, ethnic and religious matters “with no outrage or influence on Poland’s side”. The newly established Civilian Management Board of Eastern Lands was to be in charge of safeguarding peace and order; protection of all inhabitants of Lithuanian-Belarusian lands regardless of their ethnicity or religion as well as ensuring them the right to decide about their future through representatives elected in common ballot that would be secret, direct and would not discriminate against any sex².

It should be emphasized that in later time similar pledges were included in the March Constitution of 17th March 1921 by which citizens of the Polish state had the right to retain their nationality, develop mother tongue and “ethnic properties”. Such provisions were to be guaranteed by appropriate laws and the right to create public “autonomous minority associations” operating at “general self-government associations” and controlled by the state. What is more, Polish citizens who were of any ethnic minority had the right to establish schools and institutions (of different profiles) within which they could use their mother tongue³. In the April Constitution of 23rd April 1935 in turn, the state was in charge of safeguarding its citizens with freedom to organize. The rights of an individual to “influence public matters” could not be restrained on the account of nationality⁴.

When the *Act of 31st July 1924 including provisions concerning structure of education* came into force, Lithuanian private schools, wherein mother tongue was to be an official language, could be established on the same rules as Polish schools. Such institutions were meant to improve national harmony, teach respect, connect children of different nationalities and object to divisions. Moreover, these schools should raise

¹ See too: G. Błaszczuk, *Polacy na Litwie. Zarys problematyki historycznej i współczesnej*, „Przegląd Wschodni”, z. 1/1991, p. 150.

² J. Piłsudski, *Odezwa do mieszkańców byłego Wielkiego Księstwa Litewskiego*, [in:] *idem, Odezwy, dekrety, mowy*, Ligatur 2008, p. 16, 17 (source: http://www.ligatur.se/shop/free/pilsudsk_odezwy_dekrety_mowy.pdf, access the day: May 31, 2014).

³ *Ustawa z dnia 17 marca 1921 roku. Konstytucja Rzeczypospolitej Polskiej*, Dz.U. RP, No. 44, item 267, Warszawa 1921, art. 109, 110.

⁴ *Ustawa konstytucyjna z dnia 23 kwietnia 1935 r.*, Dz.U. RP, No. 30, item 227, Warszawa, 1935, art. 5.

all children as “good citizens of the Polish state”. The following subjects were to be on the curriculum: Polish, history, geography, studies about contemporary Poland⁵.

What is more, on 11th March 1932, *Act on private schools and scientific and pedagogic institutions* was issued. It stated that registered associations and foundations as well as each Polish citizen, or “in extraordinary situations” non-citizen after prior consent of Minister of Religion and Public Enlightenment, could establish a private school on a condition that it fulfilled legal requirements. The requirements were as follows: a) to prepare and submit school charter outlining its structure, name, curriculum and lecturing language; b) to guarantee space and technical infrastructure (equipment and teaching materials); c) financial security; d) a written statement provided by relevant authorities that a given person “has been morally faultless and behaved impeccably towards the state”⁶. The principal or manager of the school, however, could only be a citizen of Poland (in “extraordinary situations” the Minister of Religion and Public Enlightenment could make an exemption from that requirement) with “impeccable” character and proper qualifications⁷.

A supervising organ could close a school after its management submitted necessary clarifications if a) school has been closed for three months without justified reason; b) teaching level has dropped within past three years; c) the law or school charter has been violated; d) didactic content delivered to students was against the Polish state; e) school was not able to counteract negative factors influencing the youth⁸.

To implement the above law, on 7th June 1932 *Ordinance of Minister of Religion and Public Enlightenment on private schools and scientific and pedagogic institutions*⁹ came into force. The ordinance elaborated on the law. The system in a private school was to be adjusted to didactic and pedagogic requirements. Therefore, school charter should regulate such issues as: tasks and use of school, students recruitment procedure, time span of studies, type and level of school, lecturing language (in non-Polish institutions a part of subjects had to be taught in Polish), curriculum (subjects, scope of material and teaching plan), school authorities admission of teaching aids used at school, name of school in Polish (second name could be used in the language used at school), rights and duties of school authorities and teachers¹⁰.

⁵ *Ustawa z dnia 31 lipca 1924 r. zawierająca niektóre postanowienia o organizacji szkolnictwa*, Dz.U. RP, No. 79, item 766, Warszawa, 1934, art. 1, 2, 4, 7; see: *Rozporządzenie Ministra Wyznań Religijnych i Oświecenia Publicznego z dnia 7 stycznia 1925 r. wydane w porozumieniu z Ministrem Spraw Wewnętrznych i Ministrem Rolnictwa i Dóbr Państwowych, w sprawie wykonania ustawy z dnia 31 lipca 1924., zawierającej niektóre postanowienia o organizacji szkolnictwa*, Dz.U. MWR i OP, No. 3, item 30, Warszawa 1925, § 19.

⁶ *Ustawa z dnia 11 marca 1932 r. o prywatnych szkołach oraz zakładach naukowych i wychowawczych*, Dz.U. RP, No. 33, item 343, Warszawa 1932, art. 2, 11.

⁷ *Ibidem*, art. 6.

⁸ *Ibidem*, art. 4.

⁹ *Położenie ludności litewskiej w Polsce w okresie 1935–1938...*, c. 10.

¹⁰ *Rozporządzenie Ministra Wyznań Religijnych i Oświecenia Publicznego o prywatnych szkołach oraz zakładach naukowych i wychowawczych*, wydane co do § 13 w porozumieniu z Ministrem Spraw Wewnętrznych, a co do § 20 w porozumieniu z Ministrami Spraw Wewnętrznych oraz Przemysłu i Handlu, Dz.U. RP, No. 50, item 473, Warszawa 1932, § 3, 5, 6, 7, 8, 9.

Thanks to newly introduced regulations many Lithuanian educational associations such as Lithuanian Educational Association “Rytas” in Świąciany, St. Kazimierz’s Lithuanian Association of Raising and Protecting the Youth in Vilnius, Lithuanian Educational Association “Kultura” in Vilnius used their charters to establish private schools. By 1927 the number of Lithuanian schools established by Lithuanian cultural-educational institutions amounted to 150. However, after that year the number of schools decreased to 100, in school year 1934/35 to 36 schools, while in years 1938/39 only two schools were left — one in Vilnius and the other in village Poszumień in Świąciańskie county¹¹.

On numerous occasions the justification for closing a particular school, given by Polish authorities, was based on relevant laws and pointed to teacher’s qualifications, charter of the school, school building, school equipment as well as teaching aids. In the years 1925–1926 a significant number of Lithuanian schools was closed due to no candidate for a position of principal with Polish citizenship which was not easily obtained¹². Another reason was lack of appropriate professional qualifications (e.g. teaching college in Vilnius was closed in 1927). No certificates of impeccable morality and attitudes towards Polish state, issued by general administration, were delivered by school authorities giving another reason for closing schools. A significant number of teachers was also made redundant due to negligence or low teaching level¹³. Lack of improvement in the above areas within three months resulted in closing the school, if it coincided with the end of school year¹⁴.

Moreover, Polish authorities appealed to the provisions of the *Act of 17th February 1922 on establishing public common schools*¹⁵ as well as the following ordinances of the Minister of Religion and Public Enlightenment: 1) *of 5 April 1922 on dimensions and number of rooms in the buildings of public schools and teachers’ dormitories*¹⁶ and 2) *of 28 February 1925 on an amendment and supplement to ordinance of 5 April 1922 on dimensions and number of rooms in the buildings of public schools and teachers’ dormitories*¹⁷. It seems that appealing to the above acts was not justified because they regulated issues related to public, not private schools. According to these regulations, the county — not the manager or principal of school — was in charge of

¹¹ *Położenie ludności litewskiej w Polsce w okresie 1935–1938...*, c. 4.

¹² *Ibidem*, c. 7.

¹³ *Ibidem*, c. 9; see: *Zagadnienia polityki zagranicznej*, mszp., LMAVB, Zespół Mariana Świechowskiego, fond 168, file 27, c. 2–3.

¹⁴ *Ustawa z dnia 11 marca 1932 r. o prywatnych szkołach oraz zakładach naukowych i wychowawczych...*, art. 5, 12.

¹⁵ *Ustawa z dnia 17 lutego 1922 roku o budowie publicznych szkół powszechnych*, Dz.U. RP, No. 18, item 144, Warszawa 1922.

¹⁶ *Rozporządzenie Ministra Wyznań Religijnych i Oświecenia Publicznego z 5 kwietnia 1922 roku w przedmiocie wymiarów i liczby pomieszczeń w budynkach publicznych szkół powszechnych i domach mieszkalnych dla nauczycieli*, Dz.U. RP, No. 45, item 383, Warszawa 1922.

¹⁷ *Rozporządzenie Ministra Wyznań Religijnych i Oświecenia Publicznego z dnia 28 lutego 1925 roku o częściowej zmianie i uzupełnieniu rozporządzenia z dnia 5 kwietnia 1922 r. w przedmiocie wymiarów i liczby pomieszczeń w budynkach publicznych szkół powszechnych i domach mieszkalnych dla nauczycieli*, Dz.U. RP, No. 36, item 245, Warszawa 1925.

ensuring technical infrastructure and a building for school¹⁸. Moreover, the ordinances gave meticulous specification of technical requirements for buildings of public schools, including the minimal size of some rooms.

The *Act on private schools and scientific and pedagogic institutions* of 11 March 1932 provided only for a situation that a Polish citizen willing to establish school should ensure proper building and fit it with appropriate equipment and teaching aids. There was no mention of appropriate application of legal acts of 1922 and 1925 to private schools. Polish authorities applied broad interpretation, which undoubtedly was to Lithuanian schools' disadvantage¹⁹.

Apart from private schools, many Lithuanian institutions and associations operating in Vilnius were dissolved, e.g. Lithuanian National Committee, Lithuanian Scientific Association, Lithuanian Charity Association, Lithuanian Educational Association "Rytas", St. Kazimierz Lithuanian Association, Lithuanian Agricultural Association and Lithuanian Sports Club. Despite this fact, applications for registering new associations were filed to Polish authorities, an example of which might be a charter of Lithuanian Roman-Catholic Women Association in Vilnius. However, by 20th January 1936 decision of Vilnius voivode Ludwik Bociański, the application was rejected. The justification ruled out that the charter did not represent "public benefit"²⁰. In one of reports it was written that "In the past three years nearly all Lithuanian associations, including the most active, were dissolved. The starting point for closing an association was usually an accusation towards one of its members. If no offence was spotted by the authorities, a veil of mystery was spread. One offence could have led to dissolving a branch of an association, which later on became the ground for closing a whole association". It is more than an apt moment to mention trial of Konstantin Stašys, the chairman of Lithuanian National Committee, accused of drawing allowances for association activity from foreign sources. On 5th November 1937, District Court in Vilnius ruled that obtaining subsidies from a different country is not a crime. According to the statement of voivode Bociański submitted to the association chairman on 20th December 1935, the actual reason for being charged was Stašys's support for intolerance and persecution of Poles in Lithuania²¹.

Polish authorities also closed Lithuanian reading rooms and libraries established by Lithuanian educational associations. Such associations as "Rytas" in Vilnius, "Rytas" in Świeciany, St. Kazimierz Association and Educational Association "Kultura" should be mentioned. The legal basis used was *Decree of 7th February 1919 on temporary regulations concerning printing houses and typesets*²² which ruled that a person intending to open a typeset "meant for public circulation, sales, borrowing or distribution, should notify a relevant administration office, submitting the name of an

¹⁸ *Ustawa z dnia 17 lutego 1922 roku o budowie publicznych szkół powszechnych...*, art. 1, 2.

¹⁹ *Położenie ludności litewskiej w Polsce w okresie 1935–1938...*, c. 14.

²⁰ *Zakaz zakładania nowych stowarzyszeń*, mszp. LMAB, *Zespół Tymczasowego Komitetu Wileńskiego Litewskiego*, sygn. fond 254, file 161, c. 1.

²¹ *Stowarzyszenia litewskie i ich likwidacja...*, c. 1; see more: B. Makowski, *Litwini w Polsce 1920–1939*, Warszawa 1986, p. 287–294.

²² *Dekret z 7 lutego 1919 roku w przedmiocie przepisów tymczasowych o zakładach drukarskich i składach druków*, Dz. Pr. PP, No. 14, item 146.

owner or manager as well as the company office". The manager (owner) could be only a person of at least 21 years of age, with full civil rights, and permanently inhabiting the Polish state. If a negative decision did not arrive within two weeks, the company could have been opened²³. Polish authorities, however, began closing these institutions which resulted in their decrease from 176 in 1936 to only 4 in 1938²⁴.

The managers of reading rooms were made liable for the alleged illegal possession and distribution of Lithuanian prints of Kaunas origin²⁵. Other accusations included: lack of laced catalogues and cash books, spreading disagreement between Lithuanian and Polish people, boycotting or fighting Polish institutions, spreading the idea of separating Vilnius area and annexing it to Lithuania, and finally running the activities threatening safety, peace and public order. It needs emphasis that in order to close a reading room, administrative authorities issued proceedings regulated by *the Ordinance of the President of Republic of Poland of 27th October 1932 — associations law*²⁶. The act only referred to suspension or dissolution of an association and not a reading room whose closing process was regulated by a decree of February 1919²⁷.

The attitude of Lithuanians towards actions taken by Polish authorities was expressed in one of reports wherein it was emphasized that „Lithuanian society in Poland needs life and development just as any live organism. Everyone who's interested in development of Lithuanian life can see that within few past years this development has been almost entirely halted. Local administrative and educational authorities have taken all measures available to totally destroy what Lithuanian society has been creating for many years sparing no expense and efforts. Discussions of authorities' attitude towards Lithuanian community bring about voices that it is retaliation for persecution of Poles in Lithuania or for disloyal attitude of Lithuanians towards Polish state. This statement is usually accompanied by a declaration that nothing bad happens to Lithuanians in Poland, that they enjoy absolute freedom and abundance of schools, associations and other cultural institutions”²⁸.

The actions of Polish authorities redoubled amongst Lithuanian cultural-educational institutions. In the petition of 15th May 1938 filed to the President of Republic of Poland, Ignacy Mościcki, the Lithuanian Academics Association at Stefan Batory University in Vilnius under the lead of Piotr Wiszczyński called for “favorable consideration of the condition of Lithuanian folk in Poland as well as possibly urgent response to the most crucial cultural-educational and economic needs of Lithuanian society”. Quoting provisions of April Constitution ruling that everyone is equal before the law, everyone has the right to develop personal and national culture values as well as establish charity, social and educational institutions, it has been stated that social and organizational life of Lithuanian society was hindered by a number of administrative

²³ *Ibidem*, art. 1, 2, 4.

²⁴ *Stowarzyszenia litewskie i ich likwidacja...*, c. 3.

²⁵ *Ibidem*, c. 4.

²⁶ *Rozporządzenie Prezydenta Rzeczypospolitej z 27 października 1932 roku prawo o stowarzyszeniach*, Dz.U. RP, No. 94, item 808, Warszawa 1932.

²⁷ *Ibidem*, art. 16; *Stowarzyszenia litewskie i ich likwidacja...*, c. 9.

²⁸ *Położenie ludności litewskiej w Polsce w okresie 1935–1938...*, c. 23.

decrees²⁹. Simultaneously it was commented that such state of things “is mighty harmful for it puts Lithuanian national culture on the brink of extinction. It hinders education, institutions’ life and economic development of Lithuanian village. Lithuanian folk deprived of its own cultural and economic institutions, schools, educating courses, organizations, gatherings, reading rooms, libraries and press has no opportunity to get education from sources of its national culture. And since it does not usually know other languages, it is simply deprived of possibility to learn in general”³⁰. That is why Lithuanian academic youth, „aware of its role and responsibility for development of national Lithuanian culture [...]” asked for reconsideration of such issues as equal rights for Lithuanian people and Polish citizens, possibility to establish private schools, associations, magazines and spreading education outside schools — in libraries and reading rooms. They have also pleaded for granting rights of public school to junior high school and secondary school of Vytautas in Vilnius; transforming public education for Lithuanian folk in such a way that is actually became Lithuanian in terms of language and teaching staff; creation of vocational education with Lithuanian as the lecturing language; employing Lithuanians in public schools³¹; cancelling laws concerning certificates issued by local authorities which acknowledge being Lithuanian and are required by school authorities before a student is accepted to a Lithuanian junior high school; cancelling decision on closing Lithuanian junior high school in Święciany or giving consent to opening a new one³².

Lithuanian cultural-educational institutions were the target of severe actions taken by Polish authorities whose aim was to shut Lithuanian institutions. Existing laws were interpreted in an broad way, which was not always lawful.

²⁹ *Do Jego Ekscelencji Pana Prezydenta Rzeczypospolitej w Warszawie*, mszp., LMAB, *Zespół Tymczasowego Komitetu Wileńskiego Litewskiego*, sygn. fond 254, file 149, c. 1–2.

³⁰ *Ibidem*, c. 2.

³¹ *Ibidem*, c. 3.

³² *Ibidem*, c. 4–5.

